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TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

OFFICE OF WAGE STABILIZATION

Effective upon publication in the FEDERAL REGISTER, § 6.155 (c) (4) is amended so as to increase the number of exceptions of executive assistants and technical assistants from three to six, and a subparagraph (6) is added, as set out below:

§ 6.155 *Economic Stabilization Agency* * * *

(c) *Office of Wage Stabilization.* * * *

(4) Not to exceed six executive assistants and six technical assistants to the National Wage Stabilization Board.

(6) Not to exceed three confidential assistants to the industry and labor groups of the National Wage Stabilization Board, at grade GS-9 or lower.

(R. S. 1753, sec. 2, 22 Stat. 403; 5 U. S. C. 631, 633. E. O. 9830, Feb. 24, 1947, 12 F. R. 1259; 3 CFR, 1947 Supp. E. O. 9973, June 28, 1948, 13 F. R. 3600; 3 CFR, 1948 Supp.)

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] L. A. MOYER,
Executive Director.

[F. R. Doc. 51-9755; Filed, Aug. 21, 1951; 8:45 a. m.]

TITLE 6—AGRICULTURAL CREDIT

Chapter IV—Production and Marketing Administration and Commodity Credit Corporation, Department of Agriculture

Subchapter C—Loans, Purchases, and Other Operations

[1951 CCC Cotton Bulletin 1, Amdt. 1]

PART 607—COTTON

SUBPART—1951 COTTON LOAN PROGRAM

SCHEDULE OF BASE LOAN RATES FOR WAREHOUSE-STORED COTTON

The 1951 Cotton Loan Bulletin (1951 CCC Cotton Bulletin 1) is hereby

amended by adding § 607.250 to read as follows:

§ 607.250 *Basic loan rates by warehouse locations.* The base loan rates applicable to Middling White and extra white ¹⁵/₁₆-inch upland cotton, under Commodity Credit Corporation's 1951 Cotton Loan Program, are as follows:

ALABAMA	<i>Basis Middling White and Extra White ¹⁵/₁₆" loan rate</i>	
<i>City and county</i>		
Abbeville, Henry	32.04	
Akron, Hale	31.94	
Albertville, Marshall	32.14	
Alexander City, Tallapoosa	32.24	
Aliceville, Pickens	31.84	
Altoona, Etowah	32.24	
Andalusia, Covington	31.94	
Anniston, Calhoun	32.24	
Arab, Marshall	32.14	
Ardmore, Limestone	31.94	
Ashford, Houston	32.04	
Ashland, Clay	32.24	
Athens, Limestone	31.94	
Atmore, Escambia	31.84	
Attalla, Etowah	32.24	
Auburn, Lee	32.24	
Banks, Pike	32.04	
Bankston, Fayette	31.94	
Belk, Fayette	31.94	
Berry, Fayette	31.94	
Birmingham, Jefferson	32.04	
Blountsville, Blount	32.14	
Boaz, Marshall	32.14	
Boligee, Greene	31.84	
Brantley, Crenshaw	31.94	
Brantley, Dallas	31.94	
Brent, Bibb	32.04	
Brewton, Escambia	31.84	
Bridgeport, Jackson	32.04	
Browntown (P. O. Henagar), Jackson	32.04	
Brundidge, Pike	32.04	
Butler, Choctaw	31.84	
Camden, Wilcox	31.84	
Camp Hill, Tallapoosa	32.24	
Carbon Hill, Walker	31.94	
Carrollton, Pickens	31.84	
Centerville, Bibb	32.04	
Centre, Cherokee	32.24	
Chavies, De Kalb	32.14	
Childersburg, Talladega	32.24	
Cianton, Chilton	32.04	
Clayton, Barbour	32.14	
Clio, Barbour	32.14	
Collinsville, De Kalb	32.14	
Columbia, Houston	32.04	
Columbiana, Shelby	32.14	
Cooper, Chilton	32.04	
Cordova, Walker	31.94	
Courtland, Lawrence	31.94	
Cullman, Cullman	32.04	

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Dadeville, Tallapoosa.....		32.24
Dancy, Pickens.....		31.84
Decatur, Morgan.....		32.04
Demopolis, Marengo.....		31.84
Detroit, Lamar.....		31.84
Dothan, Houston.....		32.04
Dozier, Crenshaw.....		31.94
Dutton, Jackson.....		32.04
Elba, Coffee.....		32.04
Elkmont, Limestone.....		31.94
Enterprise, Coffee.....		32.04
Ethelsville, Pickens.....		31.84
Eufaula, Barbour.....		32.14
Eutaw, Greene.....		31.84
Evergreen, Conecuh.....		31.84
Fackler, Jackson.....		32.04
Fadette, Geneva.....		32.04
Faunsdale, Marengo.....		31.84
Fayette, Fayette.....		31.94
Flat Rock, Jackson.....		32.04
Floral, Covington.....		31.94
Florence, Lauderdale.....		31.84
Fort Deposit, Lowndes.....		31.94
Fort Payne, De Kalb.....		32.14
Fyffe, De Kalb.....		32.14
Gadsden, Etowah.....		32.24
Gantt, Covington.....		31.94
Geneva, Geneva.....		32.04
Georgiana, Butler.....		31.94
Glen Allen, Fayette.....		31.94
Good Water, Coosa.....		32.14
Gordo, Pickens.....		31.84
Goshen, Pike.....		32.04
Greensboro, Hale.....		31.94
Greenville, Butler.....		31.94
Guin, Marion.....		31.84
Guntersville, Marshall.....		32.14
Hackleburg, Marion.....		31.84
Haleyville, Winston.....		31.94
Hamilton, Marion.....		31.84
Hanceville, Cullman.....		32.04
Hartford, Geneva.....		32.04
Hartselle, Morgan.....		32.04
Headland, Henry.....		32.04
Heflin, Cleburne.....		32.24
Henagar, De Kalb.....		32.14
Hodges, Franklin.....		31.84
Hollywood, Jackson.....		32.04
Huntsville, Madison.....		32.04
Hurtsboro, Russell.....		32.24
Ider, De Kalb.....		32.14
Jacksonville, Calhoun.....		32.24

RULES AND REGULATIONS

ALABAMA—Continued

City and county	Basis Middling White and Extra White 1 ⁵ / ₁₆ " loan rate
Jasper, Walker	31.94
Jemison, Chilton	32.04
Kennedy, Lamar	31.84
Lafayette, Chambers	32.24
Larkinsville, Jackson	32.04
Leighton, Colbert	31.84
Lester, Limestone	31.94
Linden, Marengo	31.84
Lineville, Clay	32.24
Livingston, Sumter	31.84
Louisville, Barbour	32.14
Luverne, Crenshaw	31.94
McCullough, Escambia	31.84
Madison, Madison	32.04
Malvern, Geneva	32.04
Maplesville, Chilton	32.04
Marion, Perry	31.94
Millport, Lamar	31.84
Mobile, Mobile	31.73
Monroeville, Monroe	31.84
Montevallo, Shelby	32.14
Montgomery, Montgomery	32.04
Moore's Bridge, Tuscaloosa	31.94
Moore's Valley, Wilcox	31.84
Moulton, Lawrence	31.94
Moundville, Hale	31.94
Newbern, Hale	31.94
New Brockton, Coffee	32.04
New Hope, Madison	32.04
Newville, Henry	32.04
Northport, Tuscaloosa	31.94
Notasulga, Macon	32.14
Oakman, Walker	31.94
Oneonta, Blount	32.14
Opelika, Lee	32.24
Opp, Covington	31.94
Ozark, Dale	32.04
Panola, Sumter	31.84
Pell City, St. Clair	32.14
Peterman, Monroe	31.84
Phil Campbell, Franklin	31.84
Pickensville, Pickens	31.84
Pine Hill, Wilcox	31.84
Pisgah, Jackson	32.04
Pollard, Escambia	31.84
Prattville, Autauga	32.04
Red Bay, Franklin	31.84
Red Level, Covington	31.94
Reform, Pickens	31.84
Repton, Conecuh	31.84
Roanoke, Randolph	32.24
Rogersville, Lauderdale	31.84
Russellville, Franklin	31.84
Samantha, Tuscaloosa	31.94
Samson, Geneva	32.04
Scottsboro, Jackson	32.04
Section, Jackson	32.04
Selma, Dallas	31.94
Sheffield, Colbert	31.84
Slocumb, Geneva	32.04
Stevenson, Jackson	32.04
Stewart, Hale	31.94
Sulligent, Lamar	31.84
Sweet Water, Marengo	31.84
Sylacauga, Talladega	32.24
Sylvania, De Kalb	32.14
Talladega, Talladega	32.24
Tallassee, Elmore	32.14
Thomasville, Clarke	31.84
Thorsby, Chilton	32.04
Troy, Pike	32.04
Tuscaloosa, Tuscaloosa	31.94
Tuscumbia, Colbert	31.84
Tuskegee, Macon	32.14
Union Springs, Bullock	32.14
Uniontown, Perry	31.94
Vernon, Lamar	31.84
Vina, Franklin	31.84
Wadley, Randolph	32.24
Warrior, Jefferson	32.04
Webb, Houston	32.04
Wetumpka, Elmore	32.14
Winfield, Marion	31.84
Woodville, Jackson	32.04
York, Sumter	31.84

ARIZONA

City and county	Basis Middling White and Extra White 1 ⁵ / ₁₆ " loan rate
All warehouse points in the entire State	30.97

ARKANSAS

Arkadelphia, Clark	31.61
Ashdown, Little River	31.61
Batesville, Independence	31.61
Blytheville, Mississippi	31.66
Boughton, Nevada	31.61
Bradley, Lafayette	31.61
Brinkley, Monroe	31.66
Camden, Ouachita	31.61
Conway, Faulkner	31.61
Cotton Plant, Woodruff	31.66
Dardanelle, Yell	31.61
Dell, Mississippi	31.66
Dumas, Desha	31.64
Earle, Crittenden	31.69
England, Lonoke	31.64
Eudora, Chicot	31.63
Evadale, Mississippi	31.66
Fordyce, Dallas	31.61
Forrest City, St. Francis	31.66
Fort Smith, Sebastian	31.61
Gurdon, Clark	31.61
Harrisburg, Poinsett	31.66
Helena, Phillips	31.63
Hope, Hempstead	31.61
Hughes, St. Francis	31.66
Hubert (P. O. West Memphis, Crittenden)	31.70
Jonesboro, Craighead	31.66
Junction City, Union	31.61
Leachville, Mississippi	31.66
Lepanto, Poinsett	31.66
Little Rock, Pulaski	31.64
Lonoke, Lonoke	31.64
McCrory, Woodruff	31.66
McGehee, Desha	31.66
Magnolia, Columbia	31.61
Malvern, Hot Springs	31.61
Marianna, Lee	31.66
Marked Tree, Poinsett	31.66
Marvell, Phillips	31.66
Morrilton, Conway	31.61
Nashville, Howard	31.61
Newport, Jackson	31.64
Osceola, Mississippi	31.66
Paragould, Greene	31.66
Pine Bluff, Jefferson	31.64
Portland, Ashley	31.61
Prescott, Nevada	31.61
Russellville, Pope	31.61
Searcy, White	31.64
Sparkman, Dallas	31.61
Truman, Poinsett	31.66
Waldo, Columbia	31.61
Walnut Ridge, Lawrence	31.64
Warren, Bradley	31.61
West Memphis, Crittenden	31.70
Wilson, Mississippi	31.66
Wynne, Cross	31.66

CALIFORNIA

All warehouse points in the entire state	30.97
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FLORIDA

Pensacola, Escambia	31.73
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GEORGIA

Abbeville, Wilcox	32.25
Adairsville, Bartow	32.35
Adrian, Emanuel	32.35
Albany, Dougherty	32.25
Allentown, Wilkinson	32.35
Alma, Bacon	32.25
Alvaton, Meriwether	32.35
Americus, Sumter	32.25
Arlington, Calhoun	32.15
Athens, Clarke	32.45
Atlanta, Fulton	32.35
Augusta, Richmond	32.45
Bainbridge, Decatur	32.15
Barnesville, Lamar	32.35

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City and county	Basis Middling White and Extra White 1 ⁵ / ₁₆ " loan rate
Bartow, Jefferson	32.35
Baxley, Appling	32.25
Bishop, Oconee	32.45
Blackshear, Pierce	32.15
Blakely, Early	32.15
Braselton, Jackson	32.45
Bronwood, Terrell	32.25
Brooklet, Bulloch	32.35
Buchanan, Haralson	32.35
Buena Vista, Marion	32.35
Buford, Gwinnett	32.35
Butler, Taylor	32.35
Byromville, Dooly	32.25
Cadwell, Laurence	32.35
Calhoun, Gordon	32.35
Camilla, Mitchell	32.15
Canon, Franklin	32.45
Carrollton, Carroll	32.35
Cartersville, Bartow	32.35
Cedartown, Polk	32.35
Chauncey, Dodge	32.35
Chester, Dodge	32.35
Claxton, Evans	32.25
Cochran, Bleckley	32.35
Colquitt, Miller	32.15
Columbus, Muscogee	32.35
Comer, Madison	32.45
Commerce, Jackson	32.45
Conyers, Rockdale	32.35
Cordele, Crisp	32.25
Covington, Newton	32.35
Culloden, Monroe	32.35
Cuthbert, Randolph	32.15
Dallas, Paulding	32.35
Dalton, Whitfield	32.35
Davisboro, Washington	32.35
Dawson, Terrell	32.25
Dexter, Laurens	32.35
Doerun, Colquitt	32.15
Donalsonville, Seminole	32.15
Douglas, Coffee	32.25
Dublin, Laurens	32.35
Dudley, Laurens	32.35
Eastman, Dodge	32.35
East Point, Fulton	32.35
Eatonton, Putnam	32.35
Edison, Calhoun	32.15
Elberton, Elbert	32.45
Ellaville, Schley	32.35
Fairburn, Fulton	32.35
Farrar, Jasper	32.35
Fayetteville, Fayette	32.35
Fitzgerald, Ben Hill	32.25
Forsyth, Monroe	32.35
Fort Gaines, Clay	32.15
Fort Valley, Peach	32.35
Gainesville, Hall	32.45
Garfield, Emanuel	32.35
Gay, Meriwether	32.35
Glennville, Tattnall	32.25
Grantville, Coweta	32.35
Graymont, Emanuel	32.35
Greensboro, Greene	43.45
Greenville, Meriwether	32.35
Gresston, Dodge	32.35
Griffin, Spalding	32.35
Haralson, Coweta	32.35
Harrison, Washington	32.35
Hartsfield, Colquitt	32.15
Hartwell, Hart	32.45
Hawkinsville, Pulaski	32.35
Hogansville, Troup	32.35
Ideal, Macon	32.35
Jackson, Butts	32.35
Jefferson, Jackson	32.45
Jeffersonville, Twiggs	32.35
Jesup, Wayne	32.25
Jonesboro, Clayton	32.35
Kelly, Jasper	32.35
Kingston, Bartow	32.35
Kite, Johnson	32.35
LaFayette, Walker	32.35
La Grange, Troup	32.35
Lavonia, Franklin	32.45
Lawrenceville, Gwinnett	32.35

GEORGIA—Continued

City and county	Basis Midding White and Extra White 1 ⁵ / ₁₆ " loan rate
Leary, Calhoun	32.15
Leslie, Sumter	32.25
Lilly, Dooly	32.25
Lincolnton, Lincoln	32.45
Locust Grove, Henry	32.35
Loganville, Walton	32.35
Louisville, Jefferson	32.35
Lumpkin, Stewart	32.25
Luthersville, Meriwether	32.35
McDonough, Henry	32.35
McRae, Telfair	32.25
Macon, Bibb	32.35
Madison, Morgan	32.35
Manchester, Meriwether	32.35
Mansfield, Newton	32.35
Marletta, Cobb	32.35
Marshallville, Macon	32.35
Meansville, Pike	32.35
Meigs, Thomas	32.15
Metter, Candler	32.35
Midville, Burke	32.35
Milan, Dodge	32.35
Milledgeville, Baldwin	32.35
Millen, Jenkins	32.35
Monroe, Walton	32.35
Montezuma, Macon	32.35
Monticello, Jasper	32.35
Montrose, Laurens	32.35
Moreland, Coweta	32.35
Moultrie, Colquitt	32.15
Newnan, Coweta	32.35
Ochlocknee, Thomas	32.15
Ocilla, Irwin	32.25
Oglethorpe, Macon	32.35
Omega, Tift	32.25
Orchard Hill, Spalding	32.35
Parrott, Terrell	32.25
Pelham, Mitchell	32.15
Perry, Houston	32.35
Pinehurst, Dooly	32.25
Pitts, Wilcox	32.25
Plains, Sumter	32.25
Portal, Bulloch	32.35
Pulaski, Candler	32.35
Rebecca, Turner	32.25
Rentz, Laurens	32.35
Reynolds, Taylor	32.35
Rhine, Dodge	32.35
Richland, Stewart	32.25
Roberta, Crawford	32.35
Rochelle, Wilcox	32.25
Rockmart, Polk	32.35
Rocky Ford, Screven	32.35
Rome, Floyd	32.35
Royston, Franklin	32.45
Rutledge, Morgan	32.35
Sandersville, Washington	32.35
Savannah, Chatham	32.35
Scotland, Telfair	32.25
Senola, Coweta	32.35
Shady Dale, Jasper	32.35
Sharpsburg, Coweta	32.35
Shellman, Bartow	32.35
Shellman, Randolph	32.15
Social Circle, Walton	32.35
Soperton, Treutlen	32.35
Sparta, Hancock	32.35
Statesboro, Bulloch	32.35
Summit, Emanuel	32.35
Swainsboro, Emanuel	32.35
Sycamore, Turner	32.25
Sylvania, Screven	32.35
Sylvester, Worth	32.25
Tallapoosa, Haralson	32.35
Taylorville, Bartow	32.35
Temple, Carroll	32.35
Tennille, Washington	32.35
Thomaston, Upson	32.35
Thomson, McDuffie	32.45
Tifton, Tift	32.25
Tignall, Wilkes	32.45
Toccoa, Stephens	32.45
Turin, Coweta	32.35
Tyrone, Fayette	32.35
Unadilla, Dooly	32.25
Valdosta, Lowndes	32.15

GEORGIA—Continued

City and county	Basis Midding White and Extra White 1 ⁵ / ₁₆ " loan rate
Vidalia, Toombs	32.25
Vienna, Dooly	32.25
Villa Rica, Carroll	32.35
Wadley, Jefferson	32.35
Warrenton, Warren	32.45
Washington, Wilkes	32.45
Watkinsville, Oconee	32.45
Waynesboro, Burke	32.35
West Point, Troup	32.35
Williamson, Pike	32.35
Winder, Barrow	32.45
Woodbury, Meriwether	32.35
Woodland, Talbot	32.35
Wrightsville, Johnson	32.35
Zebulon, Pike	32.35

ILLINOIS

Cairo, Alexander	31.67
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LOUISIANA

Alexander, Rapides	31.61
Arcadia, Bienville	31.61
Bernice, Union	31.61
Bryceland, Bienville	31.61
Bunkie, Avoyelles	31.61
Chatham, Jackson	31.61
Choudrant, Lincoln	31.61
Coushatta, Red River	31.61
Delhi, Richland	31.62
Dubach, Lincoln	31.61
Farmerville, Union	31.61
Ferriday, Concordia	31.63
Franklinton, Washington	31.67
Gibsland, Bienville	31.61
Haynesville, Claiborne	31.61
Homer, Claiborne	31.61
Jonesboro, Jackson	31.61
Lake Charles, Calcasieu	31.61
Lake Providence, East Carroll	31.63
Logansport, DeSoto	31.61
Mansfield, DeSoto	31.61
Marion, Union	31.61
Minden, Webster	31.61
Monroe, Ouachita	31.61
Natchitoches, Natchitoches	31.61
Newellton, Tensas	31.63
New Orleans, Orleans	31.67
Oak Grove, West Carroll	31.62
Opelousas, Saint Landry	31.61
Plain Dealing, Bossier	31.61
Rayville, Richland	31.61
Ringgold, Bienville	31.61
Ruston, Lincoln	31.61
Shreveport, Caddo	31.61
Springhill, Webster	31.61
Tallulah, Madison	31.63
Winnsboro, Franklin	31.61

MISSISSIPPI

Aberdeen, Monroe	31.73
Amory, Monroe	31.73
Eatesville, Panola	31.73
Belmont, Tishomingo	31.73
Belzoni, Humphreys	31.67
Booneville, Prentiss	31.73
Brookhaven, Lincoln	31.70
Canton, Madison	31.73
Carthage, Leake	31.73
Clarksdale, Coahoma	31.67
Cleveland, Bolivar	31.67
Coffeeville, Yalobusha	31.73
Columbia, Marion	31.70
Columbus, Lowndes	31.73
Como, Panola	31.73
Corinth, Alcorn	31.73
Drew, Sunflower	31.67
Durant, Holmes	31.73
Forest, Scott	31.70
Gloster, Amite	31.67
Goodman, Holmes	31.73
Greenville, Washington	31.67
Greenwood, Leflore	31.67
Grenada, Grenada	31.73
Gulfport, Harrison	31.67
Hattiesburg, Forest	31.70
Hollandale, Washington	31.67

MISSISSIPPI—Continued

City and county	Basis Midding White and Extra White 1 ⁵ / ₁₆ " loan rate
Holly Springs, Marshall	31.73
Houston, Chickasaw	31.73
Indianola, Sunflower	31.67
Inverness, Sunflower	31.67
Itta Bena, Leflore	31.67
Jackson, Hinds	31.70
Kosciusko, Attala	31.73
Laurel, Jones	32.70
Leland, Washington	31.67
Lexington, Holmes	31.67
Liberty, Amite	31.70
Louisville, Winston	31.73
McComb, Pike	31.70
Macon, Noxubee	31.73
Magee, Simpson	31.70
Magnolia, Pike	31.70
Marks, Quitman	31.67
Meridian, Lauderdale	31.73
Mount Olive, Covington	31.70
Natchez, Adams	31.67
New Albany, Union	31.73
Newton, Newton	31.70
Okolona, Chickasaw	31.73
Oxford, Lafayette	31.73
Philadelphia, Neshoba	31.73
Pontotoc, Pontotoc	31.73
Port Gibson, Claiborne	31.67
Quitman, Clarke	31.70
Ripley, Tippah	31.73
Rolling Fork, Sharkey	31.67
Rosedale, Bolivar	31.67
Ruleville, Sunflower	31.67
Shaw, Bolivar	31.67
Shelby, Bolivar	31.67
Shuqualak, Noxubee	31.73
Sledge, Quitman	31.67
Summit, Pike	31.70
Tunica, Tunica	31.67
Tupelo, Lee	31.73
Tutwiler, Tallahatchie	31.67
Tylertown, Walthall	31.70
Union, Newton	31.73
Vicksburg, Warren	31.67
Water Valley, Yalobusha	31.73
Wesson, Copiah	31.70
West Point, Clay	31.73
Yazoo City, Yazoo	31.67

MISSOURI

Arbyrd, Dunklin	31.66
Caruthersville, Pemiscot	31.66
Charleston, Mississippi	31.64
Gideon, New Madrid	31.64
Hayti, Pemiscot	31.66
Kennett, Dunklin	31.64
Lilbourn, New Madrid	31.64
Malden, Dunklin	31.64
Portageville, New Madrid	31.66
Sikeston, Scott	31.64

NEW MEXICO

Artesia, Eddy	31.38
Carlsbad, Eddy	31.38
Hobbs, Lea	31.44
Las Cruces, Dona Ana	31.37
Roswell, Chaves	31.37

NORTH CAROLINA

Avondale, Rutherford	32.55
Battlesboro, Nash	32.48
Benson, Johnston	32.48
Bethel, Pitt	32.48
Bladenboro, Bladen	32.48
Bostic, Rutherford	32.55
Cander, Montgomery	32.55
Carthage, Moore	32.55
Charlotte, Mecklenburg	32.55
Cherryville, Gaston	32.55
Clayton, Johnston	32.48
Clinton, Sampson	32.48
Columbus, Polk	32.55
Concord, Cabarrus	32.55
Dunn, Harnett	32.48
Durham, Durham	32.55
Edenton, Chowan	32.43
Elizabeth City, Pasquotank	32.48
Enfield, Halifax	32.48
Farmville, Pitt	32.43

NORTH CAROLINA—Continued

City and county	Basis Middling White and Extra White ¹⁵ / ₁₆ " loan rate
Fayetteville, Cumberland	32.43
Forest City, Rutherford	32.55
Franklinton, Franklin	32.43
Gastonia, Gaston	32.55
Goldsboro, Wayne	32.48
Greensboro, Guilford	32.55
Gumberry, Northhampton	32.48
Harris, Rutherford	32.55
Henderson, Vance	32.48
Hickory, Catawba	32.55
Hope Mills, Cumberland	32.48
Jackson, Northhampton	32.48
Kings Mountain, Cleveland	32.55
Kinston, Lenoir	32.48
LaGrange, Lenoir	32.48
Laurel Hill, Scotland	32.48
Laurinburg, Scotland	32.48
Lewiston, Bertie	32.43
Lilesville, Anson	32.55
Lincolnton, Lincoln	32.55
Littleton, Halifax	32.48
Loulsburg, Franklin	32.48
Lumberton, Robeson	32.48
Marshville, Union	32.55
Matthews, Mecklenburg	32.55
Maxton, Robeson	32.48
Monroe, Union	32.55
Moorestville, Iredell	32.55
Morven, Anson	32.55
Mount Gilead, Montgomery	32.55
Mount Olive, Wayne	32.48
Murfreesboro, Hertford	32.48
Nashville, Nash	32.48
Newton, Catawba	32.55
Norlina, Warren	32.48
Parkton, Robeson	32.48
Pates, Robeson	32.48
Pembroke, Robeson	32.48
Pikeville, Wayne	32.48
Pinetops, Edgecombe	32.48
Raeford, Hoke	32.48
Raleigh, Wake	32.48
Ranlo, Gaston	32.55
Red Springs, Robeson	32.48
Reidsville, Rockingham	32.55
Rich Square, Northhampton	32.48
Roanoke Rapids, Halifax	32.48
Rockingham, Richmond	32.55
Rocky Mount, Edgecombe	32.48
Rowland, Robeson	32.48
Rutherfordton, Rutherford	32.55
Saint Pauls, Robeson	32.48
Salisbury, Rowan	32.55
Sanford, Lee	32.55
Scotland Neck, Halifax	32.48
Seaboard, Northhampton	32.48
Shelby, Cleveland	32.55
Smithfield, Johnston	32.43
Spring Hope, Nash	32.48
Stantonsburg, Wilson	32.48
Statesville, Iredell	32.55
Tarboro, Edgecombe	32.43
Wadesboro, Anson	32.55
Wagram, Scotland	32.48
Wake Forest, Wake	32.48
Warrenton, Warren	32.43
Washington, Beaufort	32.48
Weldon, Halifax	32.48
Wilmington, New Hanover	32.48
Wilson, Wilson	32.43
Woodland, Northhampton	32.48

OKLAHOMA

Ada, Pontotoc	31.61
Altus, Jackson	31.54
Anadarko, Caddo	31.54
Ardmore, Carter	31.54
Carter, Beckham	31.54
Chandler, Lincoln	31.54
Chickasha, Grady	31.54
Clinton, Custer	31.54
Cushing, Payne	31.61
Durant, Bryan	31.61
Elk City, Beckham	31.54
Erick, Beckham	31.54
Foss, Washita	31.54

OKLAHOMA—Continued

City and county	Basis Middling White and Extra White ¹⁵ / ₁₆ " loan rate
Frederick, Tillman	31.54
Guthrie, Logan	31.54
Hobart, Kiowa	31.54
Hugo, Choctaw	31.61
Lawton, Comanche	31.54
McAlester, Pittsburg	31.61
Mangum, Greer	31.54
Marlow, Stephens	31.54
Mountain View, Kiowa	31.54
Muskogee, Muskogee	31.61
Oklahoma City, Oklahoma	31.54
Pauls Valley, Garvin	31.54
Purcell, McClain	31.54
Ryan, Jefferson	31.54
Sentinel, Washita	31.54
Shawnee, Pottawatomie	31.61
Snyder, Kiowa	31.54
Stroud, Lincoln	31.61
Tipton, Tillman	31.54
Waurika, Jefferson	31.54
Weleetka, Okfuskee	31.61
Wynnewood, Garvin	31.54

SOUTH CAROLINA

Abbeville, Abbeville	32.55
Aiken, Aiken	32.55
Allendale, Allendale	32.48
Anderson, Anderson	32.55
Andrews, Georgetown	32.48
Angelus, Chesterfield	32.55
Ashwood, Lee	32.48
Atkins, Lee	32.48
Bamberg, Bamberg	32.48
Barnwell, Barnwell	32.48
Batesburg, Lexington	32.55
Belton, Anderson	32.55
Bennettsville, Marlboro	32.48
Bethune, Kershaw	32.55
Bishopville, Lee	32.48
Blacksburg, Cherokee	32.55
Blackstock, Fairfield	32.55
Blackville, Barnwell	32.48
Blairs, Fairfield	32.55
Blaney, Kershaw	32.55
Blenheim, Marlboro	32.48
Bowman, Orangeburg	32.48
Boykin, Kershaw	32.55
Brunson, Hampton	32.48
Calhoun Falls, Abbeville	32.55
Camden, Kershaw	32.55
Cameron, Calhoun	32.48
Campobello, Spartanburg	32.55
Carlisle, Union	32.55
Catawba, York	32.55
Catechee, Pickens	32.55
Centenary, Marion	32.48
Central, Pickens	32.55
Chappells, Newberry	32.55
Charleston, Charleston	32.48
Cheraw, Chesterfield	32.55
Chesnee, Spartanburg	32.55
Chester, Chester	32.55
Chesterfield, Chesterfield	32.55
Clinton, Laurens	32.55
Clio, Marlboro	32.48
Clover, York	32.55
Columbia, Richland	32.55
Conestee, Greenville	32.55
Cope, Orangeburg	32.48
Cordova, Orangeburg	32.48
Cowpens, Spartanburg	32.55
Crockettsville, Hampton	32.48
Cross Anchor, Spartanburg	32.55
Cross Hill, Laurens	32.55
Darlington, Darlington	32.48
Davis Station, Clarendon	32.48
Dillon, Dillon	32.48
Drake, Marlboro	32.48
Due West, Abbeville	32.55
Dunbar, Marlboro	32.48
Dunbarton, Barnwell	32.48
Duncan, Spartanburg	32.55
Easley, Pickens	32.55
Edgefield, Edgefield	32.55
Ehrhardt, Bamberg	32.48
Elko Barnwell	32.48

SOUTH CAROLINA—Continued

City and county	Basis Middling White and Extra White ¹⁵ / ₁₆ " loan rate
Ellenton, Aiken	32.55
Elliot, Lee	32.48
Elloree, Orangeburg	32.48
Enoree, Spartanburg	32.55
Estill, Hampton	32.43
Eureka, Aiken	32.55
Eutawville, Orangeburg	32.48
Fairfax, Allendale	32.48
Fair Forest, Spartanburg	32.55
Fairmont, Spartanburg	32.55
Filbert, York	32.55
Fingerville, Spartanburg	32.55
Florence, Florence	32.43
Fountain Inn, Greenville	32.55
Gaffney, Cherokee	32.55
Gray Court, Laurens	32.55
Greenville, Greenville	32.55
Greenwood, Greenwood	32.55
Greer, Greenville	32.55
Hamer, Dillon	32.48
Hampton, Hampton	32.48
Hartsville, Darlington	32.43
Heath Springs, Lancaster	32.55
Hickory Grove, York	32.55
Holly Hill, Orangeburg	32.48
Honea Path, Anderson	32.55
Inman, Spartanburg	32.55
Iva, Anderson	32.55
Jefferson, Chesterfield	32.55
Jenkinsville, Fairfield	32.55
Johnsonville, Florence	32.48
Johnston, Edgefield	32.55
Jonesville, Union	32.55
Kershaw, Kershaw	32.55
Kings Creek, Cherokee	32.55
Klingtree, Williamsburg	32.48
Kline, Barnwell	32.48
Kollock, Marlboro	32.48
Lake City, Florence	32.48
Lamar, Darlington	32.48
Lancaster, Lancaster	32.55
Landrum, Spartanburg	32.55
Lanford, Laurens	32.55
Latta, Dillon	32.48
Laurens, Laurens	32.55
Leesville, Lexington	32.55
Lester, Marlboro	32.48
Liberty, Pickens	32.55
Little Rock, Dillon	32.48
Lowrys, Chester	32.55
Lugoff, Kershaw	32.55
Luray, Hampton	32.48
Lynchburg, Lee	32.48
McCormick, McCormick	32.55
Manning, Clarendon	32.48
Marion, Marion	32.48
Mauldin, Greenville	32.55
Mayesville, Sumter	32.48
Mount Carmel, McCormick	32.55
Mount Croghan, Chesterfield	32.55
Mullins, Marion	32.43
Neeses, Orangeburg	32.48
Newberry, Newberry	32.55
Newry, Oconee	32.55
New Zion, Clarendon	32.48
Ninety Six, Greenwood	32.55
Norrls, Pickens	32.55
North, Orangeburg	32.48
Norway, Orangeburg	32.48
Olanta, Florence	32.48
Olar, Bamberg	32.48
Orangeburg, Orangeburg	32.43
Oswego, Sumter	32.48
Owings, Laurens	32.55
Pageland, Chesterfield	32.55
Pamplico, Florence	32.48
Parksville, McCormick	32.55
Pelzer, Anderson	32.55
Pendleton, Anderson	32.55
Pickens, Pickens	32.55
Piedmont, Greenville	32.55
Plum Branch, McCormick	32.55
Pomaria, Newberry	32.55
Princeton, Laurens	32.55
Remini, Clarendon	32.48

SOUTH CAROLINA—Continued

City and county	Basis Middling White and Extra White 15/16" loan rate
Richburg, Chester	32.55
Ridge Springs, Saluda	32.55
Ridgeway, Fairfield	32.55
Rock Hill, York	32.55
Roebuck, Spartanburg	32.55
Rowesville, Orangeburg	32.48
Salley, Aiken	32.55
Saluda, Saluda	32.55
Sandy Springs, Anderson	32.55
Scotia, Hampton	32.48
Seigling, Allendale	32.48
Sellers, Marion	32.48
Seneca, Oconee	32.55
Sharon, York	32.55
Silver, Clarendon	32.48
Simpsonville, Greenville	32.55
Six Mile, Pickens	32.55
Smoaks, Colleton	32.48
Spartanburg, Spartanburg	32.55
Springfield, Orangeburg	32.48
Starr, Anderson	32.55
St. Matthews, Calhoun	32.48
Summerton, Clarendon	32.48
Sumter, Sumter	32.48
Swansea, Lexington	32.55
Syracuse, Darlington	32.48
Tatum, Marlboro	32.48
Timmonsville, Florence	32.48
Trenton, Edgefield	32.55
Union, Union	32.55
Vance, Orangeburg	32.43
Van Wyck, Lancaster	32.55
Wagener, Aiken	32.55
Walhalla, Oconee	32.55
Walterboro, Colleton	32.48
Waterloo, Laurens	32.55
Wedgefield, Sumter	32.48
Westminster, Oconee	32.55
West Union, Oconee	32.55
Whitmire, Newberry	32.55
Whitney, Spartanburg	32.55
Williamston, Anderson	32.55
Williston, Barnwell	32.48
Windsor, Aiken	32.55
Winnsboro, Fairfield	32.55
Wisacky, Lee	32.48
Wolfton, Orangeburg	32.48
Woodruff, Spartanburg	32.55
York, York	32.55

TENNESSEE

Appleton, Lawrence	31.84
Brownsville, Hayward	31.72
Chattanooga, Hamilton	32.24
Covington, Tipton	31.72
Decherd, Franklin	32.04
Dyersburg, Dyer	31.72
Elora, Lincoln	31.94
Fayetteville, Lincoln	31.94
Five Points, Lawrence	31.84
Halls, Lauderdale	31.72
Henderson, Chester	31.73
Jackson, Madison	31.73
Knoxville, Knox	32.24
Lawrenceburg, Lawrence	31.84
Loretto, Lawrence	31.84
Memphis, Shelby	31.75
Memphis, Shelby	31.73
Milan, Gibson	31.72
Murfreesboro, Rutherford	31.94
Ripley, Lauderdale	31.72
South Pittsburg, Marion	32.14
Tiptonville, Lake	31.72
Winchester, Franklin	32.04

TEXAS

Abernathy, Hale	31.48
Abilene, Taylor	31.52
Ackerly, Dawson	31.46
Afton, Dickens	31.52
Aiken, Floyd	31.46
Alba, Wood	31.61
Alvarado, Johnson	31.54
Amherst, Lamb	31.46
Anson, Jones	31.52
Anton, Hockley	31.46

TEXAS—Continued

City and county	Basis Middling White and Extra White 15/16" loan rate
Aspermont, Stonewall	31.52
Athens, Henderson	31.61
Atlanta, Cass	31.61
Austin, Travis	31.54
Austonio, Houston	31.54
Avery, Red River	31.61
Baileyboro, Bailey	31.46
Ballinger, Runnels	31.52
Barry, Navarro	31.54
Bartlett, Bell	31.54
Beaumont, Jefferson	31.61
Beckville, Panola	31.61
Belton, Bell	31.54
Bertram, Burnett	31.54
Big Spring, Howard	31.46
Bledsoe, Cochran	31.46
Bloomburg, Cass	31.61
Bogata, Red River	31.61
Bonham, Fannin	31.61
Bovina, Parmer	31.46
Brady, McCulloch	31.52
Brenham, Washington	31.54
Broadview, Lubbock	31.46
Brownfield, Terry	31.46
Brownsville, Cameron	31.46
Brownwood, Brown	31.54
Bryan, Brazos	31.54
Bula, Bailey	31.46
Bynum, Hill	31.54
Caldwell, Burleson	31.54
Calbert, Robertson	31.54
Cameron, Milam	31.54
Carthage, Panola	31.61
Celina, Collin	31.54
Center, Shelby	31.61
Childress, Childress	31.52
Chillicothe, Hardeman	31.54
Clarksville, Red River	31.61
Cleburne, Johnson	31.54
Coble, Hockley	31.46
Coleman, Coleman	31.52
Colorado City, Mitchell	31.52
Commerce, Hunt	31.61
Cooper, Delta	31.61
Corpus Christi, Nueces	31.50
Corsicana, Navarro	31.54
Crockett, Houston	31.54
Crosbyton, Crosby	31.46
Cuero, DeWitt	31.54
Daingerfield, Morris	31.61
Dallas, Dallas	31.54
Dean, Hockley	31.46
Dean, Clay	31.54
Dean, Leon	31.54
Decatur, Wise	31.54
Denison, Grayson	31.61
Denton, Denton	31.54
Deport, Lamar	31.61
Dublin, Erath	31.54
Eden, Concho	31.52
Edgewood, Van Zandt	31.61
El Campo, Wharton	31.54
Elgin, Bastrop	31.54
Elkhart, Anderson	31.54
El Paso, El Paso	31.37
Elysian Fields, Harrison	31.61
Emhouse, Navarro	31.54
Enloe, Delta	31.61
Ennis, Ellis	31.54
Enochs, Bailey	31.46
Fabens, El Paso	31.37
Fairfield, Freestone	31.54
Farwell, Parmer	31.46
Floydada, Floyd	31.52
Forney, Kaufman	31.54
Fort Stockton, Pecos	31.44
Fort Worth, Tarrant	31.54
Frisco, Collin	31.54
Gainesville, Cooke	31.61
Galveston, Galveston	31.61
Ganado, Jackson	31.54
Garland, Dallas	31.61
Gary, Panola	31.61
Gatesville, Coryell	31.54
Gilmer, Upshur	31.61
Gonzales, Gonzales	31.54

TEXAS—Continued

City and county	Basis Middling White and Extra White 15/16" loan rate
Grand Saline, Van Zandt	31.61
Grandview, Johnson	31.54
Granger, Williamson	31.54
Grapeland, Houston	31.54
Grassland, Lynn	31.46
Greenville, Hunt	31.61
Hale Center, Hale	31.46
Hamilton, Hamilton	31.54
Hamilin, Jones	31.52
Harlingen, Cameron	31.46
Haskell, Haskell	31.52
Hearne, Robertson	31.54
Hebron, Denton	31.54
Hedley, Donley	31.52
Henderson, Rusk	31.61
Hillsboro, Hill	31.54
Honey Grove, Fannin	31.61
Houston, Harris	31.61
Hubbard, Hill	31.54
Hughes Spring, Cass	31.61
Huntsville, Walker	31.54
Irene, Hill	31.54
Itasca, Hill	31.54
Jacksonville, Cherokee	31.61
Jarrell, Williamson	31.54
Jayton, Kent	31.52
Jefferson, Marion	31.61
Jewett, Leon	31.54
Kaufman, Kaufman	31.61
Kenedy, Karnes	31.50
Kerens, Navarro	31.54
Killeen, Bell	31.54
Knox City, Knox	31.52
Krum, Denton	31.54
Ladonia, Fannin	31.61
La Grange, Fayette	31.54
Lamesa, Dawson	31.46
Levelland, Hockley	31.46
Lindale, Smith	31.61
Littlefield, Lamb	31.46
Lockhart, Caldwell	31.54
Lockney, Floyd	31.46
Longview, Gregg	31.61
Loraine, Mitchell	31.52
Lorenzo, Crosby	31.46
Lovelady, Houston	31.54
Lubbock, Lubbock	31.46
Lueders, Jones	31.52
McAdoo, Dickens	31.52
McGregor, McLennan	31.54
McKinney, Collin	31.61
McLean, Gray	31.52
Madisonville, Madison	31.54
Marfa, Presidio	31.38
Marlin, Falls	31.54
Marshall, Harrison	31.61
Mart, McLennan	31.54
Maypearl, Ellis	31.54
Meadow, Terry	31.46
Memphis, Hall	31.52
Mereta, Tom Green	31.52
Merkel, Taylor	31.52
Mexia, Limestone	31.54
Midland, Midland	31.46
Midlothian, Ellis	31.54
Mineola, Wood	31.61
Monahans, Ward	31.44
Morton, Cochran	31.46
Mount Pleasant, Titus	31.61
Muleshoe, Bailey	31.46
Munday, Knox	31.52
Nacogdoches, Macogdoches	31.61
Naples, Morris	31.61
Navasota, Grimes	31.54
Needmore, Bailey	31.46
Needmore, Delta	31.61
New Boston, Bowie	31.61
New Braunfels, Comal	31.54
Nocona, Montague	31.54
Norton, Runnels	31.52
O'Donnell, Lynn	31.46
Old Glory, Stonewall	31.52
Olton, Lamb	31.46
Omaha, Morris	31.61
Paducah, Cottle	31.52
Palestine, Anderson	31.54

TEXAS—Continued

City and county	Basis Middling White and Extra White 1 ⁵ / ₁₆ " loan rate
Paris, Lamar	31.61
Patricia, Dawson	31.46
Peacock, Stonewall	31.52
Pecos, Reeves	31.44
Petersburg, Hale	31.46
Pettit, Hockley	31.46
Pilot Point, Denton	31.54
Pittsburg, Camp	31.61
Plainview, Hale	31.46
Plano, Collin	31.61
Post, Garza	31.46
Presidio, Presidio	31.38
Princeton, Collin	31.61
Quanah, Hardeman	31.54
Quitaque, Briscoe	31.46
Quitman, Wood	31.61
Ralls, Crosby	31.46
Raymondville, Willacy	31.46
Rice, Navarro	31.54
Roans Prairie, Grimes	31.54
Roaring Springs, Motley	31.52
Robstown, Nueces	31.50
Roby, Fisher	31.52
Rochelle, McCulloch	31.52
Rochester, Haskell	31.52
Rockwall, Rockwall	31.61
Roscoe, Nolan	31.52
Rosebud, Falls	31.54
Rotan, Fisher	31.52
Rowlett, Dallas	31.61
Royse City, Rockwall	31.61
Rule, Haskell	31.52
Salado, Bell	31.54
San Angelo, Tom Green	31.52
San Augustine, San Augustine	31.61
San Marcos, Hays	31.54
Schulenburg, Fayette	31.54
Seagraves, Gaines	31.46
Seguin, Guadalupe	31.54
Seymour, Baylor	31.54
Shallowater, Lubbock	31.46
Shamrock, Wheeler	31.52
Sherman, Grayson	31.61
Shiner, Lavaca	31.54
Shiro, Grimes	31.54
Silverton, Briscoe	31.46
Slaton, Lubbock	31.43
Snyder, Scurry	31.52
Spade, Mitchell	31.52
Spade, Lamb	31.46
Spur, Dickens	31.52
Stamford, Jones	31.52
Stanton, Martin	31.46
Streetman, Freestone	31.54
Sudan, Lamb	31.46
Sugar Land, Fort Bend	31.61
Sulphur Springs, Hopkins	31.61
Sweetwater, Nolan	31.52
Swenson, Stonewall	31.52
Taft, San Patricio	31.50
Tahoka, Lynn	31.46
Tatum, Rusk	31.61
Taylor, Williamson	31.54
Teague, Freestone	31.54
Temple, Bell	31.54
Tenaha, Shelby	31.61
Terrell, Kaufman	31.61
Texarkana, Bowie	31.61
Texas City, Galveston	31.61
Timpson, Shelby	31.61
Troup, Smith	31.61
Turkey, Hall	31.46
Twitty, Wheeler	31.52
Tyler, Smith	31.61
Valley Mills, Bosque	31.54
Venus, Johnson	31.54
Vernon, Wilbarger	31.54
Victoria, Victoria	31.54
Waco, McLennan	31.54
Wall, Tom Green	31.52
Waxahachie, Ellis	31.54
Wellington, Collingsworth	31.52
Weslaco, Hidalgo	31.46
West, McLennan	31.54
Whitewright, Grayson	31.61
Wichita Falls, Wichita	31.54

TEXAS—Continued

City and county	Basis Middling White and Extra White 1 ⁵ / ₁₆ " loan rate
Wills Point, Van Zandt	31.61
Wilson, Lynn	31.46
Winnsboro, Wood	31.61
Winters, Runnels	31.52
Wolfe City, Hunt	31.61
Wolfforth, Lubbock	31.46
Yoakum, Lavaca	31.54
Yorktown, De Witt	31.54

VIRGINIA

Brodnax, Brunswick	32.48
Kenbridge, Lunenburg	32.48
Norfolk, Norfolk	32.48

(Sec. 4, 62 Stat. 1070, as amended; 15 U. S. C. Sup. 714b. Interpret or apply sec. 5, 62 Stat. 1072, secs. 101, 401, 63 Stat. 1051, 1054; 15 U. S. C. Sup., 714c, 7 U. S. C. Sup., 1441, 1421)

Issued this 16th day of August 1951.

[SEAL] JOHN H. DEAN,
Acting Vice President,
Commodity Credit Corporation.

Approved:

HAROLD K. HILL,
Acting President,
Commodity Credit Corporation.

[F. R. Doc. 51-9962; Filed, Aug. 21, 1951;
8:45 a. m.]

TITLE 7—AGRICULTURE

Chapter VIII—Production and Marketing Administration (Sugar Branch), Department of Agriculture

Subchapter G—Determination of Proportionate Shares

[Sugar Determination 850.4]

PART 850—DOMESTIC BEET, MAINLAND CANE, HAWAII AND VIRGIN ISLANDS SUGAR PRODUCING AREAS

1951 CROP

Pursuant to the provisions of section 302 of the Sugar Act of 1948 (herein referred to as "act"), the following determination is hereby issued:

§ 850.4 *Proportionate shares for farms in the domestic beet, mainland cane, Hawaiian and Virgin Islands areas—(a) Farm proportionate shares.* The proportionate share for the 1951 crop for each farm shall be as follows:

(1) In the domestic beet sugar area, the number of acres of sugar beets planted thereon for the production of sugar beets to be marketed (or processed by the producer) for the extraction of sugar or liquid sugar during the 1951 crop season;

(2) In the Mainland cane sugar area, the number of acres planted thereon for the production of sugarcane to be marketed (or processed by the producer) for the extraction of sugar or liquid sugar during the 1951 crop season;

(3) In Hawaii, the amount of sugar, raw value, commercially recoverable from sugarcane grown thereon and marketed (or processed by the producer) for the extraction of sugar or liquid sugar during the calendar year 1951; and

(4) In the Virgin Islands, the amount of sugar, raw value, commercially recov-

erable from sugarcane grown thereon and marketed (or processed by the producer) for the extraction of sugar or liquid sugar during the 1951 crop season.

(b) *Share tenant, share cropper and adherent planter protection.* Notwithstanding the establishment of a proportionate share for any farm under paragraph (a) of this section, eligibility for payment of any producer of sugarcane shall be subject to the following conditions:

(1) That the number of share tenants, share croppers or adherent planters on any sugarcane farm shall not be reduced below the number on such farm during the previous crop year, unless such reduction is approved by the respective State Committee or Director of the Area Office of the Production and Marketing Administration; and

(2) That such producer shall not have entered into any leasing or cropping agreement for the purpose of diverting to himself or other producer any payment to which share tenants, share croppers or adherent planters would be entitled if their leasing or cropping agreements for the previous crop year were in effect.

STATEMENT OF BASES AND CONSIDERATIONS

Requirements of the Sugar Act. As a condition for payment, section 301 (b) of the act requires compliance with the proportionate share established for the farm. Such proportionate share shall be the farm's share of the quantity of sugar beets or sugarcane required to be processed to enable the producing area to meet its quota (and provide a normal carryover inventory) as estimated by the Secretary for the calendar year during which the larger part of the sugar from such crop normally would be marketed. Section 302 (a) of the act provides that the amount of sugar with respect to which payment may be made shall be the amount of sugar, raw value, commercially recoverable from the sugar beets or sugarcane grown on a farm and marketed (or processed) for sugar or liquid sugar not in excess of the proportionate share established for the farm. Section 302 (b) provides that in determining the proportionate share for a farm the Secretary may take into consideration the past production on the farm of sugar beets or sugarcane marketed (or processed) for the extraction of sugar or liquid sugar and the ability to produce such sugar beets or sugarcane, and that the Secretary shall, insofar as practicable, protect the interests of new producers and small producers, and the interests of producers who are cash tenants, share tenants, adherent planters, or share croppers.

Beet sugar area. Sugar from each crop in this area is normally marketed during two calendar years. The major portion of such sugar is marketed in the year following the beginning of the harvest. Thus, the carryover of sugar from any crop into the following calendar year may be a relatively high proportion of the crop and still not be regarded as excessive. (The term "sugar" as used herein means sugar, raw value, and all amounts are expressed in short tons.

"Effective inventory" as used herein means the stocks of sugar actually on hand plus the sugar to be produced from the remainder of a crop.) The effective beet sugar inventory on January 1, 1951 was about 1,500,000 tons. On the basis of the July 1 Crop Production report of the Bureau of Agricultural Economics, as adjusted for estimated plantings of sugar beets in the Imperial Valley this fall, the 1951 crop of sugar beets should yield approximately 1,500,000 tons of sugar. The total of the effective January 1, 1951 inventory and the 1951-crop outturn will be about 3,000,000 tons. Thus, the marketing in 1951 of the basic quota for the area of 1,800,000 tons should result in an effective inventory on January 1, 1952 of only about 1,200,000 tons.

Mainland cane sugar area. The production of sugar from 1950-crop sugarcane in this area amounted to 564,000 tons and the effective inventory on January 1, 1951 was approximately 197,000 tons. On the basis of the July 1 crop report of the Bureau of Agricultural Economics, a 1951-crop production of approximately 510,000 tons is indicated. The total of the effective January 1, 1951 inventory and the indicated 1951 crop production is 707,000 tons. Thus, the marketing in 1951 of the basic quota for the area of 500,000 tons will result in an effective inventory on January 1, 1952 of approximately 207,000 tons, an amount which is not deemed excessive.

Hawaii. The carryover for Hawaii on January 1, 1951 was 17,000 tons. With a 1951 estimated production of 1,050,000 tons, available supplies in 1951 will total 1,067,000 tons, all of which can be marketed against a mainland quota of 1,052,000 tons and a local consumption quota of 45,000 tons.

Virgin Islands. The 1950 quota for this area was increased from the basic quota of 6,000 tons to 11,000 tons as a result of deficits in other areas. This permitted the marketing of all the surplus stocks which resulted from the large 1950 crop. It is currently estimated that this area's 1951-crop production will be about 8,000 tons. Thus its January 1, 1952 carryover will be about 2,000 tons, unless it benefits from 1951 deficit prorations. This amount of inventory is not deemed excessive under the prevailing circumstances.

Determination. In view of the foregoing, it is deemed appropriate to establish proportionate shares for the 1951 crop for farms in these areas at the level of actual marketings of sugar beets or sugarcane, as the case may be.

The provisions of this determination relating to the protection of share tenants, share croppers and adherent planters are the same as those established for the 1950 crop. Since the marketing of sugarbeets and sugarcane is not limited under this determination, special protection for new producers, small producers and cash tenants is unnecessary.

Accordingly, I hereby find and conclude that the foregoing determination, will effectuate the purposes of section 302 of the Sugar Act of 1948.

(Sec. 403, 61 Stat. 932; 7 U. S. C. Sup., 1153. Interprets or applies sec. 302, 61 Stat. 930; 7 U. S. C. Sup. 1132)

Issued this 17th day of August, 1951.

[SEAL] C. J. McCORMICK,
Acting Secretary of Agriculture.

[F. R. Doc. 51-9988; Filed, Aug. 21, 1951; 8:51 a. m.]

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders), Department of Agriculture

PART 958—IRISH POTATOES GROWN IN COLORADO

APPROVAL OF BUDGET EXPENSES AND FIXING RATE OF ASSESSMENT

Notice of proposed rule making regarding rules and regulations relative to a proposed budget and rate of assessment, to be made effective under Marketing Agreement No. 97 and Order No. 58 (7 CFR Part 958), regulating the handling of Irish potatoes grown in Colorado was published in the FEDERAL REGISTER (16 F. R. 7050). This regulatory program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.). After consideration of all relevant matters presented, including the rules and regulations set forth in the aforesaid notice, which rules and regulations were adopted and submitted for approval by the administrative committee for Area No. 1 (established pursuant to said agreement and order), the following rules and regulations are hereby approved.

§ 958.208 *Budget of expenses and rate of assessment.* (a) The expenses necessary to be incurred by the administrative committee for Area No. 1, established pursuant to Marketing Agreement No. 97 and Order No. 58, to enable such committee to carry out its functions pursuant to the provisions of the aforesaid marketing agreement and order, during the fiscal year ending May 31, 1952, will amount to \$1,350.00;

(b) The rate of assessment to be paid by each handler who first ships potatoes shall be one-half of one cent (\$0.005) per hundredweight of potatoes handled by him as the first handler thereof during said fiscal year; and

(c) The terms used in this section shall have the same meaning as when used in Marketing Agreement No. 97 and Order No. 58 (7 CFR, Part 958).

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup., 608c)

Done at Washington, D. C., this 17th day of August 1951, to become effective 30 days after publication hereof in the FEDERAL REGISTER.

[SEAL] C. J. McCORMICK,
Acting Secretary of Agriculture.

[F. R. Doc. 51-9985; Filed, Aug. 21, 1951; 8:51 a. m.]

TITLE 8—ALIENS AND NATIONALITY

Chapter I—Immigration and Naturalization Service, Department of Justice

Subchapter B—Immigration Regulations

PART 110—PRIMARY INSPECTION AND DETENTION

PART 116—CIVIL AIR NAVIGATION

MISCELLANEOUS AMENDMENTS

The following amendments to Parts 110 and 116 of Chapter I, Title 8 of the Code of Federal Regulations, are hereby prescribed:

1. The headnote to § 110.3 and the introductory sentence in paragraph (a) of that section are amended to read as follows:

§ 110.3 *International airports for the entry of aliens.* (a) The following are international airports for the entry of aliens:

2. Section 110.3 is further amended by revoking paragraph (b), by changing the designation of paragraph (c) to (b), and by amending that paragraph to read as follows:

(b) In addition to the places named in paragraph (a) of this section, places where permission for certain aircraft to land has been given by the Commissioner of Customs in accordance with the provisions of § 116.3 (a) of this chapter, and places where emergency or forced landings are made under the provisions of § 116.3 (f) of this chapter, shall be regarded as designated for the entry of aliens arriving by such aircraft.

(Sec. 7 (d), 44 Stat. 572; 49 U. S. C. 177 (d))

3. The last sentence of § 116.52, *Aircraft; how considered*, is amended by deleting the word "Newfoundland" and the comma following it.

4. Section 116.58 is amended to read as follows:

§ 116.58 *Preexamination in Canada of aircraft passengers.* The endorsement on forms issued by officers of the Immigration and Naturalization Service to persons preexamined in Canada who travel to the United States by aircraft shall be as prescribed in §§ 114.1 to 114.4 of this chapter, and the period of validity of said forms shall be as prescribed therein. Upon surrendering such properly endorsed forms at the international airport, the rightful holders will be admitted, provided their status has undergone no change between the time of issuance of the forms and the arrival of the holders at the international airport. The international airport at which persons preexamined in Canada actually enter the United States shall be the "record" port of entry for all purposes. Aliens excluded from admission to the United States upon preexamination in Canada shall be accounted for as heretofore by the office at which exclusion occurs.

5. Sections 116.61 and 116.62 are amended to read as follows:

§ 116.61 *Designation of international airports.* Application for designation of an airport as an international airport for the entry of aliens shall be made to the Attorney General and shall state whether the airport (a) has been approved by the Secretary of Commerce as a properly equipped airport, (b) has been designated by the Secretary of the Treasury as a port of entry for aircraft arriving in the United States from any place outside thereof and for the merchandise carried on such aircraft, and (c) has been designated by the Federal Security Administrator as a place for quarantine inspection. An airport will not be designated by the Attorney General as an international airport without such prior approval and designation, and unless it appears to the satisfaction of the Attorney General that conditions render such designation necessary or advisable, and unless adequate facilities have been or will be provided thereat, without cost to the Federal Government, for the proper inspection and disposition of aliens, including office space and temporary detention quarters found necessary.

CROSS REFERENCE: For list of international airports, see § 110.3 of this chapter.

§ 116.62 *Withdrawal of designation of international airport.* The designation of an airport as an international airport for the entry of aliens may be withdrawn whenever, in the judgment of the Attorney General, there appears just cause for such action.

This order shall become effective on the date of its publication in the FEDERAL REGISTER. Compliance with the provisions of section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U. S. C. 1003) with respect to notice of proposed rule making and delayed effective date is unnecessary in this instance because the amendments of §§ 110.3, 116.58, 116.61, and 116.62 pertain solely to agency management, and the amendment of § 116.52 merely deletes matter now obsolete.

(R. S. 161, sec. 23, 39 Stat. 892, sec. 24, 43 Stat. 166, secs. 7, 11, 44 Stat. 572, 574-575, 48 Stat. 1116, 52 Stat. 1029, sec. 37, 54 Stat. 675; 5 U. S. C. 22, 8 U. S. C. 102, 222, 458, 49 U. S. C. 177, 181)

J. HOWARD McGRATH,
Attorney General.

Recommended: July 2, 1951.

ARGYLE R. MACKAY,
Commissioner,
Immigration and Naturalization.

[F. R. Doc. 51-9992; Filed, Aug. 21, 1951;
8:52 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket 4960]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

CARTER PRODUCTS, INC., AND SMALL & SEIFFER, INC.

Subpart—Advertising falsely or misleadingly: § 3.170 Qualities or proper-

ties of product or service; § 3.195 Safety. In connection with the offering for sale, sale or distribution of a cosmetic preparation designated "Arrid", or any other product of substantially similar composition or possessing substantially similar properties, whether sold under the same name or under any other name, disseminating, etc., any advertisements by means of the United States mails, or in commerce, or by any means to induce, etc., directly or indirectly, the purchase in commerce of said preparation, which advertisements represent, directly or through inference, (a) that the application of said preparation stops underarm perspiration; (b) that said preparation will keep the armpits dry or odorless; (c) that the use of said preparation immediately after shaving will not irritate the skin; (d) that said preparation will prevent the accumulation of odor—creating secretions or excretions in the armpits; or (e) that said preparation is safe or harmless to use, without disclosing that it may cause irritation of sensitive skin; prohibited, subject to the provision, however, as respects clause (a), that nothing therein shall prevent the respondents from representing that the use of Arrid will prevent the appearance of perspiration when used as directed, namely, "daily" or "as frequently as you find necessary"; to the provision, as respects clause (b), that nothing therein shall prevent respondents from representing that the use of Arrid will keep the armpits dry or odorless when used as directed, namely, "daily" or "as frequently as you find necessary"; and to the provision, as respects clause (d), that nothing therein shall prevent respondents from representing that the use of Arrid will prevent the accumulation of odor-creating body secretions or excretions in the armpits when used as directed, namely, "daily" or "as frequently as you find necessary."

(Sec. 6, 38 Stat. 722; 15 U. S. C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 U. S. C. 45) [Modified cease and desist order, Carter Products, Inc., et al., Docket 4960, May 24, 1951]

In the Matter of Carter Products, Inc., a Corporation, and Small & Seiffer, Inc., a Corporation

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of the respondents, testimony and other evidence in support of the complaint and in opposition thereto, taken before a trial examiner of the Commission theretofore duly designated by it, the recommended decision of the trial examiner and exceptions filed thereto, briefs filed in support of the complaint and in opposition thereto, and oral argument of counsel; and the Commission, having made its findings as to the facts and its conclusion, that the respondents have violated the provisions of the Federal Trade Commission Act and issued its order to cease and desist on July 14, 1949; and

Respondents having filed in the United States Court of Appeals for the Seventh Circuit their petition to review and set

aside the order to cease and desist issued herein, and that Court having heard the matter on briefs and oral argument, fully considered the matter, and, on February 20, 1951, entered its final decree modifying and affirming, as modified, the aforesaid order to cease and desist pursuant to its opinion announced on February 2, 1951:

Now therefore it is hereby ordered, That respondents, Carter Products, Inc., a corporation, and Small & Seiffer, Inc., a corporation, and their respective agents, representatives and employees, directly or through any corporate or other device in connection with the offering for sale, sale or distribution of a cosmetic preparation designated "Arrid," or any other product of substantially similar composition or possessing substantially similar properties, whether sold under the same name or under any other name, do forthwith cease and desist from:

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

(a) That the application of said preparation stops underarm perspiration: *Provided, however,* That nothing herein shall prevent the respondents from representing that the use of Arrid will prevent the appearance of perspiration when used as directed, namely, "daily" or "as frequently as you find necessary."

(b) That said preparation will keep the armpits dry or odorless: *Provided,* That nothing herein shall prevent respondents from representing that the use of Arrid will keep the armpits dry or odorless when used as directed, namely, "daily" or as "frequently as you find necessary."

(c) That the use of said preparation immediately after shaving will not irritate the skin.

(d) That said preparation will prevent the accumulation of odor-creating secretions or excretions in the armpits: *Provided,* That nothing herein shall prevent respondents from representing that the use of Arrid will prevent the accumulation of odor-creating body secretions or excretions in the armpits when used as directed, namely, "daily" or "as frequently as you find necessary."

(e) That said preparation is safe or harmless to use, without disclosing that it may cause irritation of sensitive skin.

2. Disseminating or causing to be disseminated, by any means, for the purpose of inducing, or which is likely to induce, directly or indirectly, the purchase of said preparation in commerce, as "commerce" is defined in the Federal Trade Commission Act, any advertisement which contains any of the representations prohibited in Paragraph 1 hereof.

It is further ordered, That the respondents shall, within ninety (90) days after the entry of the aforesaid decree by the United States Court of Appeals for the Seventh Circuit, file with the Commission a report in writing setting forth in detail the manner and form in

which they have complied with this order.

Issued: May 24, 1951.

By the Commission.

[SEAL] D. C. DANIEL,
Secretary.

[F. R. Doc. 51-9982; Filed, Aug. 21, 1951;
8:50 a. m.]

TITLE 19—CUSTOMS DUTIES

**Chapter I—Bureau of Customs,
Department of the Treasury**

[T. D. 52796]

**PART 10—ARTICLES CONDITIONALLY FREE,
SUBJECT TO A REDUCED RATE, ETC.**

**CERTIFIED SEED POTATOES, AND SEED CORN
OR MAIZE**

Item 724 in the Torquay Schedule XX of the General Agreement on Tariffs and Trade (16 F. R. 5381; T. D. 52739) reads:

Seed corn or maize, certified by a responsible officer or agency of a foreign government in accordance with the rules and regulations of that government to have been grown and approved especially for use as seed, in containers marked with the foreign government's official certified seed corn tags: 12½ cents per bushel of 56 pounds.

To outline the procedure for obtaining this reduced rate of duty, § 10.57 Customs Regulations of 1943 (19 CFR 10.57), is amended to read as follows:

§ 10.57 *Certified seed potatoes, and seed corn or maize.* Claim for classification as seed potatoes under paragraph 771, Tariff Act of 1930, as modified (T. D. 51802, or as seed corn or maize under paragraph 724, Tariff Act of 1930, as modified (T. D. 52739), shall be made at the time of entry. Such classification shall be allowed only if the articles are white or Irish potatoes, or maize or corn, imported in containers and if, at the time of importation, there is firmly affixed to each container an official tag supplied by the government of the country in which the contents were grown, or an agency of such government. The tag shall bear a certificate to the effect that the specified contents of the container were grown, and have been approved, especially for use as seed. The tag shall also bear a number or other symbol identifying the potatoes or corn in the container with an inspection record of the foreign government or its agency on the basis of which the certificate was issued.

(R. S. 251, sec. 624, 46 Stat. 759; 19 U. S. C. 66, 1624)

[SEAL] D. B. STRUBINGER,
Acting Commissioner of Customs.

Approved: AUGUST 15, 1951.

JOHN S. GRAHAM,
Acting Secretary of the Treasury.

[F. R. Doc. 51-10032; Filed, Aug. 21, 1951;
8:54 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Department of the Navy

Subchapter C—Personnel

**PART 711—NAVAL RESERVE OFFICERS'
TRAINING CORPS**

Part 711 is revised to read as follows:

GENERAL PRINCIPLES

- Sec. 711.101 Authorization.
- 711.102 Supervision.
- 711.103 Mission.
- 711.104 Scope as an agency to provide and maintain naval officer strength.

ORGANIZATION

- 711.201 Organization of the NROTC.
- 711.202 Department of Naval Science.
- 711.203 Designation of units.
- 711.204 Course of training.
- 711.205 Requirements for establishment of units.
- 711.206 Application for establishment of units.
- 711.207 Inspection of institution prior to the establishment of unit.
- 711.208 Limitation of personnel of NROTC.
- 711.209 Withdrawal of authority for establishment of a unit.
- 711.210 Land-grant institutions.

CONDITIONS OF SERVICE

- 711.301 Types of NROTC students.
- 711.302 Naval sciences students.
- 711.303 Faculty members.
- 711.304 Enrollment procedures.
- 711.305 General qualifications for enrollment.
- 711.306 Medical examinations.
- 711.307 Disenrollment.
- 711.308 Transfer between NROTC institutions.
- 711.309 Appointment of NROTC students to service academies.
- 711.310 Entry of NROTC students into U. S. Naval Academy.
- 711.311 Delay in completion of course.
- 711.312 Commissioning procedure.
- 711.313 Commissioned status upon completion.
- 711.314 Determination of precedence upon commissioning.
- 711.315 Transfer to flight training program.

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AUTHORITY: §§ 711.101 to 711.1002 issued under sec. 22, 43 Stat. 126, as amended; 34 U. S. C. 821.

NOTE: §§ 711.101 to 711.1002 are also contained in regulations for Administration and Training of the Naval Reserve Officers' Training Corps, Navy Department, 1950.

GENERAL PRINCIPLES

§ 711.101 *Authorization.* The Naval Reserve Officers' Training Corps is established under authority of section 22 of the act of March 4, 1925, as amended (34 U. S. C. 821).

§ 711.102 *Supervision.* (a) In conformity with the provisions of existing law, the NROTC is operated through appropriate administrative regulations issued by the Secretary of the Navy.

(b) The Secretary of the Navy is also authorized to prescribe standard courses for theoretical and practical Naval training for NROTC units and to issue to institutions with NROTC units such transportation, equipment, and uniforms belonging to the United States as he may deem necessary, and to authorize such expenditures from proper Navy appropriations as he may deem necessary for the efficient maintenance of the NROTC.

(c) The Bureau of Naval Personnel is the administrative agency of the Secretary of the Navy, as explained in §§ 711.401 to 711.411.

(d) NROTC Bulletins and Memoranda, issued when required by the Bureau of Naval Personnel, will embody current Bureau directives dealing with the operation and administration of the NROTC.

§ 711.103 *Mission.* The mission of the Naval Reserve Officers' Training Corps is to provide by a permanent system of training and instruction in essential naval subjects at civil educational institutions a source from which qualified officers may be obtained for the Navy and the Marine Corps, and the Naval Reserve and the Marine Corps Reserve.

§ 711.104 *Scope as an agency to provide and maintain naval officer strength.* The NROTC will accomplish its mission as an agency for providing and maintaining naval officer strength by:

(a) Qualification of students for appointment as ensigns in the Regular Navy and the Naval Reserve, or second lieutenants in the Marine Corps and the Marine Corps Reserve, thus assisting in meeting the needs for commissioned personnel.

(b) Increased dissemination of knowledge concerning the Navy and Marine Corps, their purposes, ideals, achievements, and handicaps, thereby gaining and holding increased public interest in the maintenance of adequate naval preparedness.

ORGANIZATION

§ 711.201 *Organization of the NROTC.* The Naval Reserve Officers' Training Corps is composed of naval training units established in civil educational institutions of the United States. A unit is the total enrollment of Regular and Contract students in the NROTC at any one civil educational institution. (See § 711.301.)

§ 711.202 *Department of Naval Science.* Instruction given at any institution in accordance with programs prescribed by the Navy Department will be conducted and supervised by a Department of Naval Science.

§ 711.203 *Designation of units.* The unit established at any civil educational institution will be officially designated as "NROTC Unit, (name of institution)."

§ 711.204 *Course of training.* (a) The NROTC course of training consists of those courses, practice periods, and exercises prescribed by the Navy Standard Curriculum currently in effect, together with such summer training duty or training cruises as may be prescribed. A midshipman pursuing a normal four-year college course will be required to carry a minimum of one Naval Science course per semester or quarter, unless otherwise authorized by the Professor of Naval Science.

(b) During the junior and senior years, special professional courses are provided at all units for students desiring to obtain commissions in the Marine Corps, and at certain designated units for those desiring commissions in the Supply Corps.

(c) In order that NROTC graduates may have a sound and liberal background of academic as well as professional knowledge, additional standard

academic courses, as offered by the college faculty, are prescribed, and certain elective subjects are recommended.

§ 711.205 *Requirements for establishment of units.* The following requirements must be met prior to the establishment of an NROTC unit at a civil educational institution:

(a) For normal operation an annual minimum initial enrollment in the Naval Science courses of 80 qualified male students is required to maintain a Naval Reserve Officers' Training Corps Unit. Such input into the NROTC will be limited and controlled as directed by the Bureau of Naval Personnel on a schedule consonant with the needs of the Service.

(b) The authorities of the institution will agree to establish and maintain the courses in Naval Science prescribed by the Bureau of Naval Personnel.

(c) Credits toward a degree will be granted for Naval Science subjects commensurate with the time expended, in the same manner as for other academic subjects.

(d) The authorities of the institution shall agree to appoint to the faculty, with appropriate rank, a Naval or Marine Corps officer detailed as Professor of Naval Science and such additional officers of the Regular Navy, Naval Reserve, Marine Corps, or Marine Corps Reserve as may be assigned by the Navy Department.

§ 711.206 *Application for establishment of units.* A civil educational institution desiring the establishment of a unit of the NROTC should make application to the Bureau of Naval Personnel on the form prescribed in § 711.1001.

§ 711.207 *Inspection of institution prior to establishment of unit.* When the establishment of a new unit is to be considered by the Navy Department, an officer will be designated by the Bureau of Naval Personnel to visit and inspect any educational institution submitting the application for establishment of a unit prescribed in § 711.206. This officer will report to the Bureau of Naval Personnel upon completion of his inspection as to whether or not the institution inspected fulfills the requirements of the laws and regulations governing the establishment of a unit, and he will specifically recommend in his report whether or not a unit should be established.

§ 711.208 *Limitation of personnel of NROTC.* The enacting law as amended prescribes that the total NROTC students in training shall not exceed 15,400 at any one time. Of these not more than 14,000 shall be Regular NROTC students as defined in § 711.301 (a). The remainder of the 15,400 total may be composed of Contract NROTC students whose tuition is not paid by the Navy, as specified in § 711.301 (b).

§ 711.209 *Withdrawal of authority for establishment of a unit.* An institution desiring to withdraw from the NROTC will so report in writing, giving reasons in full therefor to the Bureau of Naval Personnel at least 3 months prior to the date upon which withdrawal is to be effective. A unit will not be main-

tained at an institution when the institution, after thorough consideration, desires its withdrawal. Ordinarily, however, a unit will be withdrawn only at the end of an academic year. The Secretary of the Navy may, upon the recommendation of the Bureau of Naval Personnel, and upon at least 3 months' notice in writing to the institution, withdraw the unit from any institution where such unit is established and rescind authorization for a unit at that institution should it be considered that the work of the unit is not compatible with the mission of the NROTC. Whenever the authorities of an institution request the withdrawal of a unit, or when in the opinion of the Professor of Naval Science a unit should be withdrawn, the Professor of Naval Science shall forward to the Bureau of Naval Personnel a report stating in full those details of the situation existing at the institution which would be of assistance to the Chief of Naval Personnel in arriving at an understanding of the facts and circumstances involved in the request or recommendation for the withdrawal of the unit.

§ 711.210 *Land-grant institutions.* The obligations of land-grant institutions to provide military instruction imposed by the act of July 2, 1862 (12 Stat. 503; 7 U. S. C. 304), are not altered by the enacting law authorizing the NROTC, or by the regulations in this part. The military training requirements prescribed by the above act are considered to be fulfilled by students who have successfully completed 2 years of Naval Science courses and drills.

CONDITIONS OF SERVICE

§ 711.301 *Types of NROTC students.* Officer candidates in the NROTC are of two types:

(a) Regular NROTC students are appointed Midshipmen, USNR, and will be granted the compensation and benefits specified in §§ 711.701 to 711.808. In accordance with their contract (§ 711.1002 (a)), such students are obliged to make all required summer practice cruises (§ 711.508) and to serve at least 15 months on active duty after commissioning, as Ensigns, U. S. Navy, or Second Lieutenants, U. S. Marine Corps, unless sooner released by the Secretary of the Navy. Should such officers elect to terminate their regular status, they will be commissioned in the Naval or Marine Corps Reserve, and, at the discretion of the Secretary of the Navy, may be required to continue on active duty under the terms of their contract until they have completed 2 years' commissioned service. They may apply for retention as career officers in the Regular Navy or Marine Corps in accordance with § 711.313.

(b) Contract NROTC students have the status of civilians who have entered into a mutual contract with the Navy (§ 711.1002 (b)). For administrative purposes they are referred to as Reserve Midshipmen. They are not entitled to the compensation or benefits paid Regular NROTC students except that they are entitled to the uniform issue specified in § 711.802, payment of commutation of subsistence during their final 2

years of NROTC training (§ 711.703), and the practice cruise compensations specified in § 711.702. Contract NROTC students agree to accept a commission in the Naval Reserve or the Marine Corps Reserve but may, if they so desire and if their services are required, be commissioned as Ensigns, USN, or Second Lieutenants, USMC, and serve for 2 years on active duty. They may then apply, if they so desire, for retention in the Service (§ 711.313). Contract NROTC students are required to make one summer practice cruise. Contract students desiring to transfer to the status of Regular students must qualify through the annual competitive examination and selection procedure.

§ 711.302 *Naval Science students.*

(a) With the approval of the Professor of Naval Science and the academic authorities, civilian students who have not entered into any contract with the Navy may be permitted to pursue Naval Science courses for college credit provided the acceptance of such students will not affect adversely the instruction given to NROTC students. They will be designated as Naval Science students. They will not be eligible to make NROTC practice cruises or to be paid any compensation or benefits. They may withdraw at their own request upon approval of the Professor of Naval Science.

(b) Naval Science students may become eligible for enrollment in the NROTC as Contract students, provided they comply in every respect with the requirements for original enrollment, when vacancies occur in the unit quota. They may also compete in the annual competition for entrance into the NROTC as Regular students.

(c) Naval Science students must be informed that they are not actually enrolled in the NROTC. They may, with the approval of the Professor of Naval Science, participate in local drills.

(d) Naval Science students shall be allowed access only to such classified instructional materials and publications as are necessary for the pursuit of Naval Science subjects and which are required in the curriculum.

(e) A Regular or Contract student who is attending an institution having compulsory military training, and who is disenrolled from the NROTC prior to the completion of the military requirements of the institution, shall be retained as a Naval Science student until the military training requirements of the institution have been completed. This procedure may be dispensed with only if the student desires to transfer to the Army or Air Force ROTC and such transfer is approved by the Professor of Military Science and Tactics or the Professor of Air Science and Tactics in accordance with the Statement of Joint ROTC Policies as approved by the Secretary of Defense.

§ 711.303 *Faculty members.* Members of the faculty may, with the approval of the Professor of Naval Science, take any of the courses of instruction prescribed for members of the NROTC. Participation in these courses will not

entitle them to enrollment in the NROTC or to any pay or allowances.

§ 711.304 *Enrollment procedures.* (a) Regular NROTC students, in general, will be enrolled after a competitive selection procedure from among young men in civilian life and enlisted men in the Navy and Marine Corps. This selection is controlled by the Chief of Naval Personnel subject to the concurrence of the Commandant of the Marine Corps in the case of enlisted men of the Marine Corps, and detailed directives concerning procedures will be issued and widely distributed from time to time. Such students must be qualified for admission to an NROTC institution under the regulations of that institution.

(1) Contract students selected for regular status will be required to obtain their degrees and commissions in the same time they would normally have taken had they remained in their original contract status. They will be required to make as many cruises as possible in the time available before graduation, and if at the time of graduation they have made fewer than three cruises they will be required to make one cruise after graduation in order to qualify for a commission.

(2) Naval Science students selected for regular status will be treated in the same manner as Contract students selected for regular status.

(b) Contract NROTC students are to be enrolled by the Professor of Naval Science within limited numbers specified by the Chief of Naval Personnel in accordance with instructions issued from time to time. Such students must meet the qualifications specified for all NROTC enrollees in § 711.305 and must be in attendance at an NROTC institution.

(c) Naval Science students may be enrolled by the Professor of Naval Science as long as the number so enrolled is within the limits of the instructional staff and facilities available.

§ 711.305 *General qualifications for enrollment.* In general, each candidate for enrollment in the NROTC must meet the following requirements:

(a) Be an unmarried male citizen of United States and agree to remain unmarried until commissioned or disenrolled.

(b) Have attained the seventeenth anniversary of his birth on or before July first of the year of enrollment and be of such age that he will not have passed the twenty-fifth anniversary of his birth on July first of the year he will be commissioned (i. e., not over 21 on July first for initial enrollment at the beginning freshman level). The Professors of Naval Science are authorized, however, to waive the minimum age requirements for Contract students of the freshman class in those cases where they consider the student involved to be of sufficient maturity to undertake the Naval Science courses and drills. A special letter report, stating the names of all students for whom such waivers have been granted, will be forwarded to the Bureau of Naval Personnel. No

waiver of the age requirements for Regular students will be granted.

(c) Be morally qualified and possess officer-like qualifications and character as evidenced by appearance, scholarship, extracurricular activities, and record in his home community.

(d) Be at least a high school graduate or person of equivalent educational level if selected competitively; or, be enrolled in good standing and attending an NROTC institution if selected by the Professor of Naval Science.

(e) Be physically qualified in accordance with the requirements of the current Manual of the Medical Department for entrance into the Naval Academy.

(f) Any person receiving compensation from the United States Veterans' Administration for disability incurred in the Naval or Military service of the United States, or who has any claim pending under that Bureau on account of such disability, is not eligible for enrollment in the NROTC. Veterans who have previously filed such claims may become eligible for enrollment if (1) the Veterans' Administration has disallowed the claim or if (2) the veteran has withdrawn or (3) withdraws his claim. Procedures for establishing such eligibility shall be in accordance with current directives. All such veterans should understand that any such actions initiated by them are voluntary on their part. While no individual is required to waive any such claims, enrollment in the NROTC is contingent upon fulfilling all entrance requirements.

(g) A citizen of the insular possessions of the United States, unless he has been legally admitted as a citizen of the United States, is not eligible for membership in the NROTC.

(h) No member of the Regular Armed Forces in active service, or members of the Reserve or National Guard components thereof, shall be eligible for enrollment as a Regular student (Midshipman, USNR) in the NROTC while retaining his status in the other organization. No commissioned officer, Regular or Reserve, of any service is eligible. Enlisted members of the Organized and Volunteer Naval or Marine Corps Reserve in an inactive duty status may be enrolled as Contract students. Members of other Reserve components of the Armed Forces although not eligible for enrollment as Contract students while retaining such status, may be enrolled as Naval Science students pending discharge from such status or transfer to the Naval or Marine Corps Reserve.

(i) Students selected for appointment as Midshipmen, USNR, or for enrollment as Contract students, who formerly attended one of the United States Service Academies, or one of the United States or State Merchant Marine or Maritime Academies, shall not be appointed or enrolled without the specific approval of the Bureau of Naval Personnel. Before taking action on such cases the Bureau will obtain comments and recommendations from the Commandant of the appropriate Academy.

(j) Students selected for appointment as Midshipmen, USNR, or for enrollment as Contract students shall be required to

execute current Loyalty Certificates prior to their appointment or enrollment.

§ 711.306 *Medical examinations*—(a) *Initial examination.* (1) Each applicant for enrollment as a Contract student by the Professor of Naval Science, will be first examined to determine his physical qualifications. Standard Form 88, in duplicate, shall be forwarded to the Chief of the Bureau of Medicine and Surgery via the Chief of Naval Personnel.

(2) Regular students need not be physically examined upon arrival, as they will already have been approved as physically qualified. Their first medical examination after enrollment will be that required by paragraph (b) of this section.

(b) *Annual medical examinations.* The Professor of Naval Science shall require each student enrolled in the NROTC to be physically examined during the last semester or quarter of each academic year and Standard Form 88, in duplicate, shall be forwarded as in paragraph (a) of this section. Each copy of Standard Form 88 shall contain the student's officer file number. This examination may be given at the same time as the pregraduation medical examination required by paragraph (e) of this section.

(c) *Health records.* Health records shall be opened for both Contract and Regular students at their first medical examination after entry into the NROTC.

(d) *Vaccinations and inoculations.* At the time of the annual medical examinations, appropriate vaccinations and inoculations should be given to all students expecting to go on the summer cruise or to camp.

(e) *Pregraduation medical examinations.* Graduating students must complete their annual medical examination 90 days prior to graduation (§ 711.1002 (d)). This medical examination, which must be conducted by a Board of Medical Examiners, shall include, whenever practicable, roentgenographic examination of the chest and serologic tests for syphilis and shall be made as a part of the pregraduation medical examination to determine physical fitness of NROTC graduates for appointment to commissioned rank in the U. S. Naval Service. (If it is impracticable to conduct roentgenographic or serologic tests as part of the pregraduation medical examination, a statement to that effect shall be made on the Standard Form 88 and on NavMed H-8 (Medical History Sheet), with a request that these examinations be conducted at the first active duty station.) This pregraduation medical examination shall be conducted in accordance with the appropriate provisions of the Manual of the Medical Department, and qualifications shall be as specified therein. The report thereof on Standard Form 88, in duplicate, shall be forwarded as in paragraph (a) of this section with the application for commission. The student's officer file number shall be entered on the Form 88. The purpose of the medical examination shall be clearly indicated on the Form 88 as appropriate, i. e., "Appointment to Commissioned Rank as Ensign, line (or SC or CEC) in the U. S. Navy (or Naval Reserve) or Second Lieu-

tenant in the U. S. Marine Corps (or Marine Corps Reserve). The following statements, in duplicate, shall be attached to the Standard Form 88: "We hereby certify that the examined candidate is (is not) physically qualified for appointment to commissioned rank as Ensign, line, in the U. S. Navy (or as appropriate)," over the signature of the Board of Medical Examiners, and "I certify that I have informed the Board of Medical Examiners of all the bodily ailments which I have suffered, and to the best of my knowledge and belief, I am free from any bodily or mental ailments (except those as follows:)," over the signature of the candidate examined.

Attention is invited to the provisions of Section 0811, Naval Supplement to the Manual for Courts-Martial.

(f) *Visual standard.* Visual standard for original entry into the NROTC is 20/20, each eye. Any student whose vision in either eye during his period of service falls below 20/20 may be subject to disenrollment. The Professor of Naval Science shall carefully review the entire record of any student whose vision falls below 20/20 and shall recommend retention or disenrollment in accordance with the student's over-all record. However, the Professor of Naval Science shall recommend disenrollment in every case where the student's vision has dropped below 20/27, correctable to 20/20 in each eye, unless he is pursuing a course of study which should qualify him for appointment in the Staff Corps, USN, if a Regular student, or as a Staff Corps or Special Duty Officer in the USNR if a Contract student. In all cases where the student's vision drops below 20/100, the Professor of Naval Science shall recommend his disenrollment for physical reasons.

(g) *Disposition of physically disqualified.* Students not meeting physical standards shall be recommended for disenrollment (§ 711.307).

(h) *Assistance.* The Professor of Naval Science shall request whatever medical or dental assistance may be required for carrying out any of these medical examinations from the Commandant of the Naval District.

§ 711.307 *Disenrollment*—(a) *General.* Any NROTC student dropped by the institution for academic failure or any other reason shall be immediately disenrolled by the Professor of Naval Science. The date of disenrollment shall be set by the Professor of Naval Science and reported to the Bureau of Naval Personnel on the Student Disenrollment Report (NavPers 364). If a Contract student, no further correspondence will be required. If the student being disenrolled is a Regular student, the Chief of Naval Personnel will recommend to the Secretary of the Navy that appointment as Midshipman be terminated. If approved by the Secretary, the letter of termination will be prepared by the Chief of Naval Personnel, and appointment terminated retroactive to the date set by the Professor of Naval Science.

(b) *Physical.* The Professor of Naval Science shall recommend to the Chief of Naval Personnel direct, on NavPers 364, the disenrollment of any student who

does not meet the required physical standards for retention in the NROTC. Recommendations shall be accompanied by Standard Form 88, in duplicate.

(c) *Academic.* The Professor of Naval Science shall recommend to the Chief of Naval Personnel the disenrollment of any NROTC student whose general academic record is such as to make his value as an officer in the Navy doubtful. Such recommendations shall be submitted on NavPers 364 and shall include a complete statement of the student's academic record to date with an estimate by the academic authorities of the student's academic performance and capabilities. This recommendation may be made at any time during the student's course. Any considerable deficiency in the quality of a student's work in Naval Science courses will be considered grounds for such a recommendation, regardless of the quality of his other academic work.

(d) *Disciplinary.* The Professor of Naval Science may recommend for disenrollment any student from the NROTC for disciplinary reasons as specified in § 711.408 to be reported as above under paragraph (c) of this section.

(e) *Inaptitude.* The Professor of Naval Science shall recommend to the Chief of Naval Personnel on NavPers 364 the disenrollment of any student who has demonstrated at any stage of training such lack of officer aptitude as to make his further retention unjustified.

(f) *Special reasons.* In special cases, generally involving unusual hardship, the Chief of Naval Personnel may direct the disenrollment of an NROTC student for "Special Reasons." Disenrollments for "Special Reasons" will be the exception and not the rule and should be recommended by the Professor of Naval Science only in very unusual circumstances and after personal investigation of the facts presented by the student.

(g) *Own request.* The Professor of Naval Science may disenroll at his own request (Bureau approval not being required) the following types of NROTC students:

(1) Regular students at any time prior to the end of their first year of NROTC training. For the purpose of this type of disenrollment, the first year of training shall be considered as completed with the close of the second semester or spring quarter of the academic year. A Regular student in his first year of training whose disenrollment is pending or who would normally be disenrolled or recommended for disenrollment for the reasons specified in paragraphs (a) to (e), inclusive, of this section, shall not be disenrolled at his "Own Request". Upon receipt of information from the Professor of Naval Science that a Regular student has been disenrolled in accordance with the provisions of this paragraph, the Chief of Naval Personnel will recommend to the Secretary of the Navy that the appointment as Midshipman be terminated. If approved by the Secretary, the letter of termination of appointment and discharge from the Naval Service will be prepared by the Chief of Naval Personnel and the appointment terminated retroactive to the date of disenrollment from the Naval

Reserve Officers' Training Corps as effected by the Professor of Naval Science.

(2) Contract students who have not yet qualified for entitlement to payments on account of commutation of subsistence.

(h) *Statements from students concerning disenrollment recommendations.* (1) A student being recommended for disenrollment for disciplinary reasons or because of inaptitude shall be offered the opportunity of presenting a signed statement in his own behalf concerning the circumstances which have resulted in the disenrollment recommendation.

(2) If the disenrollment recommendation is for disciplinary reasons due to the student's refusal to fulfill the provisions of his signed contract with the Secretary of the Navy, he shall acknowledge in his written request to the Bureau of Naval Personnel that he is aware of the obligations he assumed in his agreement or contract with the Navy and, furthermore, that he understands that disenrollment for disciplinary reasons as stated above, if effected, will be prejudicial to his interests if he should ever apply for a commission in the armed services.

(i) *Disenrollments (own request) requiring bureau approval.* A Regular NROTC student subsequent to his first year of NROTC training as defined above in this section, or a Contract NROTC student who has qualified for entitlement to payments on account of commutation of subsistence, may withdraw at his own request only when such request is approved by the Professor of Naval Science and the disenrollment has been authorized by the Chief of Naval Personnel. Release at their own request of students described in this paragraph will be approved only under the provisions of paragraphs (b) to (f), inclusive, of this section.

(j) *Continuance as Naval Science students.* Students disenrolled for any of the above reasons before the end of an academic term may be authorized by the Professor of Naval Science to complete the current term of Naval Science as Naval Science students.

(k) *Procedures for disenrollment and termination of appointment.* In effecting disenrollments under paragraphs (b) to (f), inclusive, of this section of Regular students and of Contract students who have qualified for entitlement to payments on account of commutation of subsistence, the following procedures will be followed:

(1) The Chief of Naval Personnel will review the case and approve or disapprove the recommendation for disenrollment. If approved, the Chief of Naval Personnel will direct the student's disenrollment from the Naval Reserve Officers' Training Corps, such disenrollment to be effective upon the date designated by the Chief of Naval Personnel.

(2) In the case of a Regular student whose disenrollment has been directed, the Chief of Naval Personnel will recommend to the Secretary of the Navy that the appointment as Midshipman be terminated. If approved by the Secretary, the letter of termination of appointment and discharge from the Naval

Service will be prepared by the Chief of Naval Personnel and the appointment terminated retroactive to the effective date of disenrollment from the Naval Reserve Officers' Training Corps as set by the Chief of Naval Personnel.

§ 711.308 *Transfer between NROTC institutions.* (a) A Regular NROTC student may transfer from the NROTC Unit at one institution to the NROTC Unit at another if honorably released by the first institution and accepted by the second institution: *Provided*, That his transfer is approved by the Professors of Naval Science at both institutions and by the Bureau of Naval Personnel.

(1) The Professor of Naval Science of the NROTC Unit at the first institution shall include in his endorsement (if not in the student's request) a statement of the exact field of study the student proposes to follow together with any information which would be of assistance to the Professor of Naval Science and the academic authorities of the second institution in determining the student's probable acceptance for admission. There should be enclosed with this endorsement a transcript of the student's academic record, together with a statement of the courses in progress. This transcript need not be forwarded to the Bureau of Naval Personnel.

(2) The Professor of Naval Science of the NROTC Unit at the second institution in forwarding his recommendation to the Bureau shall include a statement as to the probable action of the academic administrative authorities on the student's request. His forwarding endorsement shall also state what effect, if any, on the student's date of commissioning will be entailed by the requested transfer if effected.

(3) The Bureau, upon favorable recommendation from the Professors of Naval Science, will generally approve those transfers which are motivated by reason of unusual personal hardships, or the impossibility of obtaining the required courses for certain degrees.

(4) The Bureau will view unfavorably those requests for transfers which are motivated by reason of personal convenience or desire, particularly those which stem from the fact that a student is not attending the school of his first choice. Such transfers would be in direct conflict with the principles established in the Plan of Distribution of NROTC students adopted jointly by the Association of NROTC Colleges and by the Bureau of Naval Personnel.

(b) A Contract NROTC student may transfer from one NROTC institution to another under the conditions specified in the first sentence of paragraph (a) of this section, except that prior approval of the Bureau of Naval Personnel will not be required. He must agree to continue his mutual contract with the Navy.

(c) A Naval Science student who transfers from one NROTC institution to another may be reenrolled as a Naval Science student provided he is recommended by the Professor of Naval Science of the institution from which transferred.

(d) The Professor of Naval Science of the institution from which such trans-

fer is made shall forward to the Professor of Naval Science of the institution to which the transfer is made

- (1) An official transcript,
- (2) A complete listing of IBM items established for the student,
- (3) Marks for all Naval Science courses completed and aptitude marks (4.0 basis),
- (4) Health Record (Form H),
- (5) Pay Accounts (Regular students),
- (6) For Contract students:
 - (i) Date admitted to advanced standing for commutation of subsistence.
 - (ii) Date on which commutation of subsistence was discontinued because of transfer.
 - (iii) Three certified copies of student's contract.

§ 711.309 *Appointment of NROTC students to service academies.* Any student enrolled in the NROTC who so desires and produces evidence that he has been successful in passing the required entrance examination(s) and has been selected for entrance into one of the Service Academies, will be released from his contract with the Secretary of the Navy. In the case of Naval Academy and Military Academy candidates, this provision applies to all principal appointees and to any alternate appointee who may become a principal appointee. Whether the student will fulfill the physical requirements to enter the Academy concerned need not be determined prior to his being eligible for such release.

§ 711.310 *Entry of NROTC students into the U. S. Naval Academy—(a) Eligibility for entry.* Members of the NROTC, either as Regular or Contract students, are eligible for appointment to the Naval Academy by any of the existing procedures, with the following single exception: Only Contract students will be permitted to compete for appointment to the Naval Academy by competitive examination from among members of the NROTC, as provided by an act of February 27, 1936, ch. 89, 49 Stat. 1144, as amended. This act authorizes the Secretary of the Navy to appoint not more than 20 midshipmen annually to the Naval Academy from among the honor graduates of educational institutions which are designed as honor schools by the Department of the Army or the Department of the Navy, in accordance with regulations established by the Secretary of the Navy, and from among members of the NROTC.

(b) *Procedures for effecting entry.* The entry of NROTC students, both Regular and Contract, into the Naval Academy shall be effected in accordance with the following procedures:

(1) The candidates will be informed by the Bureau of Naval Personnel as to the date on which they should report to the Naval Academy. It is expected that the reporting dates will generally be during the week of about June 15, or as soon thereafter as the candidates become eligible for call.

(2) The Professor of Naval Science will issue instructions to the student authorizing him to report, on the proper date, to the Commanding Officer, U. S. Naval Barracks, U. S. S. Reina Mercedes, U. S. Naval Academy, Annapolis, Md., for

medical examination prior to appointment as Midshipman, USN. Such examinations normally require 3 days for completion. These authorizations shall indicate that all travel performed in compliance therewith will be at the student's own expense, in accordance with the Regulations Governing the Admission of Candidates into the U. S. Naval Academy. Reimbursement for travel will be made in the case of candidates who are appointed midshipmen, USN. The student will not be considered in an active duty status while complying with such authorizations.

(3) The authority for the student to take the entry medical examination will be forwarded by the Bureau of Naval Personnel to the Naval Academy.

(4) The records, accounts, and as much as possible of government clothing and equipment shall be retained at the NROTC unit or activity holding the accounts.

(5) If the candidate is admitted as a Midshipman, USN, the Naval Academy shall forward to the Chief of Naval Personnel a request for disenrollment of the individual concerned as of the date preceding admission to the Naval Academy. A copy of the request for disenrollment shall be forwarded to the appropriate Professor of Naval Science.

(6) Upon receipt of such request the Bureau of Naval Personnel will disenroll the student in accordance with standard procedures.

(7) Should the student be found not physically qualified for appointment as Midshipman, USN, he may be ordered to an appropriate NROTC summer cruise if he is physically qualified for retention in the NROTC. Otherwise he shall be recommended to the Bureau of Naval Personnel for disenrollment for physical reasons. The recommendation for disenrollment will be approved only after it is determined that the student is not physically qualified for retention in the NROTC.

§ 711.311 *Delay in completion of course.* In certain cases, because of institutional requirements for certain degrees, minor academic deficiencies, illness, or other legitimate reasons, it may become necessary to allow a student one or more additional semesters to enable him to qualify for his first baccalaureate degree. If recommended by the Professor of Naval Science and authorized by the Bureau of Naval Personnel, such additional time may be allowed. However, the total time during which a Regular student may be retained in a regularly enrolled NROTC status, receiving benefits and retainer pay, may not exceed four academic years. Similarly, a Contract student may not receive commutation of subsistence for a period exceeding two academic years plus one intervening summer vacation.

(a) Where it is necessary to extend the normal time for completion of degree requirements, the student may be placed in a leave status, without compensation or allowances, for such periods as are necessary to comply with the requirements of the program of studies as normally conducted by the institution. While in such leave status the student

will not be eligible to receive the compensation or benefits paid to, or in behalf of, NROTC students under instruction, nor will he be required to take any Naval Science courses.

(b) In the case of students who are regularly enrolled in college cooperative programs requiring alternate periods of employment in industry or business and normally requiring 5 years for the completion of a baccalaureate degree, leave status may be established during the periods in which a student is engaged in such employment and is not effectively in residence at the institution, or upon the completion of the fourth year of his academic program if he has remained in residence (on a part-time basis) throughout 4 years of the program.

(c) A student enrolled in a curriculum normally requiring 5 years for completion who chooses to receive his retainer pay and benefits in successive years beginning with his first year of NROTC training will be placed in a leave status, without compensation, at the end of his fourth year of such training in order that he may continue to completion of the curriculum leading to his degree. While in such leave status he will not be eligible to receive the compensation or benefits paid to, or in behalf of, NROTC students under instruction, nor will he be required to take any Naval Science courses. Men in this category who are about to complete their fifth year of college training should be reported to the Bureau of Naval Personnel by the Professor of Naval Science at the same time he reports the names of those who are about to be graduated and receive their commissions; i. e., 90 days in advance of the date of graduation. Upon the completion of his fifth academic year and the granting of the baccalaureate degree, he will be commissioned at the same time and in the same manner as other NROTC students who have completed a normal 4-year course and receive the baccalaureate degree at that time.

(d) A student enrolled in a curriculum normally requiring 5 years for completion who chooses to receive his retainer pay and benefits other than during his first 4 years of NROTC training, may be placed in a leave status, without compensation, during any one of the 5 years, and will be commissioned at the end of his fifth year, as in the preceding paragraph.

(e) The Professor of Naval Science is authorized to place in or to remove from leave status, students of the types described in paragraphs (b), (c), and (d) of this section. While prior Bureau approval will not be required in these cases, the Professor of Naval Science shall advise the Bureau of Naval Personnel of such action whenever taken.

(f) Recommendation for commissioning and other administrative action pertinent thereto shall be forwarded at the same time and in the same manner as for NROTC students completing a four-year program, even though the student is in leave status at the time of such action, i. e., 90 days in advance of his date of graduation.

§ 711.312 *Commissioning procedure.*

(a) Regular and Contract NROTC stu-

dents, upon successful completion of the prescribed Naval Science courses, and upon satisfactory completion of requirements for a degree, will be commissioned in the Navy or Naval Reserve, or in the Marine Corps or Marine Corps Reserve, respectively, depending upon the needs of the service, if recommended by the Professor of Naval Science and approved by the Secretary of the Navy. The Professor of Naval Science shall determine whether the student is in all respects academically qualified for appointment. However, the responsibility of the Professor of Naval Science shall not extend to the point of determining whether a Staff Corps candidate is professionally qualified for an appointment in either the Supply Corps or Civil Engineer Corps, since, by law, such is the responsibility of the appropriate Staff Corps Board. No student shall be recommended for appointment until he has been carefully appraised by the Professor of Naval Science not only academically but also for officer-like qualities and general ability. Candidates need not submit individual applications for commissions except as noted below.

(b) The Bureau of Naval Personnel will promulgate instructions relative to the appointment, during each calendar year, of Regular and Contract NROTC students in the Supply and Civil Engineer Corps, U. S. Navy. These instructions will be forwarded to all Professors of Naval Science as soon as practicable after the beginning of each calendar year. Normally the percentage of NROTC graduates appointed annually in the Supply and Civil Engineer Corps, U. S. Navy, will be in proportion to the percentages of such officers authorized by law for the regular Navy.

(c) The Professor of Naval Science shall forward direct to the Chief of Naval Personnel, to arrive 90 days prior to graduation, a report, in letter form, giving his recommendations concerning the commissioning of NROTC students who are about to be graduated, and in addition, the following, in duplicate, for each graduating student, USN or USNR candidate:

(1) Student's complete name, date of birth, file number, and student type (Midshipman, USNR, or Contract, NROTC, as the case may be). Indicate whether applicant is a candidate for Line, Staff Corps, SDO, or Marine Corps, and whether Regular Service or Reserve.

(2) Report of medical examination on Standard Form 88, in duplicate (§ 711.306 (e)). Attention is invited to Section 0811, Naval Supplement to the Manual for Courts-Martial, and Article 216 of the Manual of the Medical Department, U. S. Navy.

(3) Applicants for appointment to commissioned rank in the Navy or Marine Corps or the Naval or Marine Corps Reserve who have a claim pending for or who are drawing a pension, disability allowance, or disability compensation from the Government of the United States, are not eligible for appointment to commissioned rank in the Navy or Marine Corps or the Naval or Marine Corps Reserve, even though they may have been found physically qualified by a Board of Medical Examiners and the

Bureau of Medicine and Surgery for such appointment.

(d) If student is a candidate for a Staff Corps (USN-USNR), SDO (USNR), or Marine Corps (USMC-USMCR) commission, the following information shall be included with paragraph (c) of this section:

(1) Request for Staff Corps or SDO commissions for those who so desire and who have been nominated under quotas authorized. (Quotas need be authorized only for appointments in the Staff Corps, U. S. Navy.) Each applicant for appointment in the Staff Corps, USN or USNR, shall indicate in his request therefor, the type appointment desired if not selected for appointment in the Staff Corps.

(2) Application for commission in the Marine Corps for each Marine Corps candidate (§ 711.603 (c)).

(3) Transcript of student's educational record including a list of the courses in which enrolled for the current term. (No duplicate required.) Upon completion of the current term, final grades shall be forwarded, as soon as practicable, for inclusion in the officer's file.

(e) In all cases where Contract NROTC students desire appointment in regular rather than reserve status, as provided in §§ 711.301 (b) and 711.313 (b), the Professor of Naval Science shall obtain and forward with his endorsement, along with the reports and applications specified in paragraphs (c) and (d) of this section, each student's request for such appointment, in duplicate. The student's request shall be in letter form, addressed to the Secretary of the Navy, via the Chief of Naval Personnel, or the Commandant of the Marine Corps, as appropriate, and shall specify the branch or corps in which appointment is desired and shall include an agreement to serve on active duty for a period of 2 years upon appointment. To be submitted only in accordance with existing instructions or specific directive. (See also, §§ 711.601 (c) and 711.603 (a).)

(f) The Professor of Naval Science is authorized and directed to withhold the commission of any student who fails to fulfill all of the requirements for graduation and commissioning. In every case where the appointment and commission are withheld, the Professor of Naval Science shall return the commission, and NavPers 962 (Acceptance and Oath of Office) to the Bureau of Naval Personnel with a letter of transmittal indicating the reason therefor, and making appropriate recommendations concerning extension of the time allowed for completion of the requirements, placing the student in a leave status (§ 711.311), or disenrollment of the student.

(g) The Professor of Naval Science shall forward to the Chief of Naval Personnel, as soon after graduation as possible, a transcript of each student's academic record, with the exception of those already sent in for the staff corps applicants.

§ 711.313 *Commissioned status upon completion.* (a) Regular NROTC students, if in all respects qualified, are commissioned in the U. S. Navy or Ma-

rine Corps upon successful completion of the course. In accordance with their contract (§ 711.1002 (a)), Regular NROTC students are required to serve as Regular officers on active duty for at least 15 months. They may volunteer to serve for 3 years. Officers may apply for retention in the Regular Navy or Marine Corps during their third year of service, and if selected will continue in the Navy or Marine Corps as career officers. Should they elect to terminate their Regular status, they will be commissioned in the Naval or Marine Corps Reserve, and, at the discretion of the Secretary of the Navy, may be required to continue on active duty, under the terms of their contract, until they have completed a total of 2 years commissioned service. They will then be placed on inactive duty to remain in that status until their commissioned service totals a minimum of 6 years.

(b) Contract NROTC students may, upon graduation, volunteer for 2 years of active duty. If accepted under current quotas, they will receive commissions in the Navy or Marine Corps, and will have the same options of service, including retention as Regular officers, that Regular NROTC students have. Otherwise, they will be commissioned in the Naval Reserve or Marine Corps Reserve and placed on inactive duty.

(c) Naval Science students will not be eligible for commissions under NROTC provisions but may be eligible under separate procurement procedures open to any college graduate. Directives covering such procurement will be issued separately when required.

§ 711.314 *Determination of precedence upon commissioning.* (a) All Ensigns of the Navy and Second Lieutenants of the Marine Corps commissioned in accordance with the act of August 13, 1946, ch. 962, 60 Stat. 1057, as amended (34 USC 1020), are assigned as their date of rank the date of graduation at the Naval Academy in that year and are assigned precedence according to their demonstrated performance.

(b) In order to provide a basis for determination of precedence, as soon as practicable after each graduation the Professor of Naval Science shall prepare and forward to the Bureau of Naval Personnel a report (NavPers 391), Class Standing of NROTC Students Commissioned.

(c) In the period of service pending the determination of precedence of Ensigns of the Navy and Second Lieutenants of the Marine Corps commissioned in any year, the following general rules will apply:

(1) Officers commissioned between January 1 and the date of graduation of midshipmen from the Naval Academy, both dates inclusive, shall have precedence among themselves in the order of alphabetical listing of names and shall be senior to the graduating class of the Academy and to officers commissioned later in the year.

(2) Officers commissioned upon graduation from the Naval Academy shall take precedence among themselves in accordance with their class standing upon graduation, and shall be senior

to officers commissioned subsequent to the date of graduation from the Academy in the same calendar year.

(3) Officers commissioned between the day following the date of graduation of midshipmen from the Naval Academy and December 31 of the same year shall take precedence among themselves in the order of alphabetical listing of names and shall be senior to officers commissioned in the ensuing year.

§ 711.315 *Transfer to flight training program.* NROTC graduates may, after commissioning, apply for flight training in a manner similar to graduates of the Naval Academy.

ADMINISTRATION

§ 711.401 *General policies.* (a) Supervision, control, and direction of the NROTC will be administered by the Navy Department through the Bureau of Naval Personnel, which is hereby given all necessary authority in the premises.

(b) The supervisory powers of the Bureau of Naval Personnel over the NROTC are delegated to the Commandants of the Naval Districts in all matters except those which have been expressly reserved to the Navy Department and the Bureau of Naval Personnel in these and other Regulations of the Navy Department.

(c) Civilian heads of institutions have the same academic relationship with the Department of Naval Science that they ordinarily have with other departments of the institution.

§ 711.402 *Communications.* It shall be the responsibility of the Professor of Naval Science to see that the information contained in NROTC Bulletins, Memoranda, and letters to all Professors of Naval Science is properly disseminated to appropriate college and university officials.

§ 711.403 *Inspections.* The Commandant of the Naval District shall inspect the NROTC units in his District in accordance with Article 0504, United States Navy Regulations, 1948. An inspection of this character should be made at least once each academic year.

§ 711.404 *Review of accomplishments.* Annual review of the efficiency of the NROTC program at each NROTC institution may be made by a committee appointed by the Secretary of the Navy, consisting of civilian educators and representatives of the Training Division, Bureau of Naval Personnel, and Headquarters, U. S. Marine Corps.

§ 711.405 *Officer and enlisted personnel.* (a) The detailing of officers and enlisted personnel for duty with NROTC units and relief therefrom is a function of the Chief of Naval Personnel or the Commandant of the Marine Corps, as appropriate.

(b) The number of officers and enlisted men assigned to duty with NROTC units will be determined by the Bureau of Naval Personnel, based upon the exigencies of the Naval Service and the personnel requirements of the units.

(c) The institution will normally be notified by the Bureau before any

change of officer personnel is made. Only personnel acceptable to the institution will be ordered thereto.

(d) Special reports on enlisted personnel who have served as instructors in the NROTC program shall be prepared by the Professor of Naval Science. Such reports, prepared according to current directives, shall be forwarded for each enlisted man completing a tour of duty as in instructor.

§ 711.406 *Head of Department of Naval Science.* (a) The head of the Department of Naval Science at an educational institution where a unit of the NROTC is established is the officer ordered as Professor of Naval Science by the Chief of Naval Personnel. He shall be the senior commissioned line officer of the Navy or Marine Corps ordered to duty with the NROTC unit at that institution. He shall be designated the Professor of Naval Science and Commanding Officer of the NROTC Unit.

(b) He will have the academic standing which the institution accords the heads of its other major departments. He will be a member of the university; college, or school faculty, with the appropriate rights and privileges of a faculty member.

(c) He is a subordinate, in his strictly military capacity, of the Commandant of the Naval District and is subject to his orders. Such orders shall not infringe upon the province of institutional regulations. He is subject, in his academic capacity, to institutional regulations.

(d) He shall be responsible for carrying out policies relative to the administration of the NROTC in the unit under his command. He is responsible that the proper institutional authorities are advised as to the provisions of law and regulations in all matters affecting the conduct of the NROTC unit maintained at the institution.

(e) At those NROTC institutions where student officers are undertaking post-graduate courses under the general supervision of the U. S. Post-Graduate School, the Professor of Naval Science will act as their Commanding Officer and conduct administrative affairs in connection with their military supervision and conduct. The Superintendent of the Post-Graduate School will exercise, through the Professor of Naval Science, supervision over educational matters pertaining to such student officers.

(f) The Professor of Naval Science will act as the Commanding Officer of all student officers ordered to the institution for duty under instruction in connection with the Navy's Five-Term Program.

§ 711.407 *Duties and status of additional officers and of enlisted men.* (a) Officers and enlisted men ordered to report to the Professor of Naval Science at an educational institution for duty at that institution shall perform such duties as may be assigned them by the Professor of Naval Science.

(b) In order that the maximum integration possible may be achieved between the Naval Science and other academic courses, it is desired that the

officers assigned to the staff of the Professor of Naval Science be made members of the university or college faculty in appropriate ranks and be accorded the rights and privileges of faculty members. As such, it is desired that the Professor of Naval Science encourage the institutional authorities, when appropriate, to use these officers on special faculty committees in order that their services may be utilized in the same manner as are the services of all other faculty members. It is further desired that all NROTC staff members accept invitations which may be extended them to join special college or school faculties within the university and join faculty clubs or societies and faculty-student organizations.

§ 711.408 *Discipline.* (a) Officers on duty in connection with NROTC units shall require NROTC students to conduct themselves in a military manner at all times when the students are under naval jurisdiction, i. e., when attending Naval Science classes, drills, and exercises, and during summer training periods.

(b) Reserve midshipmen in uniform shall observe all the courtesies and traditions of the service.

(c) Students may be disenrolled from the NROTC for cause by the Professor of Naval Science as a disciplinary measure upon approval of the Chief of Naval Personnel. In such cases college authorities shall be consulted and their recommendations given due weight. Such recommended disenrollments shall be reported on the NROTC Disenrollment Form.

§ 711.409 *Residence and uniform of officers and enlisted men.* Officers and enlisted men performing duty with NROTC units shall, when practicable, reside at or near the educational institution in which the unit to which they are assigned is established. In the performance of their duties they shall wear the uniform prescribed by the Professor of Naval Science, or senior naval officer present.

§ 711.410. *Conducting additional courses of instruction or taking courses of instruction offered by an institution.*

(a) The primary academic duty of officers and enlisted men detailed to duty with an NROTC unit shall be that of administration and instruction. This shall not be considered, however, as prohibiting officers and enlisted men from conducting courses of instruction in other departments of the educational institution when the Professor of Naval Science considers this procedure inadvisable and conducive to closer liaison with the institution. In no case, however, will the teaching of an academic course be considered sufficient reason for modification of orders.

(b) Professors of Naval Science may pursue a course of instruction conducted by an educational institution upon approval of the Bureau of Naval Personnel. Professors of Naval Science may authorize officers and enlisted men under their command to pursue courses of instruction at institutions. Such authorization shall not in any way interfere with

the proper discharge of Naval duties, which duties at all times shall be considered paramount.

(c) Enrollment in courses of study at the institution shall be subject to the regulations of the institution and with the consent of the authorities of the institution.

§ 711.411 *Armed Forces Day observance.* The Professor of Naval Science shall cooperate insofar as possible with the District Commandants and university authorities in the observance of Armed Forces Day, in accordance with the instructions issued annually by the Secretary of Defense.

TRAINING

§ 711.501 *General.* (a) The courses of study given by an educational institution that, upon completion of the course in Naval Science, NROTC students will possess the following essential qualifications of a junior officer of the Navy or Marine Corps:

- (1) A good general education.
- (2) A general knowledge of essential Naval subjects.
- (3) A well-disciplined mind and body.
- (4) An alacrity to assume intelligent responsibility and initiative.
- (5) A well-developed sense of Naval ideals, customs, and traditions.

§ 711.502 *Advanced standing and degree credit (Naval Science).* (a) The successful conduct of NROTC units depends in a large measure upon the granting of credit on the same basis, hour for hour, for practical and theoretical instruction in Naval Science as is given for laboratory and classroom work in other departments.

(b) When approved by the Professor of Naval Science, courses successfully completed as a student in the NROTC at another institution or as a student at one of the United States or State Merchant Marine or Maritime Academies may be counted toward advanced standing in Naval Science without substantiating examination if such courses parallel the content of Naval Science courses.

(c) Any enlisted man in the Naval Science or any male citizen who has had active military or naval service may be given such advanced standing in Naval Science as his previous education and training justify. Substantiating examinations, administered by a Professor of Naval Science, must be successfully completed in order to justify such advance standing. Since advance standing for a portion of a course will not be allowed, these examinations shall cover the complete contents of the course involved.

(d) The granting of advance standing in Naval Science as described in paragraphs (b) and (c) of this section shall be understood to involve only the excusing of an NROTC student from scheduling a particular Naval Science subject required for a commission. It is advanced standing in the Department of Naval Science only and must not be confused with college credit toward a degree. Such credit may be established only in accordance with all rules of the institution governing acceptance of credits by examination. It is a matter over which the institution has complete jurisdiction.

§ 711.503 *Courses of instruction.* (a) Subjects and outlines of courses of study for the Department of Naval Science are prescribed by the Bureau of Naval Personnel.

(b) The Professor of Naval Science may approve the request of a student for the substitution of a college course for a similar Naval Science course. Any such substitution shall be reported to the Bureau of Naval Personnel and provision shall be made to give a special supplementary course in the purely naval subjects not covered by the college course.

(c) Each Professor of Naval Science shall prepare schedules of instruction and practice periods, based on the curricula prescribed by the Bureau of Naval Personnel and adapted to the time allowed the Department of Naval Science by the academic authorities of the institution.

§ 711.504 *Supply Corps courses.* (a) Naval Science courses in Supply Corps subjects are offered at approximately one-fourth of the NROTC institutions.

(b) NROTC students desiring to apply for Supply Corps courses should do so early in their junior year. Selection of applicants will be made in the middle of the junior year by the Professors of Naval Science and the Supply Corps instructors of the NROTC units at which such courses are given.

(c) Candidates selected shall complete, during the first 3 years, the prescribed Naval Science courses but shall substitute the specialized Supply Corps courses for the Naval Science courses normally required in the senior year. While on the summer cruise between the junior and senior years, they shall complete the prescribed practice training in regular supply duties afloat.

(d) While the provisions of this section establish the procedure to be followed by students desiring Supply Corps commissions, all NROTC students are eligible to apply for such commissions upon graduation regardless of which Naval Science courses were completed. However, if the number of applicants for Supply Corps commissions, USN, exceeds the quota currently established for such commissions, priority will be given to those students who have fulfilled the requirements of this section.

(e) Inasmuch as there is no quota for Supply Corps appointments in the Naval Reserve, the Professor of Naval Science may select from among Contract students desiring USNR commissions, such number for Supply Corps training as he deems advisable.

(f) Students attending an institution where specialized Naval Science Supply Corps courses are not offered, and desiring to qualify for commissions in the Supply Corps, USN, in accordance with the provisions of paragraph (c) of this section, may submit to the Chief of Naval Personnel, during the first half of their junior year, a request for transfer to an NROTC unit where Supply Corps Naval Science courses are offered. This request for transfer, submitted in accordance with § 711.308, should indicate as the reason for transfer the desire of the student to take Naval Science Supply Corps courses. The Professor of Naval

Science of the institution to which transfer is requested shall state in his forwarding endorsement (1) whether on the basis of the academic record to date the student will be acceptable for admission to the university and (2) whether the student will be accepted for enrollment in the Supply Corps courses desired. Such a transfer, if allowed, would be effected at the beginning of the senior year.

§ 711.505 *Civil Engineer Corps program.* (a) Regular NROTC students expecting to receive a scientific degree in engineering, particularly civil engineering, may apply to the Bureau of Naval Personnel for inclusion in a special program normally leading to a commission as Ensign (CEC), USN.

(b) Students selected for this option will complete the instructional program prescribed for Regular NROTC students with the following exception:

(1) During the second summer of their course students selected for this option will attend a summer surveying session under naval jurisdiction but conducted in conjunction with the regularly scheduled summer surveying session of an NROTC institution. Midshipmen will attend this summer training under rules and regulations similar to those in effect for summer cruises.

(2) During the third summer of the course they will participate in the aviation-amphibious indoctrination training instead of the ordinarily scheduled summer cruise.

(c) Application for selection under this CEC option will be submitted via the Professor of Naval Science to the Bureau of Naval Personnel in time to reach the Bureau prior to March 1 of the sophomore year. Applications will be prepared in accordance with current directives.

(d) Final selection of candidates will be made by a Board composed of CEC officers.

§ 711.506 *Curriculum requirements and limitations.* (a) The regular NROTC Program is being maintained as a source of regular officer procurement which is supplemental to the United States Naval Academy. It is designed to produce Regular officers for the Line, Supply Corps and Civil Engineer Corps of the Navy and for the Marine Corps. Regular NROTC students should select, therefore, a major course of study which lends itself to helping the student become better prepared for his later duties as a Naval Officer. Recommended fields of study are Engineering Mathematics, Natural or Social Science, English, Business Administration, and Foreign Languages.

(b) An NROTC Regular student appointed Midshipman, USNR, prior to 1950 may select, subject to the approval of the academic authorities, any major field of study leading to a first baccalaureate degree.

(c) An NROTC Regular student appointed Midshipman, USNR, in 1950 or thereafter may select, subject to the approval of the academic authorities, any major field of study leading to a first baccalaureate degree except Pre-Dental,

Pre-Medical, Pre-Theological, Pre-Veterinary, Dentistry, Medicine, Theology, Veterinary Medicine, Pharmacy, Music or Art.

(d) NROTC students will be required to complete a total of not less than 24 semester hours of Naval Science courses by the end of eight college semesters or equivalent quarters of enrollment in the NROTC. Normally they will complete one Naval Science course each semester or quarter.

(e) In certain fields—for example, Engineering—at certain institutions, first baccalaureate degrees regularly require five years of academic (or combined academic and industrial) work. In such cases, the NROTC student who is a candidate for such a degree will be entitled to receive retainer pay and the other benefits of the program for not more than four years as specified in § 711.311 (a).

§ 711.507 *Aptitude for the service.*

(a) Each NROTC student will be observed closely by the Professor of Naval Science and the officers of his staff, for those qualities considered most desirable in a young naval officer. The following factors should be particularly noted:

- (1) Conduct.
- (2) Leadership.
- (3) Interest.
- (4) Initiative and industry.
- (5) Cooperation.
- (6) Military bearing and neatness.
- (7) Performance of duty.
- (8) Military courtesy.

(b) Aptitude marks will be given in accordance with §§ 711.509 and 711.602 (d) 6.

§ 711.508 *Practice cruises.* (a) To furnish NROTC students the opportunity to gain experience in the practical application of their studies in Naval Science, a practice cruise or training period is held each summer. For Regular students, these cruises and training periods are about 6 to 8 weeks in length. For Contract students, these cruises will be approximately 3 weeks in length.

(b) Each Regular NROTC student (§ 711.301 (a)) is required to make three such cruises or training periods. Normally a practice cruise is made between the freshman and sophomore years; an "Aviation Summer" training period, including both aviation and amphibious training, is held between the sophomore and junior years; a second cruise is made between the junior and senior years.

(c) Each Contract NROTC student (§ 711.301 (b)) is required to make only one cruise, normally between the junior and senior years.

(d) Regular and Contract students who are candidates for Marine Corps commissions will train at a Marine Corps Station in the summer between the junior and senior years.

(e) It is expected that during each annual competition a number of Contract students will be selected for regular status. In order that such students, at the time of their appointment as Midshipmen, USNR, may have had all the advantages of the same training as their classmates, it is desirable that they attend one of the regular cruises during the

summer intervening between their selection for regular status and their appointment. The Chief of Naval Personnel is authorized, therefore, to order such Contract students to participate in one of the Regular NROTC summer cruises during the summer immediately preceding their appointment. They will participate in such cruises, however, as Contract students.

(f) Regular students will receive all medical care commensurate with their status as midshipmen in the Naval Reserve. Contract students will receive medical care only for disease or injury contracted in line of duty while on training duty. No dental or surgical treatment other than that of an emergency nature will be performed.

§ 711.509 *Marking, student records, and class standing.*—(a) Marks in Naval Science subjects and in Aptitude for the Service shall be assigned on the basis of the Navy 0 to 4.0 scale.

(b) In reporting to the institution the grades earned by the students in the Naval Science courses, the Department of Naval Science shall employ the same system of marking used by other academic departments.

(c) The Department of Naval Science shall maintain individual records of the progress made by all midshipmen and NROTC Contract students. For the purpose of uniformity in keeping of naval records and in calculating class standing, all marks will be translated from the marking system used by the institution to the Navy 0 to 4.0 scale. In making this translation the Navy mark of 2.5 shall be considered to be the equivalent to the pass-fail standard in the institution's marking system, and the institution's passing grades will be assigned values between 2.5 and 4.0 consistent with the relative values of such grades as defined in the institution's system of marks. Similarly, failing grades will be assigned Navy scale values less than 2.5 consistent with the extent to which the institution's marking system provides marks indicating the degree of failure.

(d) When any NROTC student is transferred from one NROTC unit to another, the Professor of Naval Science shall forward a copy of the student's individual record to the Professor of Naval Science of the institution to which the transfer is made. In computing class standing for NROTC units, the Navy marks as determined by the Professor of Naval Science at the institution where the courses were taken shall be used, rather than a retranslation of the transcript grades.

(e) A mark in Aptitude for the Service shall be assigned to each NROTC midshipman at the end of each term and at the end of each summer cruise or training period. These Aptitude for the Service marks should be kept as clearly as possible ratings of "officer-like qualities" and should not be made a means of further penalizing or rewarding performance in academic or Naval Science courses.

(f) At the end of each academic year, or at the end of each quarter or semester if the Professor of Naval Science so

desires, the class standing of each NROTC midshipman shall be calculated. For the computation of class standing the mark in Aptitude for the Service given for the summer cruise or training period shall be given equal weight with the average mark in aptitude for the academic year. The class standing will be determined by a final multiple in which the average of Aptitude for the Service marks to date will be given a weight of one, the average of marks in Naval Science courses taken to date a weight of four, and the average of marks in academic courses other than Naval Science, taken to date, but while enrolled in the NROTC program, a weight of four.

$$S = A + 4N + 4G$$

where

S is the number used in determining class standing;

A is the average of Aptitude for Service marks to date;

N is the average per credit hour of Naval Science course marks to date, and

G is the average per credit hour, to date, of academic course marks other than Naval Science while enrolled in the NROTC program.

(g) For the purpose of preparing the graduation reports required in § 711.314 (b), the G average will be computed on the basis of courses taken while enrolled in the NROTC program, the N average on the basis of all Naval Science course marks, and the A average on the basis of all Aptitude for the Service marks available.

§ 711.510 *Status-of-training reports.* The Professor of Naval Science, as Head of the Department of Naval Science, shall furnish the President and other administrative officials of the institution with such reports of the Department and the students enrolled therein as may be required by the rules of the institution or as may be specifically requested.

§ 711.511 *Athletics.* NROTC members may participate in college athletics under the same terms and conditions that govern the participation of other students at the institution concerned.

§ 711.512 *Absence from instruction.* Absence of students from training or instruction in the Department of Naval Science shall be subject to the same rules which apply to absences from other academic classes at the institution concerned. An NROTC student who is absent for authorized reasons from any part of the practical or theoretical instruction shall be required, according to the practice obtaining at each institution, to make up the omitted training before being granted credits toward graduation.

§ 711.513 *Military organization.* (a) The NROTC unit, assuming normal strength of approximately 300, will be organized in general as follows:

One battalion containing three companies.
Each company containing three platoons.
Each platoon containing three or four squads.

Each squad containing 8-10 men.

(b) NROTC student officers will be organized in general as follows:

Battalion staff:

Commander—Midshipman lieutenant commander.

Executive officer—Midshipman lieutenant.
Operations officer—Midshipman lieutenant (junior grade).

Communications officer—Midshipman ensign.

Supply officer—Midshipman ensign.

Chief Petty Officer—Midshipman chief petty officer.

Color guard:

National color bearer—Midshipman chief petty officer.

Battalion color bearer—Midshipman chief petty officer.

Color escort—Midshipman petty officer, first class.

Color escort—Midshipman petty officer, first class.

Drum and bugle corps or band:

Commander—Midshipman lieutenant (junior grade).

Executive officer—Midshipman ensign.

Chief petty officer—Midshipman chief petty officer.

Mustering petty officer—Midshipman mustering petty officer.

Company staff (three companies):

Commander—Midshipman lieutenant.

Executive officer—Midshipman lieutenant (junior grade).

Chief petty officer—Midshipman chief petty officer.

Platoon organization:

Commander—Midshipman ensign.

Mustering petty officer—Midshipman mustering petty officer.

Guide—Midshipman petty officer, first class.

Squad leader (each squad)—Midshipman petty officer, second class.

(c) At each institution where ROTC units of the Army or Air Force are established, the professor of Naval Science is authorized to appoint the NROTC student commander to the rank corresponding to that of the Army or Air Force ROTC student commander, where such procedure is considered appropriate.

MARINE CORPS

§ 711.601 *Enrollment in Marine Corps Naval Science courses.*—(a) *Qualifications for enrollment.* A Regular or Contract student in good standing may be enrolled in the Marine Corps Naval Science courses on a voluntary basis, provided his enrollment therein is recommended by the Marine Corps Officer instructor and approved by the Professor of Naval Science.

(b) *Method of enrollment.* Students who desire to enroll in the Marine Corps Naval Science courses and to be considered candidates for a commission in the Marine Corps or Marine Corps Reserve will be given the opportunity to submit a written application to the Professor of Naval Science, via the Marine Corps Officer Instructor after the completion of 2 years in the NROTC program. If the application is approved, the student will undergo instruction in Marine Corps Naval Science courses during the last part of the junior year and throughout the senior year. The Professor of Naval Science shall forward one copy of the application with endorsements to the Bureau of Naval Personnel and one copy to Headquarters Marine Corps. Professors of Naval Science shall inform each student who enrolls in the Marine Corps Naval Science courses that he is a

candidate for a commission in the Marine Corps or the Marine Corps Reserve.

(c) *Status of candidates.* Candidates for Marine Corps commissions will retain their status as NROTC Midshipmen and will wear the uniform and insignia specified for all NROTC members. Unless otherwise directed, they will be administered in the same manner as all other students.

(d) *Quota.* Sixteen and two-thirds percent of the graduates of NROTC may be commissioned in the Marine Corps or the Marine Corps Reserve on a voluntary basis. Professors of Naval Science are authorized to enroll in Marine Corps Naval Science courses up to 16 2/3 percent of the potential number of graduates of any class. In the event the number of applicants from a class exceeds 16 2/3 percent of the potential graduates of that class, the Professor of Naval Science shall notify the Bureau of Naval Personnel. Permission will be given by the Bureau to individual units to enroll in Marine Corps Naval Science courses more than 16 2/3 percent of the potential graduates of a given class, provided the total number of Marine Corps candidates in that class from the entire program does not exceed 16 2/3 percent.

§ 711.602 *Training*—(a) *Marine Corps Naval Science courses.* Candidates for Marine Corps commissions are required to complete successfully a total of 4 years of Naval Science courses prior to graduation. During the last part of the junior year and the entire senior year in college they will undergo instruction in the Marine Corps courses in lieu of the Naval courses.

(b) *Laboratory periods.* Except for the laboratory periods devoted to battalion drills, or occasions deemed by the Professor of Naval Science to be of interest to all students of the unit, the students pursuing the Marine Corps courses will be given separate instruction peculiar to the Marine Corps during the weekly drill periods.

(c) *Summer camp*—(1) *Regular students.* In lieu of attending the third practice cruise, between the junior and senior years, with the Navy, Regular students who are candidates for Marine Corps commissions will undergo a period of training at a Marine Corps station. Unless otherwise directed by the Commandant of the Marine Corps, the summer training for Regular students will be at the Marine Corps Schools, Quantico, Va., of 8 weeks' duration, and will commence in June of each year.

(2) *Contract students.* Contract students who are candidates for Marine Corps commissions will undergo, between the junior and senior years, a period of summer training. Unless otherwise directed by the Commandant of the Marine Corps, this summer training period at the Marine Corps Schools, Quantico, Va., will be of 3 weeks' duration.

(d) *Administrative procedure for summer training.* (1) Marine Corps candidates are entitled to the same pay, quarters, subsistence, and transportation authorized for all other members of the program.

(2) The pay, traveling expenses, cost of subsistence and all other expenses of

midshipmen and Contract students while in training at a Marine Corps station, and while traveling to and from such duty, is chargeable to the Officer Candidate Training appropriation for the Navy.

(3) *Medical treatment.* (i) Both midshipmen and Contract students, upon reporting for active duty, will receive a physical examination of sufficient extent for the Medical Examiners to determine that the individual is physically qualified to perform the duties assigned. To insure that their medical records are complete it will be necessary to make the following certification upon page H-8 in the Health Record of each individual:

Examined and found physically qualified for active training duty. Following defects noted -----
Signed -----

(ii) Just prior to completion of active training, a medical examination as necessary will be conducted, to determine whether their health has been adversely effected by such duty, and the below certification will be made following the one set forth above:

Examined and found physically qualified for release from active training duty. Following defect noted -----
Signed -----

(iii) If the certification set forth above cannot be made, due to the physical condition of the examinee, Headquarters, U. S. Marine Corps will be immediately notified, and a full written report of the examinee's physical condition will be forwarded to the Chief, Bureau of Medicine and Surgery, via Headquarters, U. S. Marine Corps.

(iv) Midshipmen and Contract students who have not been inoculated during the current year will receive all immunization required for men on active duty for training.

(v) Regular students will receive all medical care commensurate with their status as midshipmen in the Naval Reserve.

(vi) Contract students will receive medical care only for disease or injury contracted in line of duty while on training duty. No dental or surgical treatment other than that of an emergency nature will be performed.

(4) *Discipline.* (i) Midshipmen are subject to all laws and regulations of the U. S. Naval Service.

(ii) Contract students, although not strictly members of the U. S. Naval Service, are expected, while on training duty, to abide by all laws and regulations of the Naval Service and of the Commanding General of the Marine Corps Station.

(iii) Breaches of discipline warranting disciplinary action will be reported to Headquarters, U. S. Marine Corps with full details, for decision as to discipline.

(5) *Clothing and equipment.* (i) The following articles of individual clothing will be issued by the Marine Corps for the duration of the summer training. Upon completion of summer training all articles of individual clothing listed below will be reclaimed, with the exception of shoes and socks:

One bag, canvas, clothing.
Two belts, web, trousers, w/o buckle.
Three buckle, metal, trouser, belt.
One cap, utility.
Two coats, utility.
Three shirts, cotton, khaki.
One shoes, field, pair.
Six socks, woolen, cushion sole, O. D., pair.
Three trousers, service, khaki, pair.
Two trousers, utility, pair.

(ii) The following articles of individual equipment will be issued by the Marine Corps for use while on training duty:

One bayonet, M1.
One blanket, wool, green, USMC.
One scabbard, bayonet, M1.
One rifle, caliber .30, M1.
One belt, cartridge, caliber .30, M1923.
One helmet, steel, M1.
One liner, helmet, M1, new type.
One canteen, stainless steel, M1910.
One cover, canteen, dismounted, M1910.
One cup, canteen, stainless steel.
One packet, first aid.
One pouch, first aid.
One can, meat, stainless steel.
One fork, haversack.
One knife, haversack.
One spoon, haversack.
One jacket, field, M1943.
One leggings, canvas, green, pair.
One poncho, camouflaged.
One haversack, MCP, M1941.
One knapsack, MCP, M1941.
One suspenders, belt, MCP, M1941, pair.
One pillowcase.
Two sheets, bed.
One cover, mattress, cotton.

(iii) Desirable articles of clothing, including, but not limited to the following, will be obtained by both Regular and Contract students prior to the summer training period and brought to the Marine Corps Training station:

One belt.
One cap, garrison, khaki.
Three trousers, khaki, pair.
Eight handkerchiefs.
Four socks, black, pair.
One shoes, black, pair.
Three shirts, khaki.
One tie, black.
Six undershirts, white.
Six underdrawers, white.
One raincoat-overcoat.
One toilet articles, set.
Four towels, bath.
One padlock.
One suitcase.
Appropriate uniform devices.

(iv) The Commandant of the Marine Corps is authorized to change the above clothing and equipment allowances as the conditions of summer training warrant.

(6) *Reports; aptitude.* (i) A mark in "Aptitude for the Service" will be assigned each midshipman and Contract student at the end of the summer training period. This mark will become a part of the permanent record of the student and will be used by the Professor of Naval Science in determining the final standing upon the completion of the 4 years of NROTC training. The mark will take into account the factors listed in § 711.507.

(ii) Aptitude cards, after being completed, will be forwarded by the reporting officer at summer camp directly to the Professor of Naval Science of the midshipman or Contract student concerned. A copy of the aptitude card will

be forwarded to the Officer Performance Division, Headquarters, U. S. Marine Corps.

§ 711.603 *Appointment to commissioned rank in the Marine Corps*—(a) *Who may be commissioned.* (1) The Marine Corps may commission in the Regular Marine Corps qualified Regular NROTC graduates who make application for such appointment and are recommended by the Professor of Naval Science.

(2) The Marine Corps may commission in the U. S. Marine Corps Reserve qualified Contract NROTC graduates who make application for such appointment and are recommended by the Professor of Naval Science. Contract graduates who so desire may be commissioned in the Regular Marine Corps provided they are recommended by the Professor of Naval Science and provided vacancies exist for newly commissioned officers in the Regular Marine Corps at the time of graduation; otherwise, they may be commissioned in the Marine Corps Reserve.

(3) The Marine Corps may commission qualified Regular and Contract graduates in accordance with the policy outlined in subparagraphs (1) and (2) of this paragraph, respectively, who have not taken the Marine Corps courses provided such candidates are eligible for appointment in the U. S. Navy or U. S. Naval Reserve and are within the assigned quota of 16 $\frac{2}{3}$ percent.

(4) Whenever the number of applications for appointment to commissioned rank in the Regular Marine Corps received from NROTC students exceeds the number of vacancies existing for newly commissioned officers from that source, at that time, preference will be given to applicants who have completed successfully the Marine Corps Naval Science courses, including summer training at a Marine Corps station.

(5) No graduate shall be commissioned in the Marine Corps or the Marine Corps Reserve except at his own request.

(b) *General requirements*—(1) *Age.* Be more than 20 and not more than 25 years of age on 1 July of the calendar year in which appointed.

(2) *Physical qualifications.* (§ 711.306 (e).) All candidates must be physically qualified for appointment to commissioned rank in the U. S. Marine Corps or the Marine Corps Reserve, as appropriate, in accordance with the physical standards set forth in the Manual of the Medical Department, U. S. Navy.

(3) *Agreement for service.* Regular and Contract students are required to sign the same contract for service as required for candidates for commission in the U. S. Navy or the Naval Reserve.

(4) Completion of required Naval Science courses and receipt of a baccalaureate degree.

(c) *Commissioning procedure*—(1) *Application.* Candidates for commissions in the Marine Corps or the Marine Corps Reserve will make application for such commission to the Commandant of the Marine Corps via the Professor of Naval Science. No candidate will be commissioned unless he is recommended by the Professor of Naval Science and is qualified in all other respects. Applica-

tion forms for commission will be furnished by Headquarters Marine Corps. The following documents are required as enclosures to all applications for commission:

(i) Birth certificate under seal of office of issue, except in those cases where such certificate is on file at the Bureau of Naval Personnel or Headquarters Marine Corps.

(ii) Report on Medical Examination (Standard Form 88), in duplicate.

(iii) Recent passport size photographs, including front and profile view.

(iv) Transcript of college credits. Applications for commissions must be submitted in time to reach Headquarters Marine Corps at least 90 days but not more than 120 days prior to graduation.

(2) *Medical examination.* The medical examination will be conducted in accordance with § 711.306 (e).

§ 711.604 *Clothing*—(a) *Issuance of Navy clothing.* Marine Corps candidates for commission will be issued articles of clothing normally issued to all other NROTC students for duty at the NROTC Unit.

(b) *Issuance of Marine Corps clothing.* Prior to graduation and acceptance of appointments in the Marine Corps or Marine Corps Reserve, Marine Corps candidates will be issued gratuitously, from stock, the below listed items of uniform, as appropriate to the season when commissioned, regardless of any uniform gratuity received:

One cap, garrison, summer.
One jacket, service khaki.
One ornament, collar, bronze, pair.
One ornament, collar, bronze, left.
Two neckties, service.
Two shirts, cotton, khaki.
One shoes, MC last, low quarter, pair.
Two socks, woolen, lightweight, dark brown, pair.
Two trousers, service, khaki, or
One cap, garrison, winter.
One jacket, service, wool, green.
One ornaments, collar, bronze, pair.
One ornament, collar, bronze, left.
Two scarfs, field cotton, khaki, washable.
Two shirts, cotton, khaki.
One shoes, MC last, low quarter, pair.
Two socks, woolen, lightweight, dark brown, pair.
One trousers, service, wool, green, pair.

PAY AND ALLOWANCES

§ 711.701 *Retainer pay*—(a) *Rate of pay.* (1) Each Regular NROTC student will receive retainer pay at the rate of \$600 per year, except while on active duty, for a maximum of four academic years while under instruction and during authorized leave periods. The academic year for pay purposes includes the entire time ordinarily from September to September when the student is passing through the various college grades, freshman, sophomore, junior, and senior.

(2) Students entering the program with advanced standing in Naval Science, who will complete their Naval Science courses prior to completion of their other academic work, and who will be in a regular status for 4 years or less, may continue to receive the benefits and compensation of the program, provided they attend such Naval Science periods as the Professor of Naval Science may

direct, plus all Naval Science drills, during the period in which they are not attending Naval Science classes. Otherwise they will be placed in a leave status.

(3) Students who are absent due to illness or injury may be paid retainer pay covering such absence not to exceed 30 days during each continuous period of hospitalization. Payment of retainer pay will be resumed upon their return and resumption of studies. In certain cases, as specified in § 711.311 and 711.506 (e), it may become necessary to allow a student one or more additional semesters to enable him to qualify for a first baccalaureate degree. However, as specified by law, the maximum period for the payment of such retainer pay and the educational benefits specified in § 711.707, is four years.

(4) Students with former naval or military service are not entitled to longevity increases in either retainer pay or their pay as midshipmen while on active duty on cruises.

(b) *Pay record*—(1) *Custody.* Except as hereinafter prescribed, the retainer Navy Pay Record (S. and A. Form 500) of a Naval Reserve Officers Training Corps Regular student will be in the custody of and maintained by the Navy Accounts Disbursing Officer or District Disbursing Officer of the Naval District in which the student is attending college.

(2) *Opening and closing.* A Navy pay record will be opened for each Regular student on the date of commencement of retainer pay as explained in subparagraph (3) of this paragraph. Retainer pay records will be regularly closed on June 30 and a new pay record opened as of July 1 of each year. Retainer pay records will also be opened and closed at the time specified in BuSandA Manual.

(3) *Commencement of retainer pay.* Entitlement to retainer pay shall commence on the effective date of appointment as Midshipman, USNR, or on the date the midshipman commences classes at the institution at which enrolled, whichever is later.

(4) *Termination of retainer pay.* Entitlement to retainer pay will terminate on the date indicated in the termination of appointment as midshipmen approved by the Secretary of the Navy.

(c) *Substantiating vouchers.*—(1) A properly executed Acceptance and Oath of Office (NavPers Form 339), certificate concerning disability and pension specified in Article H-7306, Bureau of Naval Personnel Manual, and a statement from the Professor of Naval Science indicating the date on which classes were commenced at the institution at which enrolled will be submitted as pay record vouchers to substantiate commencement of retainer pay as midshipman of the Naval Reserve.

(2) *Suspension of retainer pay.* Pending receipt of approved termination of appointment, a Student Disenrollment Report (NavPers Form 364) will be used as a basis for suspending retainer pay of a midshipman of the Naval Reserve who has been recommended for disenrollment for any reason. Upon receipt of termination of appointment approved by the Secretary of the Navy, retainer pay will be terminated as of

the date stated therein and a copy of the termination will be filed as a pay record voucher.

(d) *Procedure for payment.* Naval Reserve Officers Training Corps Regular students will be paid retainer pay to which entitled by check drawn as of the last day of each month. Checks will be forwarded to the Professor of Naval Science for delivery to the student.

§ 711.702 *Active duty pay*—(a) *Regular students*—(1) *Rate of pay.* Regular Naval Reserve Officers Training Corps students while on active duty are entitled to the same rate of pay as prescribed for midshipmen at the Naval Academy. Active duty pay will include the time required for travel from the NROTC unit to the port of embarkation, or to the summer training station, and return, when under orders for training duty. Additional pay for sea and foreign service duty is not authorized.

(2) *Pay record maintenance.* Navy Pay Records (S. and A. Form 500) will be maintained for Regular Naval Reserve Officers Training Corps students during the summer cruises or training period in accordance with existing instructions in S. and A. Manual.

(b) *Contract students*—(1) *Rate of pay; Contract students on contract cruise.* Naval Reserve Officers Training Corps Contract students who are members of the advanced course, senior division, i. e., juniors and seniors, or other persons authorized by the Secretary of the Navy, will be paid at the rate prescribed for enlisted members of pay grade E-1 (under 4 months' service) while embarked in a naval vessel for a practice cruise or during a summer training period. They are not entitled to additions to pay or allowances, including sea and foreign service duty pay, authorized for enlisted men of the Navy. The day of reporting and the day of detachment from the ship or station are both included in the period for which students are paid.

(2) *Rate of pay; Contract students on regular cruise.* Contract students ordered by the Chief of Naval Personnel to participate in one of the regular NROTC summer cruises under the provisions of § 711.508 (e) will be paid at the rate established for other Contract students as described in this section.

(3) *Opening and closing pay record.* Navy pay records will be opened by the disbursing officer of the cruise ship or shore station in accordance with existing instructions in the Bureau of Supplies and Accounts Manual.

(c) *Payments.* Payments will be made to Regular and Contract students on a summer cruise (or training period) as directed by the commanding officer of the cruise ship or station. On completion of the summer cruise, Naval Reserve Officers Training Corps Contract students will be paid in full to include date of detachment. Checks will be drawn for those students not present for final payment and such checks delivered to the Professor of Naval Science for further delivery to the students concerned.

§ 711.703 *Subsistence allowances; Contract students*—(a) *Commencement*

of entitlement. While under instruction in the third and fourth year Naval Science courses as listed in the current Standard Curriculum for Naval Reserve Officers Training Corps (credit for the first and second years having been successfully established), Contract NROTC students are entitled to commutation of subsistence, except that commutation of subsistence will not be allowed for periods when subsistence in kind is furnished or when the student is paid a travel allowance in lieu of transportation and subsistence. Commutation of subsistence will be paid from and including the date a student begins his final 2 years of Naval Reserve Officers Training Corps training or portion thereof, if the student is reenrolled or enrolled after completing more than two academic years of college work, commencing on the first day of the academic term. Commutation of subsistence will not be allowed for any period in excess of two academic years plus one intervening summer vacation.

(b) *Continuation of entitlement.* In addition to the specific requirements for entitlement to payments on account of commutation of subsistence as listed in other paragraphs of this section, the following special provisions involving eligibility for such payments shall also apply:

(1) *Students concurrently receiving educational benefits under Servicemen's Readjustment Act of 1944.* The eligibility of Contract students to receive commutation of subsistence will not be affected by their receiving, concurrently, educational benefits under the Servicemen's Readjustment Act of 1944.

(2) *Students concurrently enlisted in reserve units.* A Contract student who is also a member of an Organized or Volunteer Reserve Unit, is entitled to receive payments on account of subsistence and transportation as an NROTC student concurrently with pay provided for drills performed by a reservist while in an inactive duty status. He may not receive subsistence as a Contract student concurrently with the active or training duty pay of a reservist.

(3) *Status upon completion of Naval Science requirements.* Contract students who, prior to completing the requirements for their college degree, complete all Naval Science requirements may, at their own request, be placed in a leave of absence status, without pay, or may continue to draw commutation of subsistence. In the latter case they must attend Naval Science drills and shall be given more advanced drill assignments in order to avoid repetition of the prescribed drill curriculum. No student will be eligible, under any conditions, to receive commutation of subsistence for a total period in excess of that authorized by paragraph (a) of this section.

(c) *Termination of entitlement*—(1) *Students exempted from cruise.*—In the case of students exempted by the Bureau of Naval Personnel from taking the cruise during the summer immediately following completion of the third year, no payments shall be made during the interval between the date of completion of the third year's scholastic work and

the date of commencement of the fourth year's work.

(2) *Students not exempted from cruise.* In the case of students not exempted by the Bureau of Naval Personnel who fail to take the cruise during the summer immediately following completion of the third year, no payments shall be made after the date of completion of the third year's academic work. Payment may be resumed at the beginning of the next academic year if, on recommendation by the Professor of Naval Science, the Bureau of Naval Personnel accepts a delayed request to defer the cruise until the end of the senior year.

(3) *Absence due to illness.* Students who are absent due to illness or injury may be paid commutation covering such absence for a period not to exceed 30 days during each continuous period of hospitalization. Payment for such absence will not be made until the student's return and resumption of instruction.

(4) *Other absence.* In the case of students who are absent from instruction in Naval Science for causes other than set forth in subparagraph (3) of this paragraph, payment of commutation will be made for seven days commencing with and including the first day of absence, after which no commutation will be paid. If such absence is caused by separation from college, payment of commutation will cease from the first day of absence.

(5) *Disenrolled students.* When a student is disenrolled from the Naval Reserve Officers Training Corps for any reason, payment of commutation will cease as of the date of disenrollment.

(d) *Commutation of subsistence certificates*—(1) *Normal submission.* Commutation of Subsistence Certificates (NavPers Form 384) will be prepared and certified by the Professor of Naval Science on the last day of each month of the academic year and forwarded in quintuplicate to the Navy Accounts Disbursing Officer or District Disbursing Officer of the Naval District in which the college or university is located. For the last month of the academic year, certificates will be prepared to cover the period actually in attendance and under the supervision of the Professor of Naval Science concerned.

(2) *Submission for students on cruise.* For students taking the cruise, certificates shall be prepared in skeletonized form (including the names of the students and the date of commencement of entitlement to subsistence allowance) for the signature of the Commander Midshipmen Cruise Detachment by each Professor of Naval Science concerned and forwarded to the Commander Midshipmen Cruise Detachment. The Commander Midshipmen Cruise Detachment will delete the names of those midshipmen (if any) who do not embark on the cruise, make necessary entries to terminate entitlement to subsistence allowance, enter the total amount to be paid on each NavPers 384, submit the form to the Navy Accounts Disbursing Officer or District Disbursing Office (as designated by the cognizant Professor of Naval Science) of the Naval District in which the college or university is located as soon as possible after embarkation on the cruise. The Disbursing Officer mak-

ing payment of the subsistence allowance will furnish such payment information as may be required by the cognizant Professor of Naval Science.

The student will be entitled to commutation of subsistence to include the day of embarkation, if he embarks after breakfast, and for the day of disembarkation, if he disembarks before breakfast, provided that the student is NOT in a travel status on such days. The time spent in a travel status should not be included in the commutation certificates. No further payments of commutation will then be made until the students have entered on the fourth year of their Naval Reserve Officers Training course when certificates will be prepared to cover the portion of the summer vacation subsequent to the cruise, or at the election of the Professor of Naval Science concerned, that portion of the vacation period may be included in the certificate for the first month of the new academic year.

(e) *Payment of commutation of subsistence.* Payment of commutation of subsistence will be made by the Navy Accounts Disbursing Officer or the District Disbursing Officer of the Naval District in which the college or university is located. Checks will be made payable to the order of the individual students and forwarded to the Professors of Naval Science for delivery. Payment will be reported on Subsistence Roll (NavPers Form 384). The first subsistence roll will be supported by Contract for Contract Student (NavPers Form 918) and

each subsistence roll submitted thereafter will bear reference to the roll with which the contracts were filed.

§ 711.704 *Subsistence in kind.* All members of the NROTC shall be furnished subsistence in kind while embarked in a naval vessel for a practice cruise or while undergoing summer training ashore.

§ 711.705 *National Service Life Insurance.* (a) Members of the NROTC are not eligible for National Service Life Insurance (nor for membership in the Navy Mutual Aid Association) by virtue of being enrolled in the NROTC, nor is such eligibility established by summer cruises since such cruises are considered active duty for training purposes.

(b) Nothing in this section shall be construed as affecting the eligibility for National Service Life Insurance of NROTC students who, as former members of the Armed Forces, are eligible for such insurance.

§ 711.706 *Travel allowances.* The travel of NROTC Regular and Contract students will be governed by the provisions of the Career Compensation Act of 1949 (Public Law 351). Naval Travel Instructions will be revised to conform with that act. When this revision is completed detailed instructions will be promulgated. Travel performed prior to the issuing of the revised instructions will be governed by currently effective instructions.

§ 711.707 *Educational expenses—(a) Expenses payable by the Government.*

The Secretary of the Navy is authorized by law to provide, by contract or otherwise, for the payment of tuition, required fees, books, and laboratory expenses of Regular NROTC students for a maximum period of 4 academic years while under instruction at the NROTC institution or during summer training periods. Equipment paid for by the Government will include such items as drawing instruments and slide rules when required by the college for a course taken by the student. The manner of contracting will be the subject of a detailed directive from the Chief of Naval Personnel.

(b) *Expenses payable by the student.* Expendable supplies such as pencils, pens, and paper will not be provided by the Government. Similarly, refundable fees such as breakage or required deposits for use of apparatus shall be payable by the student. Payment of delinquent fees assessed by the institution for failure to comply with institutional requirements will not be paid by the Government but shall be payable by the student. Payment for board, lodging, and other living expenses, including travel, is made by the student, unless otherwise contracted.

UNIFORMS AND INSIGNIA

§ 711.801 *Authorized uniforms.* The uniform regulations for NROTC students are contained in U. S. Navy Uniform Regulations, 1947. For ready reference, the Designation to Uniform Table is listed below.

Uniform	Coat	Trousers	Belt	Cap cover	Shirt	Necktie	Shoes	Stocks	Gloves ¹	Ribbons
Service dress:										
Blue, A	Blue	Blue	Black ²	Blue	White	Black	Black	Black	Gray	Yes.
Blue, B	do	do	do ²	White	do	do	do	do	do	Do.
Blue, D	do	do	do ²	Blue	do ³	Black bow	do	do	do	Do.
Blue, E	do	do	do ²	White	do ³	do	do	do	do	Do.
Khaki	Khaki ⁴	Khaki	Khaki ⁵	Khaki	Khaki	Black	do	do	do	Do.
Working:										
Blue, A ⁶		Blue	Black	Blue	Blue	do	do	do	Gray	
Blue, B ⁶		do	do	White	do	do	do	do	do	
White, A	White jumper	White working	do	do	do	Black neckerchief	do	do	do	
White, B	do	do	do	White hat	do	do	do	do	do	
Dungaree ⁷		Dungaree	Black	do	Chambray	do	do	do	do	
Khaki		Khaki cotton	Khaki	Khaki	Khaki	Black	do	do	do	
Jersey ⁸										
Raincoat, blue ⁸										
Raincap cover, black ⁸										

¹ If prescribed.
² Suspenders may be worn.
³ Conventional shirt with turn-down collar.
⁴ The coat may be removed indoors. It may be omitted when authorized by the senior officer present.
⁵ Suspenders may be worn. When the coat is omitted, a belt shall be worn.

⁶ Leggings may be prescribed.
⁷ Optional for wear when the nature of their work will unduly stain their normal uniforms; may be prescribed by the commanding officer.
⁸ May be worn when weather conditions warrant and may be prescribed by competent authority.

§ 711.802 *Issue of uniforms.* (a) An outfit of essential uniforms will be furnished to each NROTC midshipman upon his enrollment. The initial uniform will be issued to new enrollees on a gratuitous basis as follows:

Article	Quantity
Belts:	
Black	1
Khaki	1
Cap, combination with insignia	1
Cap covers:	
Blue	1
Khaki, cotton	1
Khaki, worsted	1
Rain, black	1
White	2
Coat, blue, with insignia	1
Coat, khaki, worsted, with gilt buttons	1
Corps device or rank device, metal pin-on (sets)	2

Article	Quantity
Gloves, gray (pair)	1
Hat, white, midshipman type	3
Jersey, blue	1
Jumpers, white, midshipman type	4
Leggings (pair)	1
Neckerchief	1
Necktie, black:	
Four-in-hand	1
Bow	1
Raincoat, blue, with liner	1
Shirts:	
Blue chambray	2
Blue flannel	1
Khaki	3
Trousers:	
Blue (pair)	1
Dungaree (pair)	2
Khaki, cotton (pair)	1
Khaki, worsted (pair)	1
White (midshipman style) (pair)	4

(b) White jumpers (midshipman style) and white trousers (midshipman style) come in sizes 0 to 5 and 0 to 6, respectively. Equivalent chest and waist sizes are as below:

Jumpers	Size	0	1	2	3	4	5
	Chest	46	44	42	40	38	36

Trousers	Size	0	1	2	3	4	5	6
	Waist	42	40	38	36	34	32	30

The above guides are used in outfitting midshipmen at the U. S. Naval Academy, and have proved entirely satisfactory.

(c) Leggings, white gloves, and black four-in-hand ties may be replaced as

they become unfit for use because of wear.

(d) The above clothing list shall not be construed as prohibiting students from obtaining additional articles of regulation clothing at their own expense.

(e) NROTC members will furnish at their own expense necessary socks, white shirts, leather belts, shoes, and underwear as these items are normal items of civilian wear.

(f) NROTC students are accorded the privileges of the Naval Uniform Shop, Twenty-ninth Street and Third Avenue, Brooklyn, N. Y., on a prepaid basis to supply themselves with items of equipment and uniforms when necessary. Such orders will bear the approval of the Professor of Naval Science.

(g) Professors of Naval Science of NROTC units located in the First, Third, Fourth, Fifth, and Sixth Naval Districts shall requisition all items of clothing from the Naval Clothing Depot, Brooklyn, N. Y. All other Professors of Naval Science shall make similar requisitions from the Supply-Officer-in-Command, Naval Supply Depot, Great Lakes, Ill. Excess clothing shall be returned to the same activities.

§ 711.803 *Alterations to NROTC uniforms.* In the fitting of uniforms for NROTC students, certain minor alterations such as adjustments in sleeve lengths, trouser lengths, or waist size may be necessary. Such alterations are to be charged to Expenditure Account No. 72420 under the Officer Candidate Training appropriations for the current fiscal year. Funds for this purpose are included in the fund allotment granted the Commandants of the Naval Districts under the budget program "Academic Instruction."

§ 711.804 *Wearing the uniform.* The uniform will be worn on such occasions as prescribed by the Professor of Naval Science or the Senior Officer present. Normally, this will be at drills, ceremonies, and on cruises.

§ 711.805 *Replacement of uniform clothing.* Each NROTC student is expected to replace, at his own expense, Navy-issued uniform clothing items that are lost, mutilated, or destroyed through his own misconduct or carelessness.

§ 711.806 *Purchases from Clothing and small stores.* The sale of clothing and small stores to NROTC students is authorized under the provisions of Paragraph 42306-5 of the Bureau of Supplies and Accounts Manual. Where clothing and small stores are in the vicinity of NROTC schools, purchases should be made in person whenever possible. Money orders for clothing and small stores may be sent to the nearest Naval activity having a retail issuing unit for clothing and small stores. Purchase of shoes by mail is not considered practicable due to frequent misfits.

§ 711.807 *Purchases from armed services exchanges.* (a) Members of the NROTC on active duty for training purposes for periods in excess of seventy-two hours are entitled to all exchange privileges.

(b) Members of the U. S. Naval Reserve not in an active duty, drill, or training status shall be entitled to purchase necessary articles of uniform clothing, accoutrements and equipment, in such quantities as would be required immediately when called to active duty.

§ 711.808 *Return of uniforms.* While all uniform outfits normally shall be considered to be gratuitous, midshipmen shall be informed at the time of issue that if they are disenrolled during the first year of their training they will be required to return their uniform outfits to the Professor of Naval Science, who is authorized to retain such recovered property for further issue as appropriate. No account need be made of such property.

FACILITIES, SUPPLIES, AND EQUIPMENT

§ 711.901 *Facilities.* The proper and efficient operation of an NROTC unit of standard size (250-300 men) requires certain physical spaces and facilities which can be summarized as follows:

Classrooms (5), three of which have a normal capacity of 35 students; one of which has a normal capacity of 50 students; one of which, with a capacity of 35 students, contains a minimum floor area of 1,000 square feet for use as a navigation workroom.

Offices (8), seven of which contain a minimum floor area of 200 square feet each; one of which contains a minimum floor area of 300 square feet.

Clothing and text book storage and issue space: One room having a minimum floor area of 1,000 square feet, and possessing two entrances.

Armory: A heavy reinforced floor area of approximately 4,000 square feet, on which will be placed heavy ordnance equipment, permanent installations. This area should have at least a 20-foot ceiling clearance, and flooring capable of carrying a load of 1,000 pounds per square foot.

Auditorium of adequate size for assembly of the entire unit, available for use at various times. Usage of this auditorium will be determined in advance in keeping with the standard procedure in effect at the institution.

Drill field: Any readily accessible, level, grass-covered, unobstructed area, with a minimum size of 8,000 square yards.

Swimming pool, available for Naval student personnel. NROTC institutions are expected to provide the facilities specified or comparable and adequate substitutes in the same manner that facilities are provided for other academic departments.

Secretary: The institution also normally provides a full-time civilian secretary to assist the Professor of Naval Science in connection with his duties as head of a major academic department.

§ 711.902 *Protection of Naval property—(a) Custodian.* The Professor of Naval Science will be the custodian of all Naval property. Issuance of and accounting for this property will be in accordance with standard Navy practice.

(b) *Care and safekeeping of equipment.* The Professor of Naval Science is responsible for the care and safekeeping of all equipment which has been issued

to him and for seeing that proper precautions are taken to prevent the equipment from being improperly used and from falling into the hands of irresponsible persons.

(c) *Responsibility of the institution.* The institution is expected to take the same precautions and to provide the same safeguards for the protection of Naval property as it does for the protection of its own property. The Professor of Naval Science will report to the proper authorities of the institution, in writing, any facts, circumstances, or conditions which he believes to be prejudicial to the proper protection of Naval property against loss through fire, flood, theft, tornado, or other similar causes. In the event that proper attention is not paid to such communication, report will be made to the Bureau of Naval Personnel via the Commandant.

(d) *Report of inspector on protective measures.* Inspectors visiting NROTC units will include within the purview of their inspections the precautions taken by institutions, their servants and employees, to protect Government property from loss, destruction, or damage by fire, flood, theft, tornado, or other similar causes. In each such inspection, the inspector will submit a report to the Bureau of Naval Personnel via the Commandant stating whether or not every reasonable precaution is being observed. If an unfavorable report is submitted, the defects will be stated in detail and a copy will be furnished to the head of the institution concerned. Access to all previous reports on Government property protection will be given the surveying officers.

(e) *Fire insurance.* An institution is not required to carry fire insurance.

§ 711.903 *Allowance list.* A standard allowance list has been established for NROTC units.

§ 711.904 *Allotments.* (a) The Bureau of Naval Personnel is assigned cognizance of the preparation of estimates and administration of funds that maintain the NROTC Program. Allotments are made to the District Commandant for the operation of units within the district. The Commandant requisitions services, equipment, material, and supplies required by the unit and not supplied by the institution or by the Bureau without charge to the Commandant's NROTC allotment. Charges are made by the Commandant against the allotted funds.

(b) Estimates of annual allotments needed by each unit are to be submitted by each Commandant as called for by the Bureau of Naval Personnel. The official accounting and financial reports to the Bureau of Naval Personnel in connection with allotments are the responsibility of the District Commandant.

§ 711.905 *Procurement of materials, supplies, and equipment.* Items which are deemed necessary for the successful functioning of the NROTC unit and which are beyond those which the institution should furnish in accordance with the provisions of § 711.901, can be procured in one of the following methods: Through the Navy Department, without

RULES AND REGULATIONS

charge to the District Commandant's NROTC allotment; through the Commandant and chargeable to his NROTC allotment; and through the Commandant and chargeable to his allotment to the District Communication Officer, under the heading "Miscellaneous Expenses, Navy".

(a) *Navy Department procurement.* (Without charge to the Commandant's NROTC allotment.)

(1) Items of a technical nature with a limited use are generally supplied by one of the Bureaus at no charge against the allotment granted the District Commandant for the unit. Such items are obtained by letter request to the cognizant Bureau via the Commandant and the Chief of Naval Personnel. In addition to the items listed in Art. 23028 Bureau of Supplies and Accounts Manual, the following items may be procured by letter request:

Publications.
Manuals.
Catalogues.
Training courses for rates.
Special types of equipment.

(2) Naval Science books, supplies, equipment, and all other miscellaneous items necessary for the conduct of the NROTC will be furnished by the Government. Such of the items mentioned above furnished to NROTC students at the expense of the Government, will upon graduation, withdrawal, or disenrollment of students from the unit, be reclaimed at the earliest possible date by the Professor of Naval Science. Students will not be furnished consumable supplies, such as paper and pencils, by the Government.

(3) Books paid for by the Government, other than those used in Naval Science courses, may become the property of the NROTC student if they are needed by him and are not needed for further use in the unit.

(4) Cruise equipment: Seabags will be maintained and stored at NROTC schools. Replenishment will be requisitioned from the Supply activity normally rendering supply support for other general stores material. Mattress covers and blankets will be loaned from Naval Reserve (Inactive) stocks to NROTC cruises and will be supplied at ports of embarkation and will be turned in at ports of debarkation. The Supply Officer of the station at the port of debarkation will request disposition instructions from the Bureau of Supplies and Accounts.

(5) Cruise laundry: The cost of cleaning and laundering of midshipman uniforms and clothing is paid by the Navy. The Commanding Officer of the cruise ship may submit a requisition to the Bureau of Naval Personnel for approval covering such items supplied by the ship's laundry as soap, starch, etc. The cost will be charged against the Bureau appropriation maintaining the NROTC.

(b) *District procurement.* (Chargeable to the Commandant's NROTC allotment.)

(1) *Annual requirements.* For recurring items of expense, such as office supplies or equipment, garage rental,

and other services and supply, the Professor of Naval Science should estimate his requirements for each new fiscal year and request the Commandant by letter that requisitions be written to cover the procurement of such items. The letter of request should give an accurate and detailed description of the goods or services required, estimated prices, names of bidders and a recommendation as to a supplier if one is considered particularly advantageous. Such requests should reach the Commandant by May 1.

(i) The requisition after approval by the Bureau of Naval Personnel will be forwarded by the Bureau of Supplies and Accounts to the proper purchasing activity.

(ii) When a contract has been made, the Professor of Naval Science is authorized to order delivery (DCO Form 140) on the contract as he deems desirable or necessary within such limitations as may be prescribed by the Commandant.

(iii) Invoices for such items will be certified by the Professor of Naval Science as to receipt, and sent to the designated Disbursing Officer for payment. No stub requisition is necessary, nor is a letter of transmittal.

(2) *Office supplies.* Office supplies are to be obtained by issue from regular standard stock.

(3) *Special purchases.* The Commandant will arrange for the Professor of Naval Science to make so-called businessmen's purchases. The mechanism for such purchases is a so-called "annual-purchase requisition." The Commandant will indicate by what method and by whom such purchases can be made. The limiting amount both for total and individual purchases will be established annually by the Chief of Naval Personnel.

(4) *Nonrecurring items.* Requests for supplies or services not covered by annual requisition will be submitted to the Commandant in such manner as he may prescribe. Instructions governing the method of requesting such items will be furnished by the District Director of Training.

(c) *District procurement (chargeable to other than NROTC allotment.* Communications services will be arranged for with the District Communication Officer as a charge against the appropriation "Miscellaneous Expenses, Navy."

(d) *PNS procurement (not chargeable to Naval Allotments); Printing.* Requests for printing should be made to the institution. Paper and envelopes will be supplied by the Commandant.

NROTC FORMS AND REPORTS

§ 711.1001 *Form of application for establishment of an NROTC unit.*

(Date)

TO: BUREAU OF NAVAL PERSONNEL,
Washington 25, D. C.
Subject: Application for Establishment of a Unit of the Naval Reserve Officers Training Corps.

1. By direction of the governing authorities of _____, application is hereby submitted for the es-

tablissement of a unit of the Naval Reserve Officers Training Corps at this institution.

2. Should this application be accepted by the Navy Department, this institution hereby agrees to the establishment and maintenance of a four-year course of Naval training for its physically fit male students under a Department of Naval Science, staffed with Naval Personnel. This course, equal in standing with major courses in other departments, will comprise instruction in Naval Science carrying the same weight toward a degree as the same number of hours in any other subject in the university's curriculum. Students who successfully meet the course requirements outlined in the Regulations for the Administration and Training of the Naval Reserve Officers Training Corps, including approximately twenty-four (24) semester or equivalent quarter-hours of Naval Science, will be considered for the appropriate degree.

3. The institution will provide space for classrooms, offices, equipment, and drill for a normal size unit of 300 in accordance with the following minimum requirements:

Classrooms (5), three of which have a normal capacity of 35 students; one of which has a normal capacity of 50 students; one of which with a capacity of 35 students, contains a minimum floor area of 1,000 square feet for use as a navigation workroom.

Offices (8), seven of which contain a minimum floor area of two hundred square feet each; one of which contains a minimum floor area of three hundred square feet.

Clothing and text book storage and issue space, one room having a minimum floor area of one thousand square feet, and possessing two entrances.

Armory, heavily reinforced floor area of approximately four thousand square feet, on which will be placed heavy ordnance equipment, permanent installations. This area should have at least a twenty foot ceiling clearance, and flooring capable of carrying a load of one thousand pounds per square foot.

Auditorium, of adequate size for assembly of entire unit, available for use at various times. Usage to be determined in advance in keeping with standard procedure in effect at the institution.

Drill field, any readily accessible, level, grass-covered, unobstructed area, with a minimum of eight thousand square yards.

Swimming pool, available for Naval student personnel.

4. It is understood that for normal operation an annual, initial enrollment in the Naval Science course of 80 physically fit students of the freshman class, citizens of the United States, over 17 years of age, is required to maintain a Naval Reserve Officers Training Corps Unit.

5. This institution also agrees to promote and further the objects for which the Naval Reserve Officers Training Corps is established and to conform to the regulations of the Navy Department relating to the operation of the unit and to the care, use, safekeeping and accounting for such government property as may be issued for use by the unit.

(President)

(Name of institution)

§ 711.1002 *Forms and reports.* The forms and reports listed in this section, in many cases peculiar to an officer-candidate training program, are required in the administration of the NROTC, and will be in addition to the reports normally required of the commanding officers of all naval stations.

(a) *Enrollment of regular students.*

- (1) (NavPers 916) Forwarding Endorsement, 1 copy.
- (2) Record Sheet (ETS Form), 1 copy.
- (3) (NavPers 912) Application for NROTC and NACP, 2 copies.

- (4) (NavPers 917) Contract for NROTC, 2 copies.
- (5) Birth Certificate.
- (6) (NavPers 915) Evidence of Citizenship, if necessary, 1 copy.
- (7) (NavPers 965) Evidence of Discharge, if necessary, 1 copy.
- (8) (NavPers 919) Reference Questionnaire, 3 copies.
- (9) (NavPers 958) Interviewers Appraisal Sheet, 2 copies.
- (10) (NavPers 923) High School Record, 1 copy.
- (11) College Transcript, if applicable, 1 copy.
- (12) (Standard Form 88) Report of Medical Examination, 2 copies.
- (13) (Standard Form 89) Report of Medical History, 1 copy. (Attach to the original of Standard Form 88.)
- (14) (NavPers 680) Fingerprint Record, 1 copy.
- (15) Loyalty Certificate.

The above forms will be executed at the Offices of Naval Officer Procurement and submitted to the Bureau of Naval Personnel in accordance with current instructions.

- (16) (NavMed H-2 and H-4) Health Record (Physical Examination and Dental Record): These forms, in duplicate, will be opened by the Office of Naval Officer Procurement for each civilian applicant found physically qualified. The original copies will be forwarded to the appropriate Professor of Naval Science, and the duplicate copies will be forwarded directly to the Bureau of Medicine and Surgery for each applicant selected for appointment. In the case of enlisted candidates, the separation activity will forward the man's complete Health Record to the Bureau of Naval Personnel (Attention Pers-3637). The Bureau will forward the required records to the Bureau of Medicine and Surgery and forward the remainder of the Health Record to the appropriate Professor of Naval Science.
- (17) (NavPers 901) Acceptance and Oath of Office.
- (18) (NavPers 1213) Deferment Agreement.

(b) Enrollment of contract students.

- (1) (NavPers 912) Application for NROTC and NACP, 2 copies.
- (2) (NavPers 916) Forwarding endorsement, 1 copy.
- (3) (NavPers 918) Contract, NROTC, 2 copies.
- (4) (NavPers 915) Evidence of Citizenship, if necessary, 1 copy.
- (5) (NavPers 965) Evidence of Discharge, if necessary, 1 copy.
- (6) (NavPers 919) Reference Questionnaire, 3 copies.
- (7) (NavPers 958) Interviewers appraisal sheet, 2 copies.
- (8) (Standard Form 89) Report of Medical History, 1 copy. (Attached to the original of Standard Form 88.)
- (9) (NavPers 680) Fingerprint Record, 1 copy.
- (10) (Standard Form 88) Report of Medical Examination, 3 copies, triplicate copy to be retained in files of the NROTC unit. To be submitted in duplicate after the initial medical examination to the Chief of the Bureau of Medicine and Surgery via the Chief of Naval Personnel.
- (11) (NavMed H-2 and H-4) Health Record (Physical Examination and Dental Record): These forms, in duplicate, will be opened for each student enrolled in the NROTC. The original copies will be retained in the health record by the Professor of Naval Science and the duplicates will be forwarded directly to the Bureau of Medicine and Surgery.
- (12) Birth Certificate.
- (13) College Transcript, if applicable, 1 Copy.
- (14) (NavPers 1213) Deferment Agreement.
- (15) Loyalty Certificate.

(c) Disenrollment.

- (1) (NavPers 368) Naval Training Course Certificates: Issued by the Professor of Naval Science to Naval Science students who have completed successfully courses in Naval Science, to NROTC students leaving units under honorable conditions before graduation, or to graduates ineligible for commissioning.
- (2) (NavPers 364) Disenrollment Report: Submitted in duplicate to the Bureau of Naval Personnel by the Professor of Naval Science for every NROTC student who is disenrolled or recommended for disenrollment.
- (3) (NavMed H-2 and H-4) Health Record (Physical Examination and Dental Record): These forms shall be forwarded to the District Medical Officer of the cognizant Naval District, who will close out the H-2 by reason of disenrollment, stating the authority and that the student was not present for examination, prior to transmission to the Bureau of Medicine and Surgery.

(d) Commissioning.

- (1) Recommendation for Commission: A report in letter form, submitted to the Bureau of Naval Personnel 90 days prior to graduation, recommending for commissions NROTC students who are about to graduate. (§ 711.312.)
- (2) Application by Contract student for active duty and Commission in the regular Navy or Marine Corps. (§§ 711.212, 711.213.)
- (3) (NavPers 2100) Duty Recommendation: Submitted to the Bureau of Naval Personnel 90 days prior to commissioning.
- (4) (NavPers 305) Officer Qualification Record Jacket: The jacket shall contain a copy of the Officer Qualification Questionnaire and the Original of the Training School Report. Officers ordered to active duty will take their Qualification Record Jacket to their next duty station. The jacket of each Naval Reserve officer going to inactive duty shall be forwarded to the Commandant of the Naval District in which he resides. The jacket of each Marine Corps Reserve officer going on inactive duty shall be forwarded to the Commandant of the Marine Corps.
- (5) (NavPers 318) Training School Report: One duplicate copy to be submitted as soon as possible after commissioning to the Chief of Naval Personnel (Pers-313) or to the Commandant of the Marine Corps, as appropriate.
- (6) (NavPers 309) Officer Qualification Questionnaire: Original to be submitted as soon as possible after commissioning to the Chief of Naval Personnel (Pers-313), or to the Commandant of the Marine Corps, as appropriate.
- (7) (NavPers 16722-16726) Officer Classification Battery: Submitted to the Chief of Naval Personnel (Pers-313) in accordance with current instructions.
- (8) Application for Commission in Marine Corps or Marine Corps Reserve: To be submitted in letter form with the endorsement of the Professor of Naval Science, 90 days prior to commissioning, to the Commandant of the Marine Corps, Washington, D. C. Submitted in connection with report specified in following paragraph. (§§ 711.313, 711.603.)
- (9) Application for Commission in a Staff Corps or SDO, USNR. (§ 711.313.)
- (10) (NavPers 330 (USN) or NavPers 952 (USNR)) Acceptance and Oath of Office (USN and USNR): To be submitted in accordance with the distribution indicated on the forms except that in the case of each officer commissioned in the USNR, the executed copy of this form marked: "This copy shall be retained by the office administering oath and acceptance of office" shall be forwarded to the Commandant of the Naval District in which he resides.

- (11) (NAVMC 763PD) Acceptance and Oath of Office; (USMC): To be submitted to the Commandant of the Marine Corps.
- (12) (NAVMC 764PD) Acceptance and Oath of Office; (USMCR): To be submitted to the Commandant of the Marine Corps.
- (13) (Standard Form 88) Report of Medical Examination: Submitted, in duplicate, 90 days prior to commissioning to the Chief of the Bureau of Medicine and Surgery via the Chief of Naval Personnel.
- (14) (NavMed H-2 and H-4) Health Record (Physical Examination and Dental Record): For each student to be commissioned in the Regular Navy or Marine Corps, the old NavMed H-2 and NavMed H-4 shall be forwarded to his new duty station, with a statement to the effect that no medical officer is attached to the NROTC unit, and requesting that the old NavMed H-2 and H-4 be closed out, and that a new NavMed H-2 and H-4 be opened in duplicate, the duplicates to be forwarded to the Bureau of Medicine and Surgery with the old forms. For each student to be commissioned in the Naval Reserve or Marine Corps Reserve, the old NavMed H-2 and H-4 shall be forwarded to the Commandant of the Naval District or the Director of the Marine Corps Reserve District, in which the officer resides, with a statement that the old NavMed H-2 and H-4 be closed out, and that a new NavMed H-2 and H-4 be opened in duplicate, the duplicates to be forwarded to the Bureau of Medicine and Surgery with the old forms.
- (15) (NavPers 391) Class Standing of NROTC Graduates Commissioned: Submitted, in duplicate, to the Bureau of Naval Personnel as soon as practicable after commissioning, in accordance with current directives. (§ 711.314.)

(e) Periodic.

- (1) (NavPers 384) Subsistence Roll, monthly. (§ 711.703.)
- (2) (NavPers 384a) Subsistence Roll, memorandum copy.
- (3) (NavPers 1931) Monthly Change of Status Report: Submitted monthly to the Bureau of Naval Personnel in accordance with current directives.
- (4) (NavPers 381) Annual Return of Books: Submitted to the Bureau of Naval Personnel on 30 June of each year. (§ 711.908.)
- (5) (Standard Form 89) Report of Medical Examination: Submitted, in duplicate, after the annual medical examination of each NROTC student to the Chief of the Bureau of Medicine and Surgery via the Chief of Naval Personnel. (§ 711.306.)
- (6) (NavPers 1918) NROTC IBM Information Register: Submitted annually to the Bureau of Naval Personnel (Pers-424) in accordance with current directives.
- (7) Plant Property Inventory: Submitted every 2 years. (Sec. 908.)
- (8) University Catalogue or Announcements of Individual Colleges: Submit 3 copies to the Chief of Naval Personnel (NROTC Section) when published.
- (9) (NavOrd 1744B) General Ammunition Report: Submitted annually, as of 30 June, to the Chief of the Bureau of Ordnance.
- (10) (Small Arms-Sheet 1) Report of Small-Arms Practice: Submitted annually, as of 30 June, to the Chief of Naval Operations.
- (11) (NavPers 353) Roster of Officers: One copy submitted monthly to the Bureau of Naval Personnel (Pers-4244), indicating in column 10 thereof, the Naval Science courses which each officer is currently teaching.

(f) Miscellaneous.

- (1) Transcript of Academic Record. (§ 711.312.)
- (2) Report of Commission Withheld. (§ 711.312.)
- (3) Approval of Transfer between NROTC Units. (§ 711.308.)

(4) Application for Extension of Time to Complete Academic Requirements. (§ 711.311.)

(5) Report of Substitution of College Course for NROTC Court. (§ 711.503.)

(6) Individual Student Record Forms. (§ 711.509.)

(7) Application for Enrollment in Marine Corps Naval Science Courses. (§ 711.601.)

(8) Aptitude Marks. (§§ 711.507, 711.508, 711.602.)

(9) Notice of Allotment for National Service Life Insurance. (§ 711.705.)

(10) (BuSandA Form 510) Commanding Officer's Pay Record Order. (§ 711.702.)

(11) (BuSandA Form 1071) Mileage Voucher. (§ 711.706.)

(12) Clothing Requisitions. (§ 711.802.)

(13) Report on NROTC Students Placed (or Removed from) a Leave Status. (§ 711.311.)

(14) (NavPers 2485) Enlisted Instructor Data Card.

Dated: August 13, 1951.

DAN A. KIMBALL,
Secretary of the Navy.

[F. R. Doc. 51-9979; Filed, Aug. 21, 1951;
8:48 a. m.]

PART 714—OFFICER PERSONNEL

Part 714 is added to read as follows:

§ 714.1 *Regulations governing termination of commissions of women officers.* (a) Section 209 of the Army-Navy Nurses Act of 1947 (approved April 16, 1947, c. 38, 61 Stat. 50, Title 34 FCA sec. 43i) authorizes the Secretary of the Navy, under the circumstances and in accordance with the regulations prescribed by the President, to terminate the commission of any officer commissioned in the Nurse Corps established by Title II of the Army-Navy Nurses Act of 1947.

(b) Section 214 of the Women's Armed Services Integration Act of 1948 (approved June 12, 1948, c. 449, 62 Stat. 370, Title 34 FCA sec. 105i (a)) authorizes the Secretary of the Navy, under the circumstances and in accordance with regulations prescribed by the President, to terminate the commission or warrant of any woman officer in the Regular Navy or Marine Corps.

(c) Executive Order No. 10240 of April 27, 1951 (F. R. Doc. 51-5062, filed April 27, 1951, 4:27 p. m.), sets forth regulations prescribed by the President, by virtue of the authority vested in him by the Army-Navy Nurses Act of 1947 and the Women's Armed Services Integration Act of 1948, and as Commander in Chief of the Armed Forces of the United States. Those regulations provide, in pertinent part, as follows:

* * * the commission or warrant of any woman serving in the Regular Navy or the Regular Marine Corps * * * under either of the above-mentioned acts may be terminated, regardless of rank, grade or length of service, by or at the direction of * * * the Secretary of the Navy * * *

(1) under the same circumstances, procedures, and conditions and for the same reasons under which a male member of the same Armed Force and of the same grade, rating or rank, and length of service may be totally separated from the service by administrative action, whether by termination of commission, termination of appoint-

ment, revocation of commission, discharge, or otherwise, or (2) whenever it is established under appropriate regulations of the Secretary of the department concerned that the woman (a) is the parent, by birth or adoption, of a child under such minimum age as the Secretary concerned shall determine, (b) has personal custody of a child under such minimum age, (c) is the step-parent of a child under such minimum age and the child is within the household of the woman for a period of more than thirty days a year, (d) is pregnant, or (e) has, while serving under such commission, warrant, or enlistment, given birth to a living child; and such woman may be totally separated from the service by administrative action by termination of commission, termination of appointment, revocation of commission, discharge, or otherwise.

(d) Pursuant to the foregoing statutes and to the foregoing Executive order, the following regulations are hereby prescribed to govern termination of commissions or warrants of women commissioned officers or warrant officers in the naval service of the United States, and to provide for the establishment of factual conditions warranting such action:

(1) The commission of any woman serving in the Regular Navy or the Regular Marine Corps, and the commission of any woman of the Naval Reserve or Marine Corps Reserve on active duty, shall be terminated under the same circumstances, procedures, and conditions and for the same reasons provided by Navy Department General Order No. 16 for the revocation of the commission of a male officer of the same grade, rank, and length of service.

(2) The commission or warrant of any woman serving in the Regular Navy or the Regular Marine Corps may be terminated under the same circumstances, procedures, and conditions and for the same reasons under which a male commissioned officer or a male warrant officer of the same grade, rank, and length of service might be totally separated from the naval service by administrative action, whether by termination of appointment, revocation of commission, discharge, or otherwise.

(3) (i) The commission or warrant of any woman serving in the Regular Navy or the Regular Marine Corps, and the commission or warrant of any woman of the Naval Reserve or Marine Corps Reserve on active duty, shall be terminated by the Secretary of the Navy whenever it is reported to the Secretary that the Chief of Naval Personnel or the Commandant of the Marine Corps, as appropriate, or any one or more responsible officers to whom either or both has or have delegated the power, has determined that such woman:

(a) Is the parent, by birth or adoption, of a child under the age of 18 years; or,

(b) Has personal custody of a child under the age of 18 years; or,

(c) Is the step-parent of a child under the age of 18 years who is within the household of the woman for a period of more than thirty days a year; or,

(d) Is pregnant; or,

(e) Has, while serving under her current appointment to warrant or commissioned grade in the naval service, given birth to a living child.

(ii) Determinations under subdivision (i) of this subparagraph may be based upon:

(a) Any oral or written statement of the woman officer under consideration for termination of warrant or commission, indicating the existence of any one or more of the conditions set forth; or,

(b) Any oral or written statement of an apparently credible person indicating the belief of such person as to the existence of conditions (a), (b), (c), or (e), of subdivision (i) of this subparagraph, based upon personal observation by such person; inspection of public, church, or private records; or general repute in the family of the woman concerned or in any community or neighborhood; or,

(c) Any oral or written statement by a person representing himself to be a medical practitioner to the effect that he is of the opinion that the woman officer concerned is pregnant; or,

(d) Any other statement, report, communication, or information reasonably indicating the existence of any one or more of the conditions set forth.

(iii) A woman officer under consideration for termination of commission or warrant under this subparagraph, who has not, by her own oral or written statement, indicated acquiescence in the asserted existence of any one or more of the conditions set forth in subdivision (1) (a) through (e) of this subparagraph, shall be advised in writing of such condition or conditions which have been asserted to exist as to her. Such officer may then, within five (5) days of delivery to her of such advice, forward to the Chief of Naval Personnel or the Commandant of the Marine Corps, as appropriate, a written denial by her of the existence of such condition or conditions, together with citation of any available evidence tending to corroborate such denial. Where there is forwarded such a denial of an assertion of pregnancy, the Chief of Naval Personnel or the Commandant of the Marine Corps, as appropriate, shall direct medical examination of the woman officer concerned by a Naval medical officer or at a Naval medical activity. Failure on the part of a woman officer, within the time specified in this section, to forward a written denial of the existence of any of the conditions warranting termination of commission or warrant hereunder, or failure or refusal, on the part of any woman officer as to whom medical examination has been directed hereunder, to appear for or to submit herself to such medical examination or any portion thereof, which may be requested by any examiner, shall be considered conclusive as to the existence of the condition or conditions asserted.

(4) Women officers whose commissions or warrants are terminated pursuant to the regulations in this part shall be awarded certificates of discharge of such type and character as may be warranted in view of the record of service and the circumstances surrounding the termination in each individual case.

(5) As used in this section the words, "officer" and "officers," include warrant, chief warrant, commissioned warrant, and commissioned officers; the phrase "thirty days a year" refers to thirty consecutive days during any period of

twelve consecutive months; and the term "medical practitioner" includes, but is not limited to, a physician, surgeon, medical consultant, gynecologist, obstetrician, psychiatrist, resident physician, resident surgeon, or intern, in Governmental service or employ, in private practice or employ, or in retirement.

(6) The regulations in this part shall be effective immediately upon signature hereof, and termination of any commission or warrant hereunder may be effected at any time thereafter, regardless of whether the occurrence or existence of any condition or conditions warranting such termination shall have preceded or followed the effective time hereof.

(Sec. 209, 61 Stat. 50, sec. 214, 62 Stat. 370; 34 U. S. C. Sup. 431, 1051. E. O. 10240, Apr. 27, 1951, 16 F. R. 3689)

Dated: August 9, 1951.

DAN A. KIMBALL,
Secretary of the Navy.

[F. R. Doc. 51-9977; Filed, Aug. 21, 1951; 8:47 a. m.]

PART 716—DEATH GRATUITY

MISCELLANEOUS AMENDMENTS

1. Section 716.1 is amended to read as follows:

§ 716.1 *General provisions.* The act of June 4, 1920, as amended (41 Stat. 824 as amended, 34 U. S. C. 934) and the act of August 27, 1940 (54 Stat. 864; 34 U. S. C. 855c-1) and the act of March 17, 1941 (55 Stat. 43 as amended; 34 U. S. C. 855c-2) provide for the payment to the widow, child, or dependent relative of a deceased officer, nurse, or enlisted man, who died of wounds or disease not the result of his or her own misconduct, of an amount equal to six months' pay at the date of his or her death, on date death is determined to have occurred under the Missing Persons Act (56 Stat. 143; 50 U. S. C., App., 1001-1008).

Public Law 108, 81st Congress, amends the Naval Aviation Personnel Act of 1940, as amended (U. S. C., title 34, sec. 855c-1) to extend entitlement to the six months' death gratuity to members of the reserve components of the armed forces, if called or ordered by the Federal Government to perform active naval or military service or to perform active duty for training or inactive-duty training for any period of time, who suffer death in the line of duty from injury while so employed. The provisions of this act are effective from August 14, 1945.

2. Section 716.2 is amended to read as follows:

§ 716.2 *Delegations.* The Director of the Personal Affairs Division of the Bureau of Naval Personnel certifies to the Bureau of Supplies and Accounts the person entitled under the act to receive such gratuity. The Head of the Personnel Affairs Branch, Personnel Department, Marine Corps, certifies to the Quartermaster General of the

Marine Corps, Disbursing Branch, the person entitled to receive such gratuity.

(Sec. 1, 41 Stat. 824, as amended; 34 U. S. C. 943. Interpret or apply sec. 4, 54 Stat. 864, as amended, sec. 1, 55 Stat. 43, as amended; 34 U. S. C. 855c-1, 855c-2)

Dated: August 8, 1951.

DAN A. KIMBALL,
Secretary of the Navy.

[F. R. Doc. 51-9978; Filed, Aug. 21, 1951; 8:47 a. m.]

PART 722—NAVAL RETIRING REVIEW BOARD

MISCELLANEOUS AMENDMENTS

1. Section 722.2 (b) is amended to read as follows:

§ 722.2 *The Board.* * * *

(b) *Recorder (counsel for the Board).*

(1) The Secretary of the Navy shall designate the recorder for the Board.

(2) The duties of the recorder will be to:

(i) Obtain and make available for the purposes of the Board all available records relating to the applicant.

(ii) Examine and prepare for each member of the Board a summary of the applicant's military and medical records; the findings and decision of the retiring board under review as well as the administrative action taken thereon; and such other records and material as are available.

(iii) Bring to the attention of the Board the contentions submitted in behalf of the applicant and the evidence in support thereof.

(iv) Examine and cross-examine the applicant and all witnesses appearing before the Board.

(v) Bring to the attention of the Board the applicable legal principles involved with pertinent precedents.

(vi) Establish and maintain a docket of all cases.

(vii) Perform all the functions of a recorder, as outlined by Naval Supplement, to Manual for Courts Martial, pertaining to retiring boards.

(viii) Perform all such administrative duties as may be required in connection with the proceeding of the Board, or as may be prescribed by the president of the Board.

(3) The recorder will be the custodian of all Board records and he shall be responsible for safeguarding same.

(4) The recorder shall take an oath to keep a true record of the proceedings of the case then before the Board and about to be reviewed.

2. Section 722.3 (f) is amended to read as follows:

§ 722.3 *Procedure.* * * *

(f) *Hearing.* (1) The applicant may present his case:

(i) By written application for a review, in which event the review will be based solely on all the available records relating to the applicant.

(ii) By such written evidence and affidavits as the applicant may wish to file.

(iii) By presenting evidence before the Board, either in person or by counsel. The testimony of witnesses may be presented either in person, by affidavits, and/or depositions.

(2) Insofar as practicable, the hearings of the Board will be conducted in accordance with the pertinent instructions contained in Naval Supplement, to Manual for Courts Martial, except that:

(i) No right of challenge will be accorded.

(ii) Physical examination of the applicant is not mandatory; but, if it appears to the Board's satisfaction to be essential, the Board will not make a preliminary report.

(iii) The Board will not make a preliminary report.

(iv) The medical members will not be subject to examination.

(v) The medical members will not submit a report.

(Sec. 302, 58 Stat. 287, as amended; 38 U. S. C. 6931)

Dated: August 8, 1951.

DAN A. KIMBALL,
Secretary of the Navy.

[F. R. Doc. 51-9975; Filed, Aug. 21, 1951; 8:47 a. m.]

Subchapter E—Claims

PART 750—NAVY GENERAL CLAIMS

MISCELLANEOUS AMENDMENTS

1. Section 750.2 is amended to read as follows:

§ 750.2 *Statutory authority.* Pursuant to, and subject to the limitations of, Part 2 of the Federal Tort Claims Act, Title IV of the Legislative Reorganization Act of 1946, approved August 2, 1946 (60 Stat. 843), repealed, revised, codified and re-enacted as a part of Title 28, United States Code, by Public Law 773, 80th Congress, approved June 25, 1948 (62 Stat. 982; 28 U. S. C. 2671-2680), as amended by the act of April 25, 1949 (Pub. Law 55, 81st Congress), the Secretary of the Navy, or his designee for the purpose, acting on behalf of the United States, is authorized to consider, ascertain, adjust, determine, and settle any claim for money damages of \$1,000 or less against the United States, accruing on or after January 1, 1945, for injury or loss of property or personal injury or death caused by the negligent or wrongful act or omission of any employee of the Government while acting within the scope of his office or employment, under circumstances where the United States, if a private person, would be liable to the claimant, in accordance with the law of the place where the act or omission occurred.

2. Section 750.7 is amended to read as follows:

§ 750.7 *Statute of limitations.* Every claim against the United States for \$1,000 or less, to be cognizable under the provisions governing administrative settlement of federal tort claims under Title 28, United States Code, and §§ 750.1-750.7, must be presented in

writing to the Navy within two years after the claim accrued or within one year after April 25, 1949, whichever is later, or be forever barred.

3. Section 750.8 is amended to read as follows:

§ 750.8 *Statutory authority for action.* (a) Pursuant to, and subject to the limitations of, Part 3 of the Federal Tort Claims Act, Title IV of the Legislative Reorganization Act of 1946, approved August 2, 1946 (60 Stat. 843; 28 U. S. C. 931-934), as amended by the act of August 1, 1947 (Pub. Law 324, 80th Cong.; 61 Stat. 722), repealed, revised, codified and re-enacted as a part of Title 28, United States Code, by Public Law 773, 80th Congress, approved June 25, 1948 (62 Stat. 928, 933, 937, 971, 973, 983; 28 U. S. C. 1254, 1255, 1346, 1402, 2402, 2411, 2412, 2674), as amended by the act of April 25, 1949 (Pub. Law 55, 81st Cong.), the United States district court for the district where the plaintiff resides or wherein the act or omission complained of occurred; including the District Court for the Territory of Alaska, the United States District Court for the District of the Canal Zone and the District Court of the Virgin Islands, sitting without a jury, has exclusive jurisdiction of civil actions on claims against the United States, for money damages, accruing on or after January 1, 1945, for injury or loss of property, or personal injury or death caused by the negligent or wrongful act or omission of any employee of the Government while acting within the scope of his office or employment, under circumstances where the United States, if a private person, would be liable to the claimant for such damage, loss, injury, or death in accordance with the law of the place where the act or omission occurred.

(b) The jurisdiction conferred as set forth in paragraph (a) of this section includes jurisdiction of any set-off, counterclaim, or other claim or demand whatever on the part of the United States against any plaintiff commencing an action under Title 28, United States Code, section 1346 (b).

4. Section 750.15 is amended to read as follows:

§ 750.15 *Statute of limitations.* An action against the United States pursuant to Title 28, United States Code, section 1346 (b), must be begun within two years after the claim accrued or within one year after April 25, 1949, whichever is later, or be forever barred. If a claim not exceeding \$1,000 has been presented in writing to the Navy within that period of time, suit thereon shall not be barred until the expiration of a period of six months after either the date of withdrawal of such claim from the Navy or the date of mailing notice by the Navy of final disposition of the claim.

5. Section 750.19 is amended to read as follows:

§ 750.19 *Scope of the act of December 28, 1945.* (a) Subject to the exceptions set forth in paragraph (b) of this section, claims not in excess of \$1,000, arising on or after May 27, 1941, for damage

to or loss or destruction of real or personal property or for reasonable medical, hospital, and burial expenses actually incurred on account of personal injury or death, caused by military personnel or civilian employees of the Navy while acting within the scope of their employment, or otherwise incident to noncombat activities of the Navy, including claims for damages to or loss or destruction, by criminal acts, of registered or insured mail while in the possession of the military authorities, claims for damage to or loss or destruction of personal property bailed to the Government and claims for damage to real property incident to the use and occupancy thereof, whether under a lease, express or implied, or otherwise, are payable by the Secretary of the Navy or his designees under the act of December 28, 1945, as amended, and §§ 750.17-750.27.

(b) The provisions of the act of December 28, 1945, and §§ 750.17-750.27 do not apply to:

(1) Any claim for damage, loss, destruction, injury, or death which was proximately caused, in whole or in part, by any negligence or wrongful act on the part of the claimant, his agent, or his employee.

(2) Any claim for damage, loss, destruction, injury, or death resulting from action by the enemy, or resulting directly or indirectly from any act by armed forces engaged in combat.

(3) Any claim for damages on account of personal injury or death, other than for reasonable medical, hospital, and burial expenses actually incurred as a result thereof.

(4) Any claim for reimbursement for medical or hospital services furnished at the expense of the United States or, in the case of burial, for such portion of the expense thereof as may be otherwise paid by the United States.

(5) Any claim for personal injury or death of military personnel or civilian employees of the Navy if such injury or death occurs incident to their service.

(6) Any claim of military personnel or civilian employees of the Navy for damage to or loss, destruction, capture, or abandonment of personal property occurring incident to their service, which claim is cognizable under the act of May 29, 1945 (59 Stat. 225; 31 U. S. C. 222c), as made applicable to the Navy by section 2 of the act of December 28, 1945 (sec. 2, 59 Stat. 662; 31 U. S. C. 222e), and the Navy Personnel Claims Regulations promulgated thereunder (Part 751 of this chapter).

(7) Any claim arising on or after January 1, 1945, the cause of which has been determined to be the negligent or wrongful act or omission of an employee of the Government (as defined in § 750.1 (a)) while acting within the scope of his office or employment, and which is in all other respects within the cognizance of the provisions governing administrative settlement of Federal tort claims under Title 28, United States Code, and §§ 750.1-750.7.

(8) Any claim arising in a foreign country or possession thereof which is cognizable under the provisions of the act of January 2, 1942, (55 Stat. 880; 31

U. S. C. 224d), as amended by the act of April 22, 1943, (57 Stat. 66; 31 U. S. C. 224d), and regulations issued pursuant thereto.

(9) Any claim cognizable under the act of July 3, 1944 (58 Stat. 726; 46 U. S. C. 797), or the act of December 5, 1945, (59 Stat. 596; 34 U. S. C. 600a) relating to admiralty claims or claims for damages caused by naval vessels.

(10) Any claim for damage to or loss or destruction of property founded in contract, express or implied, with the exception of claims arising from the bailment of personal property to the Government and from the use and occupancy of real property as set forth in §§ 750.23 and 750.24.

(11) Any claim for the rent of real or personal property.

(12) Any claim involving the infringement of patents.

6. Section 750.25 is amended to read as follows:

§ 750.26 *Claims arising in foreign countries.* (a) There are no geographical limitations upon the scope of application of the act of December 28, 1945, and § 750.17-750.27. The Foreign Claims Act of January 2, 1942 (55 Stat. 880; 31 U. S. C. 224d), as amended by the act of April 22, 1943 (57 Stat. 66; 31 U. S. C. 224d), and regulations issued pursuant thereto, however, have preemptive application to claims for damage to or loss or destruction of real personal property, and for personal injury or death, caused by military forces or individual members thereof, whether military personnel or civilian employees, or otherwise incident to noncombat activities of such forces, in a foreign country, to public property located therein, or to the privately owned property or to the persons or inhabitants of such country. Any claim which arises in a foreign country, therefore, and which is within the scope of the Foreign Claims Act, as amended, is precluded from consideration under the act of December 28, 1945, and §§ 750.17-750.27. Any claim which arises in a foreign country and is for any reason not cognizable under the Federal Claims Act and the regulations issued thereunder, however, may be considered and paid under the act of December 28, 1945, and §§ 750.17-750.27 provided it is in all respects within the scope thereof.

(b) In addition to the exceptions set forth in § 750.19 (b), the provisions of the act of December 28, 1945, and §§ 750.17-750.27 do not apply to any claim arising in a foreign country, of an inhabitant of a foreign country who is a national of a country at war with the United States or of any ally of such an enemy country, unless it be determined that the claimant is friendly to the United States. It is provided, however, that the approval, without such a determination of claims of prisoners of war and of interned enemy aliens, arising in a foreign country other than that of which they are nationals, for damage to or loss or destruction of personal property in the custody of the Government, otherwise payable under § 750.23 with respect to bailed personal property, shall not be hereby precluded.

(c) Claims arising in foreign countries may in proper cases, be cognizable under the act of July 11, 1919 (41 Stat. 132; 34 U. S. C. 600), and §§ 750.28 and 750.29. They are expressly excluded, however, from consideration under the provisions governing the administrative settlement of Federal tort claims under Title 28, United States Code, and from the application of the civil action provisions of Title 28, United States Code, section 1345 (b), and Subpart A of this part.

7. Section 750.32 is amended to read as follows:

§ 750.32 *The submission of a claim.*

(a) A claim shall be submitted by presenting in triplicate a written statement setting forth the amount of the claim and, as far as possible, the detailed facts and circumstances surrounding the incident from which the claim arose. The Claim for Damage or Injury, Standard Form No. 95, shall be used whenever practicable. The claim and all other papers requiring signature by the claimant shall be signed by the claimant personally or by his duly authorized agent. The signature of the claimant or his agent shall be identical throughout. When more claims than one arise from a single incident, each such claim shall be filed separately and individually.

(b) The claim shall be submitted by the claimant to the commanding officer of the naval activity involved, if known; otherwise, it shall be submitted to the commanding officer of any naval activity, preferably the one within which or nearest to which the incident occurred, or to the Judge Advocate General of the Navy, Washington 25, D. C.

8. Section 750.36 is amended to read as follows:

§ 750.36 *Investigation; responsibility for.*

(a) Immediate responsibility for the investigation of an incident in accordance with the regulations in this part lies with the commanding officer of the local naval activity which is most directly concerned, normally the commanding officer of the personnel involved or of the activity in which the incident occurred. Where two or more activities are involved, the senior of the commanding officers concerned shall decide which of them shall have immediate responsibility for the investigation.

(b) When an accident or incident occurs at a place where the naval service does not have an installation or a unit conveniently located for conducting an investigation, the commanding officer having immediate responsibility for making such investigation may request assistance from the commanding officer of any other organization of the National Military Establishment. Such assistance may take the form of a complete investigation of the accident or incident, or it may cover only part of the investigation. Likewise, in the event that under similar circumstances the commanding officer of any other organization of the National Military Establishment requests such assistance from the Commanding officer of any naval installation or unit, the latter will comply with the request. If a complete investigation is requested, the report will be made in ac-

cordance with the regulations of the requested service. These investigations will normally be conducted without reimbursement for per diem, mileage or other expenses incurred by the investigating installation or unit.

(c) The driver of any Government motor vehicle involved in an accident of any sort shall be responsible for making an immediate report on the Operator's Report of Motor Vehicle Accident, Standard Form No. 91. This driver's report shall be made even though the driver of the other vehicle or any other person involved states that no claim will be filed, or even though the only vehicles involved are Government-owned. An accident shall be reported by the driver regardless of who was injured or what property was damaged, or to what extent, or where the accident occurred, or who was responsible. The driver's report shall be referred to the investigating officer, who shall be responsible for examining it for completeness and accuracy, and who shall file it for future reference or for attachment to any subsequent investigative report of the accident.

9. Section 750.41 is amended to read as follows:

§ 750.41 *Action by the District Legal Officer.* (a) The District Legal Officer, or such other legal officer as may receive the investigative report in lieu of the District Legal Officer, may, in his discretion, call upon the investigating officer for such additional investigation and information as may be considered necessary. Where the investigating officer and the cognizant local activity do not have access to a law library for the purpose of including in the report citations to and quotations from pertinent statutory and case law, and for the purpose of formulating a substantiated memorandum opinion as to the existence and extent of legal liability, the District Legal Officer or other corresponding legal officer shall supply the necessary information concerning the law of the place where the incident occurred and an opinion concerning the application of that law to the facts of the case at hand.

(b) The District Legal Officer or other corresponding legal officer shall endorse the investigative report with his recommendations as to whether any claim or claims should be paid, and in what amount, stating the legal basis for his recommendations. He shall keep one copy of the investigative report for his files and shall forward the original of the report, together with all related papers and all three copies of any claims filed, to the Judge Advocate General of the Navy. In the case of investigative reports upon incidents occurring at activities not within the jurisdiction of a naval district, he shall forward the report to the activity next higher in the official chain of command of the originating activity for forwarding to the Judge Advocate General of the Navy.

10. Section 750.42 is amended to read as follows:

§ 750.42 *Approval of claims.* (a) Claims cognizable under the regulations

in this part shall be approved or disapproved, in whole or in part, as follows:

(1) Claims cognizable under the provisions governing administrative settlement of federal tort claims under Title 28, United States Code, and §§ 750.1-750.7 shall be approved or disapproved by the Judge Advocate General, the Assistant Judge Advocate General, the Director of the Applied Law Division of the Office of the Judge Advocate General, the Legal Officer, U. S. Naval Base, Newport, Rhode Island, or the Legal Officer U. S. Naval Submarine Base, New London, Connecticut, all of whom have been designated to administer those provisions of law for the Navy.

(2) Claims cognizable under the act of December 28, 1945, and §§ 750.17-750.27 shall be approved or disapproved by the Secretary of the Navy, or, subject to appeal to the Secretary of the Navy, by the Judge Advocate General, the Assistant Judge Advocate General, the Director of the Applied Law Division of the Office of the Judge Advocate General, the Legal Officer, U. S. Naval Base, Newport, Rhode Island, or the Legal Officer, U. S. Naval Submarine Base, New London, Connecticut, all of whom have been designated for that purpose.

(3) Claims cognizable under the act of July 11, 1919, as amended, and §§ 750.28-750.29 shall be approved or disapproved by the Secretary of the Navy.

(b) Subject to the provisions of Title 28, United States Code, section 1346 (b), and §§ 750.8-750.16 respecting civil action against the United States, any award or determination of the Secretary of the Navy or his designees, under the provisions governing administrative settlement of federal tort claims under Title 28, United States Code, is final and conclusive upon all officers of the Government, except when procured by means of fraud, notwithstanding any other provision of law to the contrary. Any settlement made by the Secretary of the Navy under the authority of the act of December 28, 1945, and §§ 750.17-750.27, or, subject to the provisions of § 750.43 with regard to appeal to the Secretary of the Navy, by his designees for the purpose, is final and conclusive for all purposes, notwithstanding any other provision of law to the contrary.

11. Section 750.45 is amended to read as follows:

§ 750.45 *Payment of claims.* Claims approved by the Secretary of the Navy, the Judge Advocate General, the Assistant Judge Advocate General, or the Director of the Applied Law Division of the Office of the Judge Advocate General as provided in § 750.42 shall be forwarded to the U. S. Navy Regional Accounts Office, Washington 25, D. C., for payment from appropriations designated for that purpose.

(62 Stat. 982; 28 U. S. C. 2671-2680) [SecNav ltr 49-714, Navy Dept. Bulletin, Oct. 15, 1949]

Dated: August 8, 1951.

DAN A. KIMBALL,
Secretary of the Navy.

[F. R. Doc. 51-9976; Filed, Aug. 21, 1951; 8:47 a. m.]

Chapter XVII—Federal Civil Defense Administration

PART 1704—FINANCIAL ASSISTANCE FROM RECONSTRUCTION FINANCE CORPORATION FOR CIVIL DEFENSE PURPOSES

The following regulations, Part 1704, Financial Assistance from Reconstruction Finance Corporation for civil defense purposes, are hereby issued.

- Sec.
 1704.1 Purpose.
 1704.2 Types of projects considered necessary for civil defense.
 1704.3 Application.
 1704.4 Recommendations and approvals required.
 1704.5 Procedure.

AUTHORITY: §§ 1704.1 to 1704.5 issued under sec. 401, Pub. Law 920, 81st Cong.

§ 1704.1 *Purpose.* The purpose of the regulations in this part is to prescribe the conditions under which the Administrator will certify projects to the RFC for financial assistance under section 409 of the act, and to prescribe the procedure for applying to the Administrator for such certification.

§ 1704.2 *Types of projects considered necessary for civil defense.* (a) The following types of projects are considered necessary for civil defense:

- (1) Procurement and distribution of materials and equipment for civil defense purposes.
- (2) Procurement, construction, lease or renovation of public shelters and other public protective facilities for persons.
- (3) Procurement, construction, lease or renovation of public shelters or other public protective facilities for property, such as public records, vital statistics, communications and utilities.
- (4) Procurement, construction, lease or renovation of facilities to be used for civil defense purposes, including communications centers, command and control centers, warning systems, standby utilities, warehouses and similar items.
- (5) Construction of buildings and other structures which, when constructed, will incorporate shelters or other civil defense features, providing that such shelters or civil defense features bear a reasonable relationship to the entire building or structure.
- (6) Procurement of real property necessary to any of the projects listed in subparagraph (2), (3), (4), or (5) of this paragraph.
- (7) Renovation or enlargement of existing buildings or other structures to incorporate shelters or other civil defense features.
- (8) Such other projects as the Administrator may designate.

§ 1704.3 *Application.* Application shall be made on RFC Form No. 1021.¹

§ 1704.4 *Recommendations and approvals required.* Each application must be duly authorized by the applicant and recommended (a) by the local civil defense director as conforming to and

being a part of local civil defense plans, and (b) by the responsible State civil defense authority as conforming to and being a part of the State civil defense plans. Where the application is made by a State, a recommendation under paragraph (a) of this section is not required.

§ 1704.5 *Procedure.* (a) After the application has been recommended as required under § 1704.4, two signed copies of the application should be submitted to the Reconstruction Finance Corporation, Washington 25, D. C., and two signed copies to the appropriate Regional Office of the FCDA.

(1) It should be noted particularly that the application requires evidence that the financing requested is not otherwise available on reasonable terms.

(2) Each signed copy of the application should contain a complete description of the project or projects to be financed, including:

(i) Specifications of materials or commodities to be purchased, or,

(ii) Blueprints or working drawings and specifications of any facilities to be constructed, leased or renovated, all to be duly certified by the applicant. Cost estimates must be submitted and, in the case of dual purpose projects, must be broken down to show the portion directly applicable to civil defense purposes.

(b) The Administrator will consider each application to determine if the project is necessary under the national civil defense program. If he finds that the project is necessary, he will so certify to the RFC. RFC will give notice of final disposition of the application to the applicant and also to the Administrator, and the latter will advise the responsible State civil defense authority and the appropriate Regional Office of the FCDA.

(c) For projects contemplated under § 1704.2 (a) (8) the applicant may submit by way of informal inquiry, a general description of the project without the details called for in this section. If it appears to the Administrator that the project may be eligible, he will advise the applicant and the latter will then submit for final determination an application giving the details called for in this section.

This regulation shall be effective on August 22, 1951.

MILLARD CALDWELL,
Administrator,
Federal Civil Defense Administration.

[F. R. Doc. 51-10033; Filed, Aug. 21, 1951; 8:54 a. m.]

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter II—Economic Stabilization Agency

[General Salary Order 1]

GSO 1—EXTENSION OF TIME LIMITATION WITH REGARD TO COST-OF-LIVING INCREASES UNDER SECTION 8 OF GENERAL SALARY STABILIZATION REGULATION 1.

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.),

as amended (Pub. Law 96, 82d Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 8 (16 F. R. 4356), as amended (16 F. R. 5956), this General Salary Order No. 1 is hereby issued.

STATEMENT OF CONSIDERATIONS

Section 10 of General Salary Stabilization Regulation 1 provides that increases based on cost-of-living provisions in salary plans shall not be effective subsequent to July 31, 1951.

The Salary Stabilization Board is at present examining the general policies now in effect for the stabilization of salaries and other compensation of the executive, administrative, professional and outside sales employees under its jurisdiction. In the meantime, permission to grant cost-of-living increases and to pay cost-of-living increases which have been granted under section 10 of General Salary Stabilization Regulation 1 will be continued beyond the termination date of July 31, 1951, set forth in paragraph (e) of section 10 of General Salary Stabilization Regulation 1.

The authority to grant cost-of-living increases and to pay cost-of-living increases granted under salary plans pursuant to section 10 of General Salary Stabilization Regulation 1 is extended without limitation in time, subject to the provisions of section 13 of General Salary Stabilization Regulation 1.

(Sec. 704, Pub. Law 774, 81st Cong., as amended, Pub. Law 96, 82d Cong. Interpret or apply Title IV, Pub. Law 774, 81st Cong., as amended, Pub. Law 96, 82d Cong.; Executive Order 10161, September 9, 1950, 15 F. R. 6105)

Dated: August 3, 1951.

By order of the Salary Stabilization Board.

RAYMOND B. ALLEN,
Chairman.

[F. R. Doc. 51-10085; Filed, Aug. 20, 1951; 11:52 a. m.]

[General Salary Stabilization Regulation 2]

GSSR 2—PROFIT-SHARING AND OTHER BONUSES

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), as amended (Pub. Law 96, 82d Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 8 (16 F. R. 5356), as amended (16 F. R. 5956), this General Salary Stabilization Regulation 2 is hereby issued.

STATEMENT OF CONSIDERATIONS

This General Salary Stabilization Regulation 2 is issued by the Salary Stabilization Board in discharge of its responsibilities under the provisions of the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 8, as amended.

The payment of compensation in the form of profit-sharing and other bonuses, on a discretionary basis or on the basis of written plans or authorization contained in certificates of incorporation or corporate by-laws or pursu-

¹ Copies of this form may be obtained from the Reconstruction Finance Corporation, Washington 25, D. C., and from the Regional Offices of the Reconstruction Finance Corporation.

ant to individual contracts, is a widespread business practice especially applicable to the compensation of executive, administrative, and professional employees within the jurisdiction of the Salary Stabilization Board. Bonuses of this nature are considered a valuable incentive to greater efforts on the part of such employees, and thus an aid to production. Because of such bonuses, it has been common for employers to pay to such employees, and for such employees to accept, fixed salaries substantially less in amount than such employers would otherwise have been willing to pay and such employees willing to accept. The methods by which bonuses paid to wage earners are computed, awarded or paid usually differ essentially from the method of computing, awarding or paying bonuses to the executive, administrative and professional group to such an extent that it is not practicable for the Salary Stabilization Board to follow in their entirety the policies established by the Wage Stabilization Board in General Wage Regulation No. 14.

This regulation relates to companies which in the past have paid bonuses. The Salary Stabilization Board recognizes that this regulation does not provide for new bonus plans and may not make adequate provision for companies in depressed industries, or for expanding companies. Bonus plans for such companies may subsequently be made the subject of subsidiary policy upon the basis, among other things, of applications for approval of such plans.

In the formulation of this regulation due consideration has been given to the standards and procedures set forth in Title IV and Title VII of the Defense Production Act, as amended; there has been consultation with industry representatives, including trade association representatives, and consideration has been given to their recommendations.

REGULATORY PROVISIONS

- Sec.
1. Scope of this regulation.
 2. Base period bonus fund and base bonus year.
 3. Bonuses pursuant to a contract or established plan under which both computation and allocation are predetermined.
 4. Bonuses pursuant to an established plan under which allocation is of a discretionary nature.
 5. Discretionary bonuses.
 6. Increases or decreases in bonus fund.
 7. Inequities created by payment of bonuses.
 8. Time of payment.
 9. Application of Section 8 of General Salary Stabilization Regulation 1.
 10. Records to be kept and reports to be filed by employers.
 11. Application to other laws.
 12. Applicability of General Wage Regulation No. 14.

AUTHORITY: Sections 1 to 12 issued under sec. 704, Pub. Law 774, 81st Cong., as amended, Pub. Law 96, 82d Cong. Interpret or apply Title IV, Pub. Law 774, 81st Cong., as amended, Pub. Law 96, 82d Cong.; Executive Order 10161, September 9, 1950, 15 F. R. 6105.

SECTION 1. Scope of this regulation. This regulation applies to profit-sharing and other bonuses of the nature paid

to executive, administrative and professional employees and outside salesmen under the jurisdiction of the Salary Stabilization Board, and to payments generally known as "bonuses" as distinguished from payments generally known as "commissions." The regulation applies to all such bonuses, whether payable in cash or securities or other property and whether all or a part of such bonus is set aside, in a trust or otherwise, for the present or future benefit of the employees. The regulation also applies to Christmas, year-end vacation and like bonuses.

The regulation does not apply to production and similar wage earner bonuses or to salesmen's commissions. Specifically, but without limiting the foregoing, the regulation does not apply to bonuses:

(a) Which are directly related to hours worked, or to units produced or sold, or which are otherwise normally considered part of a wage or salary earner's ordinary compensation, or

(b) Which have been customarily computed and paid more frequently than every three months.

The word "employees," as used in this regulation, applies only to employees subject to the jurisdiction of the Salary Stabilization Board. Any employees not subject to the jurisdiction of the Salary Stabilization Board shall be excluded from any group or unit to which bonuses are paid in accordance with this regulation.

SEC. 2. Base period bonus fund and base bonus year. As used in this regulation,

(a) The words "base period bonus fund" shall mean either

(i) The total of all bonuses paid in, or payable with respect to, the calendar year 1950, or

(ii) One-third of the total of all bonuses paid in, or payable with respect to, three years selected by the employer out of the five calendar years from 1946 to 1950, both inclusive.

The selection as between these alternatives may be made by the employer, but once made shall be used for all purposes of this regulation.

(b) The words "base bonus year" shall mean the calendar year 1950 or, if the employer selects a three-year period pursuant to section 2 (a) (ii), shall mean any one of such three calendar years.

SEC. 3. Bonuses pursuant to a contract or established plan under which both computation and allocation are predetermined. (a) For the purpose of this regulation, the words "a contractual bonus" shall mean a bonus payable pursuant to a certificate of incorporation, by-law or similar corporate document or to a contract, memorandum or other written instrument in effect on January 25, 1951, which provides a definite method or formula for both the computation and the allocation of the bonus and which confers upon an employee or employees a right to receive the bonus determined in accordance with such method or formula.

(b) A contractual bonus may be paid in accordance with the terms of the written instrument pursuant to which

it is payable, but no increase in such a bonus may be paid to any employee as the result of a change, subsequent to January 25, 1951, in the method or formula for the computation or distribution of the bonus.

SEC. 4. Bonuses paid pursuant to an established plan under which allocation is of a discretionary nature. An employer having an established written plan in effect on January 25, 1951, with a definite method or formula for the computation of a bonus fund, but under which the allocation and amount of individual bonuses to be paid are discretionary, may treat as the bonus fund an amount not in excess of the base period bonus fund or the amount produced by the application of the method or formula for the computation of the bonus fund, whichever is the less, subject to the provisions of section 6: *Provided, however, That*

(a) No increase in the bonus fund may be made as the result of a change, subsequent to January 25, 1951, in the method or formula for computation of the bonus fund;

(b) No employee shall be paid a bonus in an amount in excess of the highest single bonus paid or payable to any employee in or with respect to the base bonus year; and

(c) The allocation of bonuses shall conform to the historical or usual practices of the employer in effect on January 25, 1951, and if, in accordance with such practices, bonuses were allocated to employees in one or more groups or units, no employee in any such group or unit shall be paid a bonus in an amount in excess of the highest single bonus paid or payable to any employee within such group or unit in or with respect to the base bonus year.

SEC. 5. Discretionary bonuses. Bonuses other than those provided for in sections 3 and 4 of this regulation may be paid subject to the following conditions:

(a) An employer may pay to an employee a bonus not in excess of the highest bonus paid or payable to such employee in or with respect to the calendar year 1950.

(b) In lieu of paying bonuses under the provisions of section 5 (a), the employer, subject to the provisions of section 6, may at his election treat as a bonus fund distributable in his discretion among such of his employees as he may select an amount not in excess of the base period bonus fund: *Provided, however, That*

(i) No employee shall be paid in an amount in excess of the highest single bonus paid or payable to any employee in or with respect to the base bonus year.

(ii) That the allocation of bonuses shall conform to the historical or usual practices of the employer in effect on January 25, 1951, and that if, in accordance with such practices, bonuses were allocated to employees in one or more groups or units, no employee in any such group or unit shall be paid a bonus in an amount in excess of the highest single bonus paid or payable to any em-

ployee within such group or unit in or with respect to the base bonus year.

SEC. 6. Increases or decreases in bonus fund. (a) The words "bonus group" shall mean a group or unit of employees subject to the jurisdiction of the Salary Stabilization Board to or among whom the employer distributed bonuses as an historical or usual practice in effect on January 25, 1951.

(b) If the aggregate number of employees in a bonus group shall have increased through hiring, promotions, or transfers, the bonus fund authorized by sections 4 and 5 of this regulation may be increased by an amount equal to:

(i) The average bonus paid or payable to the employees in the bonus group in or with respect to the base bonus period.

(ii) Multiplied by the net increase in employees in the bonus group;

Provided, however, That the average bonus paid to the employees in the bonus group shall not exceed the average bonus paid or payable to the employees in or with respect to the bonus group in the base bonus year.

(c) If the aggregate number of employees in a bonus group shall have decreased for any reason, the bonus fund authorized by sections 4 and 5 of this regulation shall be decreased by an amount equal to:

(i) The average bonus paid or payable to the employees in the bonus group in or with respect to the base bonus period.

(ii) Multiplied by the net decrease in employees in the bonus group.

(d) The purpose of this section is to authorize the payment of aggregate bonuses notwithstanding fluctuations in annual employment. This section shall be used only for that purpose and shall not be applied so as to cause disparities in bonus allocations inconsistent with the historical or usual practices of the employer.

SEC. 7. Inequities created by payment of bonuses. Any inequities created by the payment or allocation of a bonus under this regulation shall not constitute a basis for adjustment in salaries or other compensation.

SEC. 8. Time of payment. No bonus shall be paid in any calendar year prior to the time when such bonuses were customarily paid during the base bonus year. Bonuses which were payable in installments during the base bonus year shall not be accelerated in time of payment.

SEC. 9. Application of section 8 of General Salary Stabilization Regulation 1. (a) Bonuses payable in accordance with the terms of this regulation shall not be considered "regularly paid bonuses" for the purpose of inclusion in salary levels within the meaning of section 8 (b) (3) of General Salary Stabilization Regulation 1.

(b) To the extent that permissible increases based upon salaries and compensation (other than bonuses) authorized by section 8 of General Salary Stabilization Regulation 1 have not been exhausted, such increases may be added to the bonus fund authorized by this regulation and paid by way of bonuses.

(c) Any increase in bonuses made prior to January 25, 1951, or authorized by this regulation (other than an increase provided for in paragraph (b) of this section 9) need not be taken into account in determining increases in salary or other compensation permitted under section 8 of General Salary Stabilization Regulation 1.

SEC. 10. Records to be kept and reports to be filed by employers. (a) Employers shall keep records sufficient to establish compliance with this regulation. Such records shall be maintained for three years following each calendar year in which bonus payments are made, for the purpose of such inspection or the preparation of such reports (in addition to the reports required by paragraph (b) of this section) as the Office of Salary Stabilization may hereafter authorize or require.

(b) In the event that a bonus fund is increased pursuant to section 6 of this regulation, a report setting forth the pertinent facts, including the amount and the basis of the increase, shall be filed with the Office of Salary Stabilization within thirty days after payment or allocation from the bonus fund has been made.

SEC. 11. Application to other laws. Nothing in this regulation shall affect any determination as to the validity or propriety or effect of any payment made under this regulation for the purpose of any other law or regulation of the United States, or of any state, territory, possession or subdivision thereof.

SEC. 12. Applicability of General Wage Regulation No. 14. The Salary Stabilization Board has heretofore temporarily authorized the payment of bonuses under General Wage Regulation No. 14 (16 F. R. 7509) in respect of employees subject to its jurisdiction. Such authority is hereby terminated without prejudice to the validity of any action heretofore taken pursuant to such authority: *provided, however,* That in no event shall bonuses paid in any calendar year exceed in amount the bonuses authorized by this regulation.

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

Adopted by the Salary Stabilization Board on August 17, 1951.

R. B. ALLEN,
Chairman.

[F. R. Doc. 51-10086; Filed, Aug. 20, 1951; 11:52 a. m.]

Chapter III—Office of Price Stabilization, Economic Stabilization Agency

[Ceiling Price Regulation 4, Amdt. 2]

CPR 4—ANTHRACITE DELIVERED FROM MINE OR PREPARATION PLANT

REPORTING OF SERVICES AND POCKET CHARGES

Pursuant to the Defense Production Act of 1950 as amended, Executive Order 10161 (15 F. R. 6105), and Economic

Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 2 to Ceiling Price Regulation 4 is hereby issued.

STATEMENT OF CONSIDERATIONS

Charges made by the producer of anthracite coal for special services and pocket charges may, under section 8 of Ceiling Price Regulation 4 be added to the applicable ceiling price of the coal so serviced. No reporting or filing of these services or the charges made therefor has been required by the regulation.

Many of these services—such as calcium chloride treatment, oil treatment, specially prepared sizes, split cars (containing more than one size), partitions, box-car loading, truck loading from pockets at the mines, bags and bagging, and the making of local or retail deliveries from the mine or adjunct preparation plant—have been rendered for some time and many new services which are performed have basic similarities. In order to effectuate the purposes of the Defense Production Act of 1950, it is deemed necessary that the Office of Price Stabilization receive sufficient information so as to ascertain that the charges made for the services being rendered are proper under the provisions of the regulation.

Many services are seasonal and some services were not performed during the base period. The information required by this amendment will allow the Office of Price Stabilization to formulate a fair and equitable amendment under which proposed charges for new services could be processed.

In order to obtain this information, it is necessary that the producers of anthracite and briquets rendering services as described, or inaking pocket charges, report the type of services rendered, the method of performing these services, and the prices charged therefor.

This amendment is not intended to modify in any way the provisions of Ceiling Price Regulation 4 as amended.

In the judgment of the Director of Price Stabilization this amendment is generally fair and equitable and is necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950.

AMENDATORY PROVISIONS

Ceiling Price Regulation 4 is further amended as follows:

1. Section 8, "Special services", is amended as follows:

"After the words 'Section 8, Special services' and before the words 'there may be added', there is inserted the following: '(a)'".

2. Section 8 is further amended by the addition of the following:

(b) Every producer subject to Ceiling Price Regulation 4, as amended, or Supplementary Regulation 1 thereto, who has added or does add to the applicable ceiling prices for anthracite or briquets a charge for any special service or pocket charge, pursuant to paragraph (a) of this section, shall file, on or before September 15, 1951, the following information by letter addressed to the Office of Price Stabilization, Solid Fuels Branch, Washington 25, D. C.: (1) Name and address of the producer reporting; (2) name, number or other designation of

the mine or mines, plant or plants, or other facility or facilities at which the special services or pocket charges are made; (3) a full description of the special service or pocket charge made and the equipment, material, or facilities used; and (4) the charges made for such special service or pocket charge."

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154.)

Effective date. This amendment shall become effective August 25, 1951.

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

MICHAEL V. DiSALLE,
Director of Price Stabilization.

AUGUST 20, 1951.

[F. R. Doc. 51-10096; Filed, Aug. 20, 1951;
4:00 p. m.]

[Ceiling Price Regulation 34, Amdt. 1]

CPR 14—SERVICES

MISCELLANEOUS AMENDMENTS

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 1 to Ceiling Price Regulation 34 is hereby issued.

STATEMENT OF CONSIDERATIONS

This Amendment 1 to Ceiling Price Regulation 34 clarifies and amplifies that ceiling price regulation. Sections 12 (d), 13 (a), 13 (b), 13 (c), 18, 18 (b) (1) and 18 (g) [new] have been the subject of miscellaneous clarifying amendments. Section 5 (a) (2) is amended to provide that an offer in writing to supply a service in the base period may be evidenced by a written invoice made prior to the base period but after December 31, 1949. An addition to section 20 (a) has been made prescribing the information required, by way of a form or otherwise, from a supplier who may seek a general adjustment of his ceiling price. Section 20 (b) is implemented by the introduction of a new adjustment paragraph (c), which permits a purchaser of non-retail services who agrees to absorb the increased price charged to him by his sellers, who are threatening to discontinue the supplying of those services and who are too numerous to make practicable any recourse to an adjustment of that price by a buyer-seller agreement under paragraph (b), to make an application to the Director of Price Stabilization to pay his sellers as much as but no more than the price he would be required to pay other supplying sources for such services.

Section 26 is amended, so that the provisions of Ceiling Price Regulation 34 are made applicable to the territories and possessions as of the effective date of this amendment. The territories and possessions were excluded from that regulation, as issued, because the supplementary regulations to be issued under such Ceiling Price Regulation 34 were

to be tailored to conditions existing in the economy of the continental United States and, therefore, not necessarily suitable to the needs of the territories and possessions. It has now been determined that there will be two series of supplementary regulations issued under such Ceiling Price Regulation 34, one applicable to the continental United States, and the other to the territories and possessions. The latter will be labeled "Territorial Supplementary Regulations". The filing date in section 18 for the listed territories and possessions will, of course, be computed only from the effective date of this amendment.

The technical nature and routine character of the provisions of this amendment made it unnecessary to consult formally with industry representatives, although wherever feasible various representatives from service fields were informally consulted and consideration was given to their recommendations. In the judgment of the Director of Price Stabilization the provisions of this regulation are generally fair and equitable and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended.

AMENDATORY PROVISIONS

Ceiling Price Regulation 34 is amended in the following respects:

1. Subparagraph (2) of paragraph (a) of section 5 is amended by adding after the first sentence thereof the following: "Such an offer in writing must be one made in the base period or be evidenced by an invoice made prior thereto but after December 31, 1949."

2. The second sentence of paragraph (d) of section 12 is amended by striking "class" and inserting in the place thereof "category", and as amended to read as follows: "However, if you followed the practice of maintaining individually negotiated prices, the ceiling price to a new purchaser is the arithmetic average of your base period ceiling prices to purchasers of the same category for the same service."

3. Paragraph (a) of section 13 is amended by striking therefrom "May 16, 1951" and inserting in the place thereof "January 25, 1951".

4. Paragraph (b) of section 13 is amended to read as follows:

(b) *Moving.* If you sell services at retail and move the business out of your trading area after January 25, 1951, you must apply to OPS for establishment of your ceiling prices under section 7 of this regulation. If you move the business in the same trading area you must keep the same ceiling prices.

5. A new paragraph (c) is added to section 13 to read as follows:

(c) *Chains.* If you operate one or more selling units and you open a new unit after January 25, 1951, you must apply to OPS for establishment of your ceiling prices for that unit under section 7 of this regulation, except that if you close a selling unit and open another one in the same trading area, your ceiling prices for the new unit shall be the same as those of the unit you closed.

6. The title of section 18 is amended by striking the period after "posting" in line 2 and inserting in the place thereof a semicolon followed by "reports", and as amended to read as follows:

SEC. 18. *Records; filings of statements; posting; reports.*

7. Subparagraph (1) of paragraph (f) of section 18 is amended by striking the phrase "at retail" in line 3, and as amended to read as follows:

(f) *Posting.* (1) OPS may require you to post your ceiling prices for any service which you sell whenever it is deemed necessary to the effective enforcement of this regulation.

8. A new paragraph (g) is added to section 18 to read as follows:

(g) *Reports.* The Director of Price Stabilization may from time to time require reports and information subject to the approval of the Bureau of the Budget under the Federal Reports Act of 1942. Such reports must be filed with the Office of Price Stabilization, Washington 25, D. C., or with the appropriate OPS district office if you are instructed to do so, at such time, in such form and in accordance with such instructions as shall be required or approved.

9. Paragraph (a) of section 20 is amended by adding at the end thereof the following:

You may apply to the Director of Price Stabilization, Washington 25, D. C., for an adjustment under this paragraph pursuant to the form listed below which is applicable to the services you supply:

(i) If you are a seller of automotive, farm implement, appliance or other repair services priced by a customers' hourly rate, you must complete and file, in duplicate, with the Director, OPS Public Form No. 42.

(ii) If you are a seller of any services other than those provided for in subdivision (i) above, you must complete and file, in duplicate, with the Director, OPS Public Form No. 43 and such other data as may be required thereby.

(iii) Should OPS Public Forms Nos. 42 or 43 be considered by OPS to be inappropriate for a particular applicant, OPS may require, as a condition for applying for an adjustment hereunder, that the applicant furnish to the Director the information OPS may prescribe.

10. A new paragraph (c) is added to section 20 to read as follows:

(c) *Application by purchaser who buys services from numerous sellers.* If a purchaser buys non-retail services from sellers who are too numerous to make recourse to paragraph (b) of this section practicable and who are threatening to discontinue supplying him with such services, the purchaser may, if he agrees to absorb the price increase above the ceiling, apply to the Director of Price Stabilization, Washington 25, D. C., for permission to pay to his sellers for the supplying of such services as much as but no more than he would be required to pay other suppliers therefor. Such letter should show the nature and extent of the sellers' cost increases, and, where practicable the names and addresses of the

sellers and the ceiling prices of each. A price increase under this paragraph may not become effective until the applicant is advised in writing of OPS approval, which will be given only where it is clear that there is no practicable recourse to paragraph (b) of this section, and where granting such approval will not be inconsistent with the purposes of the Defense Production Act of 1950, as amended.

11. Section 26 is amended to read as follows:

SEC. 26. Applicability. This regulation applies to services supplied in the 48 States of the United States, the District of Columbia, and Alaska, Guam, Hawaii, Puerto Rico, Samoa and the Virgin Islands.

Effective date. This Amendment 1 to Ceiling Price Regulation 34 is effective August 25, 1951.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

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

MICHAEL V. DiSALLE,
Director,

Office of Price Stabilization.

AUGUST 20, 1951.

[F. R. Doc. 51-10097; Filed, Aug. 20, 1951;
4:00 p. m.]

[General Ceiling Price Regulation, Supplementary Regulation 51]

GCPR, SR 51—ADJUSTABLE PRICING FOR SALES OF CERTAIN CANNED AND FROZEN BERRIES, FRUITS AND VEGETABLES, THEIR JUICES, AND CANNED SOUPS

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Supplementary Regulation 51 to the General Ceiling Price Regulation is hereby issued.

STATEMENT OF CONSIDERATIONS

Production of seasonal packs of canned and frozen fruits, berries and vegetables, the juices thereof, and canned soups is now at its peak. It is necessary for processors of these products to move their production into normal channels of distribution in order to relieve shortages of warehouse space of individual processors and to receive payment for their current production to finance production of later packs. Issuance or amendment of tailored regulations covering all of these products has been delayed by various causes and, accordingly, it is necessary to authorize a pricing method which will permit prompt shipment and payment with respect to these seasonal products pending either the inclusion of these products in existing tailored regulations or the issuance of further tailored regulations for these seasonal products. Specific action fixing ceiling prices by tailored regulation will be taken under the Defense Production Act, as amended, as soon as possible. When a particular

product is covered by a specific regulation, the temporary authority given by this supplementary regulation is automatically revoked for that product.

The temporary pricing method authorized by this supplementary regulation permits the processor to sell at a price agreed upon between him and his buyers. However, the processor must agree with his buyer that the final sales price will be either the contract price or the subsequent ceiling price for the item, whichever is lower. Also, the seller must agree to refund to his buyer the difference between the two prices, if the subsequent ceiling price is lower than the contract price, and if payment has been made.

In the judgment of the Director of Price Stabilization the provisions of this supplementary regulation are generally fair and equitable and are necessary to effectuate the purposes of the Defense Production Act of 1950, as amended. So far as practicable, the Director has given due consideration to the national effort to achieve maximum production in furtherance of the Defense Production Act of 1950, as amended, to prices prevailing during the periods named in section 402 of the act, and to relevant factors of general applicability.

This regulation is issued to meet an emergency problem. Prior to the issuance of this regulation, the Director consulted with representatives of the industry and has given consideration to their recommendations.

REGULATORY PROVISIONS

Sec.

1. Coverage of this supplementary regulation.
2. Adjustable pricing.
3. Automatic revocation.
4. Effective date.

AUTHORITY: Sections 1 to 4 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154. Interpret or apply Title IV, 64 Stat. 803, as amended; 50 U. S. C. App. Sup. 2101-2110. E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.

SECTION 1. Coverage of this supplementary regulation. This supplementary regulation applies to all sales by processors of all canned fruits, berries, vegetables, the juices thereof, and canned soups, and of frozen fruits, berries, vegetables and the juices thereof, which are not specifically covered by Ceiling Price Regulations 22, 42, 55 or 56, or by any other ceiling price regulation hereafter issued.

SEC. 2. Adjustable pricing. A processor of the canned fruits, berries, vegetables, and juices thereof, canned soups, or of frozen fruits, berries, or vegetables, or the juices thereof, which are described in Section 1 of this supplementary regulation may offer to sell, or sell and deliver, and may receive payment for sales and deliveries of the described processed fruits, berries, juices, vegetables and canned soups at a contract price (agreed upon in writing between the processor and his buyer): *Provided*, That the seller and buyer shall agree in writing that the final price for any sale or delivery of an item under this supplementary regulation shall be either the

contract price or the ceiling price first effective for the item under any applicable ceiling price regulation now in effect or hereafter issued, fixing ceiling prices for the 1951 pack of that item, whichever price is the lower: *And provided further*, That the seller shall agree in writing with the buyer to refund promptly to the buyer the difference between the contract price for the item and any lower ceiling price for the item for which payment has been received by the seller.

SEC. 3. Automatic revocation. This regulation shall be automatically revoked with respect to a particular product described in section 1 of this supplementary regulation on the issuance date of a specific regulation or amendment of a ceiling price regulation to cover the particular product.

SEC. 4. Effective date. This supplementary regulation shall become effective on August 20, 1951.

MICHAEL V. DiSALLE,
Director of Price Stabilization.

AUGUST 20, 1951.

[F. R. Doc. 51-10131; Filed, Aug. 20, 1951;
5:15 p. m.]

[General Overriding Regulation 2, Amdt. 3]
GOR 2—SALES TO THE UNITED STATES, ITS AGENTS AND SUPPLIERS

STAMPED ENVELOPES AND PAPER

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 3 to General Overriding Regulation 2 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment exempts from price control sales of stamped envelopes and the paper from which such envelopes are produced. These stamped envelopes were exempted from price control by OPA under the provisions of Supplementary Order 45, effective December 12, 1944 for substantially the same reasons proposed in this action.

Stamped envelopes sold to the United States Government are manufactured by one supplier who is prohibited from selling to others. From the moment of their manufacture until shipment to the Post Office Department these envelopes are in the custody of the United States Government Agent located at the supplier's plant. The paper itself, bearing the Government's watermark, is manufactured and shipped under Government supervision and has no other end use.

The primary value of the envelope to the user lies in the stamp that has been impressed upon it. Under the existing law these envelopes are sold by the Government at their approximate cost plus the value of the postage stamp.

These envelopes are currently being purchased under a four-year contract which became effective January 1, 1949. This contract provides that if an increase of twenty percent or more occurs

in the production costs of the envelope manufacturer or his suppliers of paper, the envelope manufacturer may apply to the Postmaster General for an adjustment of the contract price to the extent necessary to return to him the same percent of net profit permitted in the original contract. The finding of such cost increase is subject to verification by the Federal Trade Commission or other Government agency designated by the Postmaster General. A similar provision is made for a reduction in the price of envelopes if the costs of the envelope manufacturer or his paper suppliers decrease. A provision in the contract between the envelope manufacturer and his suppliers of paper permits an upward or downward revision of the prices of paper based on the findings of the Federal Trade Commission or other designated agency of the Government.

The manufacturer of stamped envelopes is currently frozen at a price level existing in October 1948 when the bid for the current contract was submitted. Manufacturers of plain envelopes not sold to the Government are now frozen at prices in effect during the period December 19, 1950-January 25, 1951.

As previously mentioned, every increase or reduction in the price of stamped envelopes is predicated upon an exhaustive study of the cost of the two paper suppliers and the envelope manufacturer by the Federal Trade Commission or other Government Agency. Since the upward or downward movement of the price of stamped envelopes is directly related by contract to the cost of the production of the special paper involved, it is proper also to exempt the sale of this paper to the envelope manufacturer. There is no threat of inflationary increases in the price of stamped envelopes since the cost increases are closely scrutinized and relief is available only after production costs have risen by at least 20 percent.

AMENDATORY PROVISIONS

1. The title of this regulation "Sales to the United States" is changed to "Sales to the United States, its Agents and Suppliers".

2. Section 4 of General Overriding Regulation 2 entitled "Definitions" is hereby renumbered section 0.

3. A new section 4 is added reading as follows:

SEC. 4. Sales of stamped envelopes and paper. No price regulation shall apply to the sale of stamped envelopes to or by the United States Post Office Department or the paper manufactured for use in such envelopes.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment 3 shall become effective on August 20, 1951.

MICHAEL V. DiSALLE,
Director of Price Stabilization.

AUGUST 20, 1951.

[F. R. Doc. 51-10098; Filed, Aug. 20, 1951; 4:00 p. m.]

[General Overriding Regulation 6, Amdt. 4].

GOR 6—EXEMPTIONS RELATING TO SPECIFIED NONPROFIT ORGANIZATIONS

SALES BY THE SALVATION ARMY TO ITS OFFICERS, SALVATIONISTS AND EMPLOYEES

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order 2 (16 F. R. 738), this Amendment 4 to General Overriding Regulation 6 is issued.

STATEMENT OF CONSIDERATIONS

This amendment to General Overriding Regulation 6 adds certain merchandise sales to those exempted by the regulation from any price regulations issued by the Office of Price Stabilization. The sales here exempted are sales by The Salvation Army of articles of personal use to the organization's officers, Salvationists and employees.

As was pointed out in the Statement of Considerations accompanying Amendment 2 to General Overriding Regulation 6 which exempted sales of used and waste goods sold by the organization, The Salvation Army is a religious and charitable nonprofit organization. The articles covered by the present amendment are sold by The Salvation Army only to persons associated with the organization for the personal use of those individuals, and are principally articles of uniform and apparel and insignia peculiar to that organization. None of the articles is sold by The Salvation Army to the general public. The excess of proceeds of sale over cost furthers the purposes of the organization by contributing to the maintenance of retired Salvation Army officers or to the training of prospective officers.

Generally, the considerations stated in support of General Overriding Regulation 6 are likewise applicable to the sales here referred to. In the judgment of the Director of Price Stabilization the exemption provided for by this amendment will not impair the carrying out of the requirements of the Defense Production Act of 1950, as amended, and it is accordingly not necessary for ceilings to be applied to these sales.

To the extent practicable under the circumstances, the Director has consulted with persons involved prior to the issuance of this amendment and has given consideration to their recommendations.

AMENDATORY PROVISION

General Overriding Regulation 6 is amended as follows:

1. By adding the following new paragraph to section 4:

No price regulation issued by the Office of Price Stabilization applies to sales by The Salvation Army of articles of personal use to Salvation Army officers, Salvationists and employees.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154.)

Effective date. This amendment to General Overriding Regulation 6 shall become effective August 20, 1951.

MICHAEL V. DiSALLE,
Director of Price Stabilization.

AUGUST 20, 1951.

[F. R. Doc. 51-10094; Filed, Aug. 20, 1951; 12:32 p. m.]

[General Overriding Regulation 9, Amdt. 5]

GOR 9—EXEMPTIONS OF CERTAIN INDUSTRIAL MATERIALS AND MANUFACTURED GOODS

SALES OF "ANTIQUE AUTOMOBILES"

Pursuant to the Defense Production Act of 1950 as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 5 to General Overriding Regulation 9 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment removes automobiles more than twenty-five years old from price control. Such automobiles are usually sold as "antiques", and many of them apparently have a value far in excess of the oldest models listed in the Automobile Guide Books, the price of which previously determined the ceiling price of such cars. Such cars are bought by very few people, and they are not commodities that enter into the cost of living, the cost of the Defense effort, or general industrial costs. Their value depends on considerations quite apart from those involved in price stabilization. Any ceiling price restriction imposed on these commodities involves an administrative burden out of proportion to their effect on the economic stability of the Nation.

In view of the nature of this supplementary regulation, the Director of Price Stabilization has not found it necessary or practicable to consult formally with representatives of the industry.

AMENDATORY PROVISIONS

General Overriding Regulation 9 is amended in the following respect:

1. Section 2 (a) (19) is added to read as follows:

(19) *Sales of antique automobiles.* "Antique automobile" means any passenger automobile which is more than twenty-five years old.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment shall become effective on August 20, 1951.

MICHAEL V. DiSALLE,
Director of Price Stabilization.

AUGUST 20, 1951.

[F. R. Doc. 51-10095; Filed, Aug. 20, 1951; 12:32 p. m.]

[General Overriding Regulation 9, Amdt. 6]

GOR 9—EXEMPTIONS OF CERTAIN INDUSTRIAL MATERIALS AND MANUFACTURED GOODS

SALES OF SHIPS FOR MILITARY USE

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738) this Amendment 6 to General Overriding Regulation 9 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment adds military ships to the list of commodities freed from Price Control restriction by General Overriding Regulation 9. Ships were inadvertently omitted from the list of military commodities which were freed from price control restriction when Amendment 1 to GOR 9 was issued. The considerations for freeing the commodities listed in Amendment 1 to GOR 9 from price control are also operative with respect to military ships.

In view of the nature of this supplementary regulation, the Director of Price Stabilization has not found it necessary or practicable to consult formally with representatives of the industry.

AMENDATORY PROVISIONS

1. Section 2 (a) (5) (i) is amended to read as follows:

(i) Aircraft, armored trains, electronic and communication devices, ground handling equipment for aircraft, instruments, radar, range finders, sonar, military tactical trucks and trailers, tanks, self-propelled artillery, cargo tractors, amphibious cargo tractors, armored infantry carriers and ships.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment shall become effective August 20, 1951.

MICHAEL V. DiSALLE,
Director of Price Stabilization.

AUGUST 20, 1951.

[F. R. Doc. 51-10099; Filed, Aug. 20, 1951; 4:00 p. m.]

[Ceiling Price Regulation 22, Correction to Amdt. 1 to Supplementary Regulation 8]

CPR 22—MANUFACTURERS GENERAL CEILING PRICE REGULATION

SR 8—METHOD FOR DETERMINING CEILING PRICES FOR CERTAIN RUBBER PRODUCTS

Due to a clerical error in Amendment 1 to Supplementary Regulation 8 to Ceiling Price Regulation 22, the table in section 4 under the sub-head "Hard Rubber" is incorrect in two respects, namely, the factor base period set forth as to the commodity "Smoking pipe bits", and the description of the commodity numbered 9 in that table. Accordingly, the tabulation sub-headed "Hard Rubber" of section 4, as amended by Amendment 1 to Supplementary Regulation 8 of Ceiling Price Regulation 22, is corrected to read as follows:

HARD RUBBER

Kind of rubber product	Factor base period	Factor	Original base period
1. Ground rods.....	Jan. 1, 1950-Mar. 31, 1950....	1.2574	Jan. 1, 1950-Mar. 31, 1950.
2. Sheets.....	do.....	1.3563	Do.
3. Ground tubes.....	do.....	1.4114	Do.
4. Pipe.....	do.....	1.1981	Do.
5. Fittings.....	do.....	1.0990	Do.
6. Smoking pipe bits.....	July 1, 1949-Sept. 30, 1949....	1.2469	July 1, 1949-Sept. 30, 1949.
7. Storage battery containers, automotive.....	Jan. 1, 1950-Mar. 31, 1950....	1.160	Jan. 1, 1950-Mar. 31, 1950.
8. Storage battery cover parts, automotive.....	do.....	1.2025	Do.
9. Composition storage battery containers.....	July 1, 1949-Sept. 30, 1949....	1.2750	July 1, 1949-Sept. 30, 1949.

MICHAEL V. DiSALLE,
Director of Price Stabilization.

AUGUST 21, 1951.

[F. R. Doc. 51-10142; Filed, Aug. 21, 1951; 11:19 a. m.]

[Ceiling Price Regulation 22, Amdt. 23]

CPR 22—MANUFACTURERS' GENERAL CEILING PRICE REGULATION

MISCELLANEOUS AMENDMENTS

Pursuant to the Defense Production Act of 1950 as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 23 to Ceiling Price Regulation 22 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment removes the following commodities from Ceiling Price Regulation 22 coverage by adding them to Appendix A of that regulation: sodium silicofluoride; sulphur; butadiene derived from non-petroleum sources; carbon black of channel, furnace and thermal types; and wood tar products, pyroligneous acid, acetic acid, acetate of lime and methyl alcohol when derived from hardwood distillation. The effect of their removal from Ceiling Price Regulation 22 is to place them under the coverage of the General Ceiling Price Regulation.

Most sodium silicofluoride is derived as a by-product in the acidulation of phosphate rock. Price declines in the past five years have made fewer producers interested in recovery processes to obtain sodium silicofluoride. This product has, however, gained in importance since Korea largely because of the successful promotion of water fluoridation programs for municipalities and public authorities supplying drinking water. Water fluoridation is intended to help arrest decay in children's teeth and is approved and encouraged by the United States Public Health Service and recommended by the American Dental Association. A rapidly increasing number of local public authorities are formulating plans, in cooperation with their local dental societies, to effect this program. It is apparent from present estimates that this new development in the demand for the product will require a large increase in production.

During the pre-Korean base periods used in Ceiling Price Regulation 22, sodium silicofluoride was selling at the lowest price that commodity has experienced in recent years. By the time prices were frozen by the General Ceiling Price Regulation, however, prices of

sodium silicofluoride had recovered substantially. Because of the abnormally low pre-Korean prices, substantial rollbacks would have resulted from the application of Ceiling Price Regulation 22. These rollbacks would not only have jeopardized plans for putting additional facilities into production, but might also have effected a reduction in the output of existing producers. Accordingly, it has been determined to remove this commodity from Ceiling Price Regulation 22, and avoid a possible impediment to production by retaining ceiling prices under the General Ceiling Price Regulation, pending a study by the Office of Price Stabilization to determine what further price action, if any, is necessary.

Sulphur mined in its natural form by the Frasch method is now excluded from Ceiling Price Regulation 22 as a non-metallic mineral exempt from Ceiling Price Regulation 22 by paragraph (v) of Appendix A. Some sulphur, however, is now being obtained from sour natural and refinery gases through chemical processes. Since this sulphur is not deemed a non-metallic mineral derived from its natural state solely by physical or mechanical processes, it is not exempt from Ceiling Price Regulation 22 by virtue of paragraph (v) of Appendix A. It is, however, desirable that all sulphur be subject to the same price regulation regardless of the method of production. Sulphur from any source is, therefore, placed under the General Ceiling Price Regulation, the regulation now governing the ceiling price of the major production of sulphur.

Butadiene derived from petroleum sources is subject to Ceiling Price Regulation 17, whereas butadiene derived from sources other than petroleum, such as alcohol, would be subject to Ceiling Price Regulation 22. As in the case of sulphur, it is desirable that all butadiene be subject to the same or similar pricing patterns. Ceiling Price Regulation 17, controlling butadiene from petroleum sources is a freeze type regulation similar to the General Ceiling Price Regulation. The placing of butadiene from non-petroleum sources under the General Ceiling Price Regulation, therefore, puts the non-petroleum commodity in a position paralleling that of the petroleum commodity.

Butadiene derived from petroleum sources, when sold for use in making

synthetic rubber, is exempt under section 2 of Ceiling Price Regulation 17 from all Office of Price Stabilization regulations. Accordingly, an amendment to General Overriding Regulation 3 is being issued simultaneously with this amendment, excluding from all Office of Price Stabilization regulations butadiene derived from non-petroleum sources, when sold for use in making synthetic rubber.

The bulk of the raw materials used in the carbon black industry is obtained under long term gas contracts and it has been found difficult to determine with any degree of accuracy a real measure of the change in the costs of these raw materials since the pre-Korean period. Application of section 18, as amended, of Ceiling Price Regulation 22, to carbon black of the channel, furnace and thermal types might lead to highly unrealistic results and abnormal price increases. Some important producers have indicated that they do not desire to put these increases into effect. In view of the foregoing, and the apparent adequacy of the ceiling prices under the General Ceiling Price Regulation, it has been determined to leave carbon black prices under the general freeze regulation rather than to place them under Ceiling Price Regulation 22.

By exempting pyroligneous acid, acetic acid, acetate of lime, methyl alcohol and tar products from Ceiling Price Regulation 22, the co-products of the hardwood distillation industry will be subject to the General Ceiling Price Regulation and will be thus priced in the same manner as charcoal, the major product of that industry.

AMENDATORY PROVISIONS

Paragraph (i) of Appendix A of Ceiling Price Regulation 22 is amended by adding the following new subparagraphs 29, 30, 31, 32 and 33 to read as follows:

- (29) Sodium silicofluoride.
- (30) Sulphur.
- (31) Butadiene derived from non-petroleum sources.
- (32) Carbon black of channel, furnace and thermal types.
- (33) The following commodities when derived from hardwood distillation: pyroligneous acid, acetic acid, acetate of lime, methyl alcohol and wood tar products.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment shall become effective August 25, 1951.

MICHAEL V. DiSALLE,
Director of Price Stabilization.

AUGUST 21, 1951.

[F. R. Doc. 51-10141; Filed, Aug. 21, 1951; 11:19 a. m.]

[Ceiling Price Regulation 30, Supplementary Regulation 2, Rev. 1]

CPR 30—MACHINERY AND RELATED MANUFACTURED GOODS

SR 2, REV. 1—MACHINE TOOLS

Pursuant to the Defense Production Act of 1950, as amended, (Pub. Law 774, 81st Cong., Pub. Law 96, 82d Cong.).

Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Revised Supplementary Regulation 2 to Ceiling Price Regulation 30 is hereby issued.

STATEMENT OF CONSIDERATIONS

This revised supplementary regulation permits manufacturers to increase by 12 percent their base period prices for machine tools, machine tool attachments and certain machine tool parts, determined under Ceiling Price Regulation 30. Also, this revised supplementary regulation permits manufacturers to reflect increases in their labor and materials costs between the end of their base period and September 10, 1951 in determining their labor and materials costs adjustment under Ceiling Price Regulation 30. The time within which reports must be filed by manufacturers of machine tools, machine tool attachments and certain machine tool parts on Public Form 8 is extended to October 15, 1951. Those who already have filed these forms may redetermine their ceiling prices.

This revised supplementary regulation retains its original provisions, which permit machine tool manufacturers to increase their ceiling prices, determined under Ceiling Price Regulation 30, to reflect increased costs due to increased use of overtime and shift premium hours and increased subcontracting since the end of the manufacturer's base period. However, the manufacturer is now required to make refunds to compensate for overestimates of increased subcontracting costs within four months, rather than within sixty days, after he has had twelve months experience. This change is made to permit additional time for calculation. Also, the manufacturer is now permitted to calculate his increased costs, due to increased subcontracting, on the basis of his actual experience. If he does so, no refund is required.

On July 9, 1951, the Director of Defense Mobilization issued a directive requiring action on the part of several agencies of the Government in furtherance of the program for the expansion of production in the machine tool industry. This directive is described at greater length in the Statement of Considerations for the issuance of General Overriding Regulation 15.

As its part in the program for expanding the production of machine tools the Office of Price Stabilization was required to modify price controls on new machine tools to give manufacturers "the stimulus to expand their production for essential needs". Pursuant to the directive of the Director of the Office of Defense Mobilization, the Director of Price Stabilization issued General Overriding Regulation 15 on July 16, 1951. This revised supplementary regulation is a further action pursuant to this directive from the Office of Defense Mobilization.

In view of these considerations, this revised supplementary regulation permits manufacturers of machine tools, machine tool attachments and certain machine tool parts to determine their ceiling prices by increasing their base

period prices, determined under Ceiling Price Regulation 30, by 12 percent, and then adding to the result, their labor and materials cost adjustments, determined under Ceiling Price Regulation 30. In order to further insure adequate ceiling prices for machine tools this revised supplementary regulation also permits manufacturers of machine tools, machine tool attachments and certain machine tool parts to reflect in their labor and materials cost adjustments increases in their costs between the end of their base period and September 10, 1951.

In the preparation of this revised supplementary regulation conferences were held with the Machine Tool Industry Advisory Committee of the Office of Price Stabilization. The recommendations of that Committee are embodied in this revised supplementary regulation.

REGULATORY PROVISIONS

- Sec.
1. What this revised supplementary regulation does.
 2. Sellers and sales covered by this revised supplementary regulation.
 3. Ceiling prices.
 4. Modification of labor cost adjustment for increased overtime hours.
 5. Modification of labor cost adjustment for increased shift premium hours.
 6. Addition for increase in subcontracting.
 7. Redetermination of ceiling prices to reflect increased overtime and shift premium hours, and increased subcontracting.
 8. Reports.
 9. Applicability of provisions of CPR 30.
 10. Definitions.

AUTHORITY: Sections 1 to 10 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154. Interpret or apply Title IV, 64 Stat. 803, as amended; 50 U. S. C. App. Sup. 2101-2110, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105, 3 CFR, 1950 Sup.

SECTION 1. What this revised supplementary regulation does. (a) This revised supplementary regulation permits you to increase by 12 percent your base period prices for machine tools, machine tool attachments and certain machine tool parts, determined under CPR 30. It also permits you to reflect in your labor and materials cost adjustments for machine tools, machine tool attachments, and certain machine tool parts, determined under CPR 30, increases in your labor and materials costs to September 10, 1951. This revised supplementary regulation also permits you to reflect in your ceiling prices for machine tools, machine tool attachments and certain machine tool parts increases in your costs due to increased overtime or shift premium hours or increased subcontracting since the end of your base period. Increased costs for overtime and shift premiums are reflected in your ceiling prices by modifying the method of determining your labor cost adjustment set forth in CPR 30. Increased costs due to subcontracting are added to your ceiling prices determined under this revised supplementary regulation.

(b) This section is intended only as a general description to aid in understanding this revised supplementary regulation; the following sections are controlling.

Sec. 2. Sellers and sales covered by this supplementary regulation. This

revised supplementary regulation covers you if you are a manufacturer located in the United States, its territories or possessions, or the District of Columbia. It applies to any sale of any new and unused machine tool or machine tool attachment, as to which you are the manufacturer, except sales at retail. The terms "machine tool" and "machine tool attachment" are defined in section 10 (*Definitions*). It also applies to the sale of any machine tool part by the manufacturer of the machine tool of which it is a part where (1) the machine tool part is produced by the manufacturer of the complete machine tool of which it is a part, or (2) the machine tool part as produced by a subcontractor who produces the machine tool part in accordance with the specifications of the manufacturer of the complete machine tool. An explanation of the term "machine tool part" is found in section 10 (*Definitions*).

SEC. 3. Ceiling prices. You shall determine your ceiling price as follows:

(a) Determine your base period price to your largest buying class of purchaser in accordance with the applicable provisions of CPR 30.

(b) Multiply the price determined under paragraph (a) of this section by 112 percent.

(c) Determine your labor cost adjustment under the applicable provisions of CPR 30, except that you shall recompute your base period payroll on the basis of your wage rates in effect on March 15, 1951, or any date between March 15 and September 10, 1951, and add thereto any increase between the end of your base period and March 15, 1951, or any date between March 15 and September 10, 1951, in the cost to you of insurance plans, pension contributions for current work, paid vacations and similar "fringe benefits", and required payments under the Federal Insurance Contributions Act, the Federal Unemployment Tax Act and any state or local unemployment or compensation law.

(d) Determine your materials cost adjustment under the applicable provisions of CPR 30, except that you shall use the dollar and cents amount of the change in net cost to you of each material between the end of your base period and December 31, 1950, or any date between December 31, 1950 and September 10, 1951.

(e) Add the amounts found under paragraphs (b), (c) and (d) of this section. The result is your ceiling price to your largest buying class of purchaser.

(f) Determine your ceiling price to your other classes of purchasers in accordance with section 3 (c) of CPR 30.

SEC. 4. Modification of labor cost adjustment for increased overtime hours. This section permits you to reflect increased overtime hours in your ceiling prices by modifying the provisions of CPR 30 dealing with the calculation of your labor cost adjustment (sections 12 and 13 of CPR 30). You may do this either on the basis of the percentage increase in your total labor costs due to increased overtime hours (this method is set forth in paragraph (a) of this sec-

tion) or on the basis of the percentage increase in your labor costs, due to increased overtime hours for each classification of labor (this method is set forth in paragraph (b) of this section).

(a) *Percentage increase of total labor costs.* If you figure your adjustment for increased overtime hours on this basis, you shall do the following:

(1) Select any four consecutive payroll periods after the end of your base period which end not later than the date when you file the report required by section 46 of CPR 30.

(2) Determine the total amount you paid for overtime premium for the payroll periods you selected under subparagraph (1) of this paragraph.

(3) Divide the amount determined under subparagraph (2) of this paragraph by the dollar amount of your total payroll, less payment for overtime premium, for the payroll periods you selected under subparagraph (1) of this paragraph.

(4) On the basis of your current wage payments, e. g., hourly rates, piecework or any other system of wage payments used by you (exclusive of overtime premium), determine the dollar amount of your total payroll for the last payroll period ended not later than the end of your base period.

(5) Multiply the amount determined under subparagraph (4) of this paragraph by the percentage determined under subparagraph (3) of this paragraph.

(6) Add the amount determined under subparagraph (5) of this paragraph to your recomputed payroll in determining your labor cost adjustment under section 3 (c) of this revised supplementary regulation.

(7) Where you are calculating your labor cost adjustment upon the basis of a unit of your business under section 13 of CPR 30, make the same calculations as those required by subparagraphs (1) through (6) of this paragraph for the unit of your business for which you are calculating your labor cost adjustment under section 13 of CPR 30.

(b) *Percentage increase for each classification of labor.* If you figure your adjustment for increased overtime for each classification of labor separately, you shall do the following:

(1) Make the calculations required by paragraph (a) (1) through (5) of this section for each classification of labor.

(2) Total the amounts determined under subparagraph (1) of this paragraph for each classification of labor.

(3) Make the calculations required by paragraph (a) (6) of this section.

SEC. 5. Modification of labor cost adjustment for increased shift premium hours. You shall modify your labor cost adjustment for increased shift premium hours in the same manner as that set forth in section 4 of this revised supplementary regulation for modifying your labor cost adjustment for increased overtime hours, except that you shall use shift-premium hours and shift premium instead of overtime hours and overtime premium. If you have different shift premiums, depending upon the particular shift in which an employee works,

you may determine your adjustment separately for each shift for which you have a different shift premium in effect. Also, if your accounting records permit you to do so, you may compute your overtime and shift premium adjustments together, instead of individually.

SEC. 6. Addition for increase in subcontracting. If, during your base period, you produced or processed an item and you are now subcontracting the production or processing of that item, you may add to your ceiling price determined under section 3 of this revised supplementary regulation an amount equal to your increase in cost resulting from this change in your operations. (As used in this section, the word "item" means any complete machine tool or machine tool attachment, any part, subassembly or component of a machine tool or machine tool attachment, or any material used in the manufacture of a machine tool or machine tool attachment). You must calculate the addition to your ceiling price due to increased subcontracting in one of three ways, depending upon the manner in which you wish to charge the purchaser for your increased cost due to subcontracting. Paragraph (a) of this section applies to those cases where you charge the purchaser for your increased costs due to increased subcontracting for a particular machine tool, machine tool attachment or machine tool part; paragraph (b) of this section applies where you charge the purchaser a lump sum for your increased costs due to increased subcontracting for all machine tools, machine tool attachments or machine tool parts he purchases pursuant to a contract with you; and paragraphs (c) or (d) of this section applies where you wish to allocate your increased costs due to increased subcontracting over your entire sales of machine tools, machine tool attachments and machine tool parts or over a portion of your entire sales. Your increased costs due to increased subcontracting shall be figured by using your current contract prices for subcontracting and those costs, if any, due to increased subcontracting (determined on a current basis) caused by the furnishing of tools or patterns to the subcontractor, the use of your employees in the subcontractor's plant, the use of engineering and supervising employees in your own plant on subcontracted work, and transportation expenses to and from the subcontractor's plant. Where you include the cost of the tools and patterns in your computation of your increased cost due to subcontracting, the cost of these tools or patterns must be allocated over the entire production in which they will be used. Once you have allocated the entire cost of tools or patterns you may not include the cost of such tools or patterns in computing your increased costs, due to increased contracting, for any subsequent contracts in which such tools or patterns are used.

(a) *Individual machine tool, machine tool attachment or machine tool part.* In order to determine your addition for increased subcontracting on an individual machine tool, machine tool attach-

ment or machine tool part basis, you do the following:

(1) Determine your current cost (not in excess of the applicable ceiling price as certified, in writing, by the subcontractor) of all subcontracted work entering into the production of the machine tool, machine tool attachment or machine tool part, which you performed in your own plant during the base period.

(2) Determine those costs, if any, due to increased subcontracting since the end of your base period (determined on a current basis) which enter into the production of the machine tool, machine tool attachment or machine tool part and are caused by the furnishing of tools or patterns to the subcontractor, the use of your employees in the subcontractor's plant, the use of engineering and supervisory employees in your own plant on subcontracted work, and transportation expenses to and from the subcontractor's plant.

(3) Total the amounts determined under subparagraph (1) and (2) of this paragraph.

(4) Subtract from the amount determined under subparagraph (3) of this paragraph your current cost (estimated, if necessary) of performing this subcontracted work in your own plant. The result is the amount which you may add to your ceiling price of the machine tool, machine tool attachment or machine tool part.

(b) *Entire contract.* In order to determine your addition for increased subcontracting for all machine tools, machine tool attachments or machine tool parts sold by you pursuant to a single contract, you do the following:

(1) Determine your current cost (not in excess of the applicable ceiling price as certified, in writing, by the subcontractor) of all subcontracted work, entering into the production of machine tools, machine tool attachments or machine tool parts pursuant to the contract, which you performed in your own plant during your base period.

(2) Determine those costs, if any, due to increased subcontracting since the end of your base period (determined on a current basis) which enter into the production of machine tools, machine tool attachments or machine tool parts pursuant to the contract and are caused by the furnishing of tools or patterns to the subcontractor, the use of your employees in the subcontractor's plant, the use of engineering and supervisory employees in your own plant on subcontracted work, and transportation expenses to and from the subcontractor's plant.

(3) Total the amounts determined under subparagraphs (1) and (2) of this paragraph.

(4) Subtract from the amount determined under subparagraph (3) of this paragraph your current cost (estimated, if necessary) of performing this subcontracted work in your own plant. The result is the amount which you may add to your ceiling price for the entire contract.

(c) *Allocation of increased subcontracting costs over your entire production, or a portion of your production on*

an estimated basis. Where you wish to allocate your increased costs due to increased subcontracting over your entire production, or a portion of your production, on an estimated basis, you must allocate the amount of such increased costs over the unit of your production, for which you have made the calculation, in such manner that you make the same percentage increase for each commodity which you produce in that unit of your production. You shall determine this percentage increase for increased costs due to increased subcontracting, on an estimated basis as follows:

(1) Estimate for your current fiscal year, the total amount of your increase in costs, due to increased subcontracting, for the unit of your production for which you are making the calculation. You shall estimate this amount by making the calculation required by paragraph (b) of this section, except that you shall make these calculations for the unit of your production over which you wish to allocate these increased costs and you shall make this estimate for your current fiscal year.

(2) Estimate for your current fiscal year, the total sales price of all machine tools, machine tool attachments and machine tool parts which you delivered or will deliver, during your current fiscal year, in the unit of your production for which you are making the calculation. The total sales price that you must use for the purpose of this subparagraph must be the total of the ceiling prices, established by this revised supplementary regulation without reference to the increases permitted by this section for the machine tools, machine tool attachments and machine tool parts.

(3) Divide the amount determined under subparagraph (1) of this paragraph by the amount determined under subparagraph (2) of this paragraph. The result is the percentage by which you may increase your ceiling price, established by this revised supplementary regulation, without reference to the increases permitted by this section, to reflect increased costs due to increased subcontracting.

(4) You may use the percentage determined under subparagraph (3) of this paragraph for those deliveries which you make during your fiscal quarter immediately following the date when you calculated this percentage. At the end of this fiscal quarter, you shall recalculate your percentage increase to reflect increased costs due to increased subcontracting. You shall make this recalculation for the same fiscal year, for which you made your original calculation. Also, you shall make this recalculation in the manner set forth in subparagraphs (1) through (3) of this paragraph except that you shall reflect in this recalculation your actual experience during your past fiscal quarter and any changes which have occurred in your projected operations for the succeeding nine months period. The resulting percentage increase may only be used for your fiscal quarter immediately succeeding the date of your recalculation.

(5) You shall recalculate your percentage increase for increased costs due to increased subcontracting at the end

of each succeeding fiscal quarter in your fiscal year in which you made your original estimate in the manner set forth in subparagraph (4) of this paragraph. Again, the percentage increase which you calculate may be used only for the succeeding three months' period.

(6) When the fiscal year in which you made your original estimate has elapsed, you shall determine the actual total dollar amount of your increased costs due to increased subcontracting (for the unit of your production for which you have made the calculation) during this fiscal year. If the total dollar amount by which you have increased (to reflect increased costs due to increased subcontracting) the total sales prices of all deliveries which you made, during the period from the date of your original estimate to the close of your fiscal year in which you made the estimate, exceeds by more than five percent the actual dollar amount of your increased costs, which is due to increased subcontracting and is allocable to those deliveries, you must refund the entire excess to your customers. You must make this refund within four months after this fiscal year has elapsed.

(7) You shall determine the refund required by subparagraph (6) of this paragraph as follows: First, for the fiscal year in question, divide the actual total dollar amount of your increased costs due to increased subcontracting, for the unit of your production for which you have made the calculation, by the total dollar amount of your deliveries for this unit of your production. Then, subtract this percentage from the percentage by which you have increased the sales price (to reflect increased costs due to increased subcontracting) for each delivery which you made during the period from the date of your original estimate to the close of your fiscal year in which you made the estimate. You then determine the amount of the refund by applying the resultant percentage to the price (excluding the addition made for increased costs due to increased subcontracting) at which you delivered the machine tool, machine tool attachment or machine tool part during such period.

(8) If, during such period, the amount which you have added for increased costs, due to increased subcontracting, exceeds the actual amount of such increased costs for that period by 5 percent or less, you need not make a refund to your customer. However, you must decrease the amount of your estimate of increased costs, due to increased subcontracting, for your next fiscal year, to reflect the amount of such excess. Also, you must subtract the amount of such excess from your actual increased costs, due to increased subcontracting, for your next fiscal year, for the purpose of determining the refund, if any, which you must make to your customers.

(9) After the fiscal year in which you made your original estimate of increased costs, due to increased subcontracting, you shall determine your addition for such increased costs for your ensuing fiscal year in the manner set forth in subparagraphs (1) through (5) of this paragraph. Also, at the end of this fiscal

year, you must determine the refund, if any, which you must make to your customers in the manner set forth in subparagraphs (6) through (8) of this paragraph.

(d) *Allocation of increased subcontracting costs over your entire production, or a portion of your production, on the basis of experience.* Where you wish to allocate your increased costs due to increased subcontracting over your entire production, or a portion of your production, on the basis of your past experience, you must allocate the amount of such increased costs over the unit of your production, for which you make the calculation, in such manner that you make the same percentage increase for each commodity which you produce in that unit of your production. You shall determine this percentage increase for increased costs due to increased subcontracting, on the basis of your past experience as follows:

(1) Determine for your last fiscal year, or your last fiscal half-year, the total amount of your increase in costs due to increased subcontracting, for the unit of your production for which you are making the calculations. You shall determine this amount by making the calculation required by paragraph (b) of this section, except that you shall make these calculations for the unit of your production over which you wish to allocate these increased costs and you shall make this determination for your last fiscal year, or your last fiscal half-year.

(2) Determine for your last fiscal year, or your last fiscal half-year, the total sales price of all machine tools, machine tool attachments and machine tool parts, which you delivered during your last fiscal year, or your last fiscal half-year, in the unit of your production for which you are making the calculation, without reference to the increases in ceiling prices permitted by this section.

(3) Divide the amount determined under subparagraph (1) of this paragraph by the amount determined under subparagraph (2) of this paragraph. The result is the percentage by which you may increase your ceiling price, established by this revised supplementary regulation, without reference to the increases permitted by this section, to reflect increased costs due to increased subcontracting.

(4) If you calculated the percentage, determined under subparagraph (3) of this paragraph, for a fiscal year, you may use this percentage only for deliveries in your fiscal year which includes the date upon which you made the calculation. If you calculated the percentage determined under subparagraph (3) of this paragraph for a fiscal half-year, you may use this percentage only for deliveries in your fiscal half-year which includes the date upon which you made the calculation. At the close of this fiscal year or half-year, as the case may be, you must recalculate your percentage increase to reflect increased costs due to increased subcontracting in the manner set forth in this paragraph, if you wish to continue to reflect such increased costs in your ceiling prices.

SEC. 7. Redetermination of ceiling prices to reflect increased overtime and shift premium hours and increased subcontracting—(a) *Increased overtime and shift premium hours.* You shall redetermine, for each fiscal quarter, the modification of your labor cost adjustment to reflect increased overtime and shift premium hours. You shall make this redetermination in the manner set forth in section 4 of this revised supplementary regulation, except that you shall use in your calculations any four consecutive payroll periods in your fiscal quarter immediately preceding the date when you are required to make this redetermination.

(b) *Addition for increase in subcontracting.* Where you are determining your increased costs due to increased subcontracting separately for each machine tool, machine tool attachment or machine tool part, or where you are determining such increased costs for each subcontract, you must redetermine such increased costs separately for each machine tool, machine tool attachment or machine tool part or each contract, as the case may be. Where you are allocating such increased costs over your entire production or a portion of your production, you must redetermine your addition for such increased costs in the manner set forth in section 5 (c) of this revised supplementary regulation.

(c) *Prohibition against redetermination of ceiling prices.* Except as required by paragraphs (a) and (b) of this section, you may not redetermine your ceiling prices to reflect increased costs due to increased subcontracting or increased overtime and shift premium hours.

SEC. 8. Reports. You must file the reports required by section 44 of CPR 30 on or before October 15, 1951, instead of on or before August 13, 1951. In the event that you have already filed your reports under section 44 of CPR 30, you may redetermine your ceiling prices under the provisions of this revised supplementary regulation. In case of such a redetermination, you must file an amended Public Form 8 by October 15, 1951. You shall not reflect in your original or amended Public Form 8 increases in your ceiling prices due to increased overtime or shift premiums or increased subcontracting. The "base period price" reported in Item 8 (d) of Public Form 8 shall be the adjusted base period price as provided in section 3 (b) of this revised supplementary regulation. Your ceiling prices for commodities covered by this revised supplementary regulation are established by the General Ceiling Price Regulation until October 15, 1951, or such earlier date between the effective date of this revised supplementary regulation and October 15, 1951, as you may select.

SEC. 9. Applicability of provisions of CPR 30. Except to the extent expressly modified or supplemented by this revised supplementary regulation, all provisions of CPR 30 shall be applicable to any manufacturer subject to CPR 30 who is permitted to use this revised supplementary regulation. Thus, by way of il-

lustration, reports on Public Form 8 must be filed in accordance with sections 44 and 46 of CPR 30; the 15-day waiting period prescribed by those sections in cases where a ceiling price higher than that under the General Ceiling Price Regulation is reported, must be observed; and the limitations upon the use of sections 17 and 20 of CPR 30 must be complied with.

SEC. 10. Definitions—(a) *CPR 30.* This term means Ceiling Price Regulation 30 issued by the Director of Price Stabilization on May 4, 1951.

(b) *Machine tool.* This term means any power driven machine used for shaping metal by cutting, abrading, straightening, forcing, forging or forming under pressure.

(c) *Machine tool attachment.* This term means any accessory equipment furnished with a machine tool, or separately for use on a machine tool. This term does not include engines, motors, drives, oil pumps, cutting tools or similar items.

(d) *Machine tool part.* This term means any part, subassembly or component of a machine tool which is in such form that it can be used only as a machine tool part, but does not include engines, motors, drives, oil pumps, cutting tools or similar items.

All definitions used in CPR 30 which are pertinent to this revised supplementary regulation are incorporated in this revised supplementary regulation by this reference.

Effective date. This revised supplementary regulation shall become effective August 27, 1951.

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

MICHAEL V. DiSALLE,
Director of Price Stabilization.

AUGUST 21, 1951.

[F. R. Doc. 51-10144; Filed, Aug. 21, 1951;
11:20 a. m.]

[Ceiling Price Regulation 67]

CPR 67—RESELLERS' CEILING PRICES FOR MACHINERY AND RELATED MANUFACTURED GOODS

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Ceiling Price Regulation 67 is hereby issued.

STATEMENT OF CONSIDERATIONS

On April 25, 1951, Ceiling Price Regulation 22 (Manufacturers' General Ceiling Price Regulation) was issued. On May 4, 1951, Ceiling Price Regulation 30 (Machinery and Related Manufactured Goods) was issued. These regulations will result in both upward and downward adjustments of the ceiling prices established by the General Ceiling Price Regulation for sales to resellers of the commodities covered by those regulations. This change in the prices paid

by resellers necessitates a method for the automatic adjustment of the ceiling prices of resellers to reflect those changes in the cost of the commodities which they sell.

At this time only commodities covered by Ceiling Price Regulation 30 are subject to this regulation. However, from time to time other industrial or semi-industrial commodities may be added to the coverage of this regulation.

In accordance with long established industry practice, this regulation requires that where there is a manufacturer's published list price for a commodity, the reseller must determine his ceiling price by the use of the manufacturer's published list price. The reseller does this by deducting the discounts, if any, or by adding the percentage markups, which he applied to the manufacturer's published price during the last pre-Korean calendar quarter, April 1 through June 24, 1950. Where there is no manufacturer's published list price, or the reseller did not determine his ceiling prices during the last pre-Korean calendar quarter by using the manufacturer's published list price, the reseller determines his ceiling price by applying the percentage markups, which he last used during this calendar quarter, to his current legal cost. Where the reseller cannot determine his ceiling prices by the use of either of the methods just set forth, he is required to apply to the Office of Price Stabilization for a ceiling price.

Ceiling Price Regulations 22 and 30 are in the nature of a readjustment of manufacturers' prices as frozen by the General Ceiling Price Regulation. This regulation accomplishes the same objectives, with respect to resellers, by restoring normal price relationships between resellers and manufacturers, between resellers at different distributive levels, between resellers at the same distributive level and between the commodities sold by a particular reseller. These objectives are realized by permitting the reseller to use the same percentage markups over his cost of the commodities he sells as he used in the pre-Korean period. This method of establishing the ceiling prices of resellers is consistent with the Defense Production Act Amendments of 1951.

Section 402 (k) of the Defense Production Act Amendments of 1951 provides for the use of May 24 to June 24, 1950 margins on costs. For ease of administration and for convenience to the reseller this period has been extended to April 1 through June 24, 1950.

The nature of the industries covered by this regulation and ease of administration are further reasons for the employment of the type of price control used in this regulation. The resellers subject to this regulation sell a large number of commodities. Many of these resellers, in addition to selling complete items, sell a vast number of parts and accessories. In some of these industries the parts and accessories sold by a particular reseller are as many as 300,000. Accordingly, pricing by any other method than the use of manufacturer's list prices or the application of percentage markups to current cost would be, at the

least, time consuming, and in some cases would be impossible, for all practical purposes. Further, effective enforcement of resellers' ceiling prices can be accomplished only if ceiling prices can be verified with facility and exactitude. In the industries covered by this regulation this objective can be most nearly reached by determining resellers' ceiling prices by the use of manufacturers' published list prices and traditional percentage markups on current cost.

The wide coverage of this regulation made it impossible to consult in detail with representatives of all the industries affected. However, in the preparation of this regulation conferences were held with industry advisory committees which are representative of farm equipment retailers, and retail and wholesale sellers of automotive parts. In substance, this regulation embodies the recommendations of these committees.

In the judgment of the Director of Price Stabilization, the ceiling prices established by this regulation are generally fair and equitable to buyers and sellers alike and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended.

REGULATORY PROVISIONS

Sec.

1. What this regulation does.
2. Sellers and sales covered by this regulation.
3. Commodities with a manufacturer's published list price.
4. Commodities not priced by the use of the manufacturer's published list price.
5. Commodities that cannot be priced under sections 3 or 4 of this regulation.
6. Taxes.
7. Terms and conditions of sale.
8. Transfers of business or stock in trade.
9. Petitions for amendment.
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11. Records.
12. Invoices.
13. Evasion.
14. Prohibitions.
15. Charges lower than ceiling prices.
16. Violation.
17. Definitions.

AUTHORITY: Sections 1 to 17 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154. Interpret or apply Title IV, 64 Stat. 803, as amended; 50 U. S. C. App. Sup. 2101, 2110, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.

SECTION 1. What this regulation does. (a) This regulation establishes resellers' ceiling prices for those commodities which are listed in Appendix A of this regulation. Where you customarily determined your selling prices on the basis of the manufacturer's published list price, you determine your ceiling price by deducting from the manufacturer's published list price the discount, if any, you last had in effect to a purchaser of the same class during the period April 1 through June 24, 1950, or by adding to the manufacturer's published list price the percentage markup you last had in effect to a purchaser of the same class during the same period. In all other cases, you apply the percentage markup you last realized during the period April 1 through June 24, 1950, to your cost of the commodity. Of course, the cost you use must not exceed the ceiling price for

sale of the commodity to you. If you cannot determine your ceiling price by either of these methods, you must apply to the Office of Price Stabilization for a ceiling price.

(b) This section is intended only as a general description to aid you in understanding this regulation; the following sections are controlling.

SEC. 2. Sellers and sales covered by this regulation. This regulation covers you if you are a reseller located in the United States, its territories or possessions, or the District of Columbia. It applies to any sale of any new and unused commodity listed in Appendix A as to which you are a reseller. An explanation of what is meant by "reseller" is found in section 17 (*Definitions*). The General Ceiling Price Regulation, Supplementary Regulation 29 to the General Ceiling Price Regulation and Ceiling Price Regulation 9 are superseded by this regulation, as to sales covered by this regulation. However, this regulation will not apply to sales for which ceiling prices are subsequently established by any other numbered regulation of the Office of Price Stabilization.

SEC. 3. Commodities with a manufacturer's published list price—(a) Applicability. This section is applicable only to commodities that meet all of the following conditions:

(1) The manufacturer must have issued a published list price for the commodity.

(2) You must be able to show from your written records that during the period April 1 through June 24, 1950 you determined your selling prices for that commodity, or a commodity of the same type, by selling it at the manufacturer's published list price, by deducting discounts or other allowances from the manufacturer's published list price, or by adding a percentage markup to the manufacturer's published list price. Of course, this section is also applicable to you if you added to the prices, determined in the manner just set forth, charges for credit, transportation costs, demonstration and training, service and handling, or telephone, telegraph, express, parcel post or air freight.

(3) The manufacturer's published list price for the commodity must not exceed the list price determined under the provisions of the applicable OPS regulation. If the manufacturer notifies you, in writing, that his published list price for a commodity or a group of commodities does not exceed that determined under the provisions of the applicable OPS regulation, and you have no reason to doubt the validity of this statement, you may rely on this notification. A statement that "the prices in this list do not exceed those determined under the applicable OPS regulation" will be acceptable.

(b) *Ceiling price.* Your ceiling price for a commodity covered by this section shall be determined as follows: If your written records show that during the period April 1 through June 24, 1950, you sold the same commodity, or a commodity of the same type, to a purchaser of the same class, at the manufacturer's published list price, your ceiling price for

the sale of that commodity, or a commodity of the same type, to a purchaser of the same class, is the manufacturer's published list price. If your written records show that during the period April 1 through June 24, 1950, you sold the same commodity, or a commodity of the same type, at a price determined by deducting discounts or other allowances from the manufacturer's published list price, you determine your ceiling price for the same commodity, or a commodity of the same type, by deducting from the manufacturer's published price all discounts, allowances and any other deduction from the manufacturer's published list price which you last realized (as shown by your written records), during the period April 1 through June 24, 1950 for the sale of the commodity, or a commodity of the same type, to a purchaser of the same class. If, during the period April 1 through June 24, 1950, you sold the commodity, or a commodity of the same type, at a price determined by applying a percentage markup to the manufacturer's published list price, you determine your ceiling price by applying to the manufacturer's published list price the same percentage markup which you last realized (as shown by your written records) during the period April 1 through June 24, 1950, for the sale of the commodity, or a commodity of the same type, to a purchaser of the same class. An explanation of the terms "purchaser of the same class" and "commodity of the same type" is contained in section 17 (*Definitions*). Section 7 (*Terms and conditions of sale*) explains the manner in which additions, if any, may be made to those prices for credit charges, transportation costs, demonstration and training, service and handling charges, and telephone, telegraph, express, parcel post or air freight charges.

SEC. 4. Commodities not priced by the use of the manufacturer's published list price. This section is applicable to commodities for which the manufacturer has not issued a published list price which he has determined under the applicable OPS regulation. Also, if, during the period April 1 through June 24, 1950, the manufacturer had a published list price for the commodity you are pricing, or a commodity of the same type, and you did not determine your selling prices for these commodities by using the manufacturer's published list price, you determine your ceiling prices for these commodities under this section and not under section 3 of this regulation. You determine your ceiling price for a commodity covered by this section by multiplying your cost of the commodity, determined under paragraph (a) of this section, by your percentage markup determined under paragraph (b) and (c) of this section. You use paragraph (b) to determine your percentage markup, when, during the period April 1 through June 24, 1950, you determined your selling price for the commodity you are pricing (or a commodity of the same type) by applying a percentage markup to the net invoice cost of the commodity to you. You use paragraph (c) to determine your percentage markup, when,

during the period April 1 through June 24, 1950, you determined your selling price for the commodity you are pricing (or a commodity of the same type) by applying a percentage markup to your delivered cost. An explanation of the terms "net invoice cost" and "delivered cost" is contained in section 17 (*Definitions*). You may use this section only if you have written records of your sales and purchases of the commodity you are pricing, or a commodity of the same type, during the period April 1 through June 24, 1950.

(a) *Cost of the commodity.* The cost of the commodity that you must use in determining your ceiling price shall be your net invoice cost or your delivered cost (depending upon whether during the period April 1 through June 24, 1950 you applied your percentage markup to net invoice cost or delivered cost) not in excess of the applicable ceiling price. For the purposes of this section, if you receive a written statement from your supplier that the price charged you does not exceed the applicable ceiling price, and you have no reason to doubt the validity of this statement, the price certified by your supplier, shall be deemed not to be in excess of the ceiling price. A statement that "prices in this invoice do not exceed OPS ceiling prices" will be acceptable.

(b) *Percentage markup over net invoice cost.* If, during the period April 1 through June 24, 1950, you determined your selling price for the commodity (or commodity of the same type) by applying a percentage markup to net invoice cost, you shall use the first of the following, which is available from your written records with respect to the commodity you are pricing:

(1) The percentage markup over net invoice cost that you last realized during the period April 1 through June 24, 1950, on a sale of the same commodity to a purchaser of the same class.

(2) The percentage markup over net invoice cost that you last realized during the period April 1 through June 24, 1950, on a sale of the most comparable commodity of the same type to a purchaser of the same class.

(3) The percentage markup over net invoice cost that you last realized during the period April 1 through June 24, 1950, on a sale of the same commodity to a purchaser of a different class, adjusted to reflect the differential between the two classes of purchasers which you last had in effect during the period April 1 through June 24, 1950, or if none, then the differential last in effect before April 1, 1950. If you are selling to an entirely new class of purchaser, you must determine your ceiling price under section 5 of this regulation for that class of purchaser.

(4) The percentage markup over net invoice cost that you last realized during the period April 1 through June 24, 1950, on a sale of the most comparable commodity of the same type to a purchaser of a different class, adjusted to reflect the differential between the two classes of purchasers which you last had in effect during the period April 1 through June 24, 1950, or if none, then the differential last in effect before April 1,

1950. If you are selling to an entirely new class of purchaser you must determine your ceiling price under section 5 of this regulation for that class of purchaser.

(c) *Percentage markup over delivered cost.* If, during the period April 1 through June 24, 1950, you determined your selling price for the commodity (or a commodity of the same type) by applying a percentage markup to delivered cost, you shall determine your ceiling price by applying a percentage markup to delivered cost. In such case, you shall determine your ceiling price in accordance with the provisions of paragraph (b) of this section, except that you shall substitute the phrase "delivered cost" for the phrase "net invoice cost", wherever the phrase "net invoice cost" appears in paragraph (b) of this section.

SEC. 5. Commodities that cannot be priced under sections 3 or 4 of this regulation. The ceiling price for the sale of a commodity for which you cannot determine your ceiling price under sections 3 or 4 of this regulation, because you do not have written records of your sales or purchases during the period April 1 through June 24, 1950, because you were not in business during that period, or for any other reason, shall be a price in line with ceiling prices otherwise established by this regulation, that is specifically authorized in writing by the Director of Price Stabilization. Where you cannot determine your ceiling price under sections 3 or 4 of this regulation, you must file a report, by registered mail with the Office of Price Stabilization before you sell, offer to sell, or deliver the commodity. If you are seeking approval of a ceiling price for sales at retail, you file this report with the nearest District Office of the Office of Price Stabilization. If you are seeking approval of a ceiling price for sales at wholesale, you file the report with the Office of Price Stabilization, Washington 25, D. C. This report shall state the following:

(a) A description of the commodity (or commodities) for which you seek a ceiling price. This description shall include the manufacturer's name, type of commodity, model and serial number, if any, and any other specifications commonly shown in price sheets for similar commodities. The enclosure of the manufacturer's price sheets will satisfy this requirement.

(b) Your net invoice and delivered cost of the commodity (or commodities).

(c) The manufacturer's list price, if any, for the commodity (or commodities).

(d) Your proposed ceiling price or prices and the classes of purchasers to which these ceiling prices are to apply.

(e) A statement of the basis on which your proposed ceiling price or prices were determined.

(f) An explanation of the reasons why you can not determine the ceiling price for the commodity (or commodities) under section 3 or 4 of this regulation.

After receipt of this report, the Office of Price Stabilization may approve the proposed ceiling price, disapprove the

proposed ceiling price, establish a different ceiling price by order, or request further information. If, thirty days after receipt of the required report by the Office of Price Stabilization, none of the actions just listed has been taken, you may sell at your proposed ceiling price until such time as the Office of Price Stabilization shall notify you that this price has been disapproved.

The ceiling price established in the manner just set forth shall be applicable to all subsequent sales and deliveries. However, if the Office of Price Stabilization determines that this price is not in line with ceiling prices established by this regulation, it may disapprove that price at any time. This disapproval will not be retroactive as to any deliveries made before the date of such disapproval.

SEC. 6. Taxes. If the tax or tax increase is imposed on a commodity and the tax law does not forbid you to pass the tax on to your customers, you may add the tax or tax increase to your ceiling price, if you separately state it. However, if the tax was in effect during the period April 1 through June 24, 1950, and you did not charge your customers for the tax during that period, you may not do so now.

SEC. 7. Terms and conditions of sale. You may add to your ceiling prices only those charges or costs listed in this section. These charges or costs may be added only if you are able to show from your written records that during the period April 1 through June 24, 1950, you charged the same class of purchaser extra for the particular charge or cost which you wish to add, and you separately state on your invoice each particular charge or cost listed in this section which you add.

(a) *Credit charges.* You must figure charges for credit by using the same rates that you last used during the period April 1 through June 24, 1950 for extension of credit involving the same amount and term.

(b) *Transportation costs.* You may not require any purchaser to pay a larger proportion of transportation costs incurred in the delivery or supply of any commodity than you last required a purchaser of the same class to pay, during the period April 1 through June 24, 1950, on deliveries or supplies of the same or similar types of commodities.

(c) *Demonstration and training.* You must figure charges for demonstration and training of operators by using the same rates that you last used during the period April 1 through June 24, 1950.

(d) *Service and handling charges.* You must figure charges for service and handling by using the same rates that you last used during the period April 1 through June 24, 1950.

(e) *Telephone, telegraph, express, parcel post or freight charges.* You may add to your ceiling price your actual cost for any long distance telephone calls, telegrams, or express, parcel post or air freight charges, where you incur such expenses, at the request of the purchaser, in order to expedite a particular order.

SEC. 8. Transfers of business or stock in trade. If the business, assets or stock in trade are sold or otherwise transferred after the issue date of this regulation, and the transferee carries on the business, or continues to deal in the same type of commodities, in an establishment separate from any other establishment previously owned or operated by him, the ceiling prices of the transferee shall be the same as those to which his transferor would have been subject, if no such transfer had taken place, and his obligation to keep records sufficient to verify such prices shall be the same. The transferor shall either preserve and make available, or turn over to the transferee, all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the provisions of this regulation.

SEC. 9. Petitions for amendment. Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with provisions of Price Procedural Regulation No. 1.

SEC. 10. Supplementary regulations. The Director of Price Stabilization may issue supplementary regulations modifying or implementing this regulation as he deems appropriate.

SEC. 11. Records—(a) Sales and purchases. You must prepare and preserve for a period of two years after the effective date of this regulation records of sales and purchases of the kind you have customarily kept.

(b) *Prices charged.* You must prepare and preserve for the life of the Defense Production Act of 1950, as amended, and for two years thereafter, the prices at which you delivered, sold or offered, in writing, to sell each commodity during the period April 1 through June 24, 1950.

SEC. 12. Invoices. You must furnish every purchaser to whom you make a sale, in excess of \$25.00, of commodities covered by this regulation, an invoice showing:

- (a) Your name and address.
- (b) The date of sale.
- (c) An identification of each commodity sold, including its brand or trade name.
- (d) The quantity of each commodity sold.
- (e) The selling price of each commodity sold.

SEC. 13. Evasion—(a) In general. The price limitations set forth in this regulation shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase, lease of, or relating to, a commodity covered by this regulation, alone or in conjunction with any other commodity or service, by way of commission, service, transportation or any other charge, or discount, premium, or other privilege, or by tie-in agreement or other trade understanding, or otherwise.

(b) *Specific practices.* The following are some of the specific practices prohibited by paragraph (a) of this section and are itemized here only to obviate the necessity of interpretative inquiries

which experience indicates are likely to be raised under the general evasion provision:

(1) Paying, or requiring the payment of, a purchase commission, if the sum of the commission and the purchase price exceeds the ceiling price.

(2) Entering into a joint venture with any other person subject to this regulation for cross-selling, cross-purchasing or cross-servicing.

(3) Requiring a purchaser to buy any commodity or service as the condition of the sale of a commodity covered by this regulation.

(4) Reducing the period of any guaranty or warranty of performance in effect during the period April 1 through June 24, 1950.

(5) Eliminating or reducing any delivery, maintenance, repair, replacement, or installation service in effect during the period April 1 through June 24, 1950.

(6) Granting less than a reasonable allowance for commodities received in trade.

(7) Eliminating or reducing rental or trade-in credits or purchases.

SEC. 14. Prohibitions. On and after the effective date of this regulation, regardless of any contract or other obligation:

(a) No person shall sell or deliver, offer to sell or deliver, or negotiate the sale or delivery of a commodity at a price higher than the ceiling price established by this regulation.

(b) No person, in the course of trade or business, shall buy or receive any commodity at a price higher than the ceiling price established by this regulation.

(c) No person shall agree, offer, solicit, or attempt to do any of the acts prohibited by paragraphs (a) or (b) of this section.

SEC. 15. Charges lower than ceiling prices. Lower prices than those established under this regulation may be charged, demanded, paid or offered.

SEC. 16. Violation—(a) Civil and criminal action. Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions and suits for treble damages provided for by the Defense Production Act of 1950, as amended.

(b) *Record-keeping and filing violations.* If any person subject to this regulation fails to keep the records or file the reports required by this regulation, or if any person subject to this regulation fails to establish a ceiling price or apply to the Office of Price Stabilization for the establishment of a ceiling price, if he is required to do so, the Director of Price Stabilization may issue an order fixing ceiling prices for the commodities such person sells. Any ceiling price fixed in this manner will be in line with ceiling prices established by this regulation. The order fixing the ceiling price may apply to all deliveries or transfers for which a ceiling price was not established in accordance with the provisions of this regulation, including deliveries or transfers completed prior to the date of issuance of the order. The issuance of such an order will not relieve the seller of his obliga-

tion to comply with the requirements of this regulation or of the various penalties for failure to do so.

SEC. 17. Definitions.—(a) *Automotive parts.* This term means all engine parts, body parts, chassis parts, motors, electric equipment and wheels, and all other component parts and subassemblies, of automobiles, trucks, busses, trailers, semi-trailers, and motorcycles (except rebuilt bodies of trucks, busses, trailers or semi-trailers) and all accessories and optional, extra and special equipment designed for use on, or with, such motor vehicles, and unfinished parts and components thereof, when in such form as to permit their use only as automotive parts, but does not mean any service or maintenance accessories, such as anti-freeze, body polish, tools, etc., or tires, tubes, sheet or other non-processed glass.

(b) *Class of purchaser or purchaser of the same class.* Class of purchaser is determined in the first instance by reference to your own practice of setting different prices for sales to different purchasers or groups of purchasers or for sales under different conditions of sale. The practice may (but need not) be based on the characteristics or distributive level of the buyer (for instance, manufacturer, wholesaler, individual retail store, retail chain, mail order house, government agency, public institution). It may (but need not) be based on the location of the purchaser, the quantity purchased by him or whether the buyer purchased for cash or on credit. If you have followed the practice of giving an individual customer a price differing from that charged others, that customer is a separate class of purchaser. If in your industry a practice prevails of charging different prices for sales to groups of buyers based on their characteristics or distributive level, any such group to whom you did not make sales during the period April 1 through June 24, 1950, and for whom you did not have a customary differential in effect during or before this period, is a separate class of purchaser as to you.

(c) *Commodity.* This term includes any item, object, material, article, product or supply.

(d) *Commodity of the same type.* This term refers to a commodity which is one of a group of closely related commodities which are normally classed together in your industry for pricing purposes. A commodity of the same type may differ in such respects as model, size, or brand or trade name. However, any commodity which you sell under your own brand or trade name is a separate type of commodity.

(e) *Delivered.* A commodity shall be deemed to have been delivered if it was received by the purchaser or by any carrier, including a carrier owned or controlled by the seller, for shipment to the purchaser.

(f) *Delivered cost.* This term means the net invoice cost of the commodity to you, plus any separately stated charges for in-bound transportation costs for the commodity which are paid by you. If, during the period April 1 through June 24, 1950, you had in effect a method for averaging transportation costs, you shall

continue to use that method of averaging transportation costs.

(g) *Director of Price Stabilization.* This term also applies to any official (including officials of Regional or District Offices) to whom the Director of Price Stabilization, by order, delegates a function, power or authority referred to in this regulation.

(h) *Farm equipment.* This term means any mechanical equipment, attachment or part used primarily in connection with the production and farm processing for market and farm use of agricultural products, and also the categories of non-mechanical equipment, attachments and parts included in the partial list of farm equipment mentioned below. The term "farm equipment" does not include automobiles, trucks, general purpose tools, hardware items, hand tools, prefabricated farm buildings, grain bins, building materials, electrical equipment (except electrically motivated farm equipment and fence controllers), lawn mowers, sprays or other chemicals, commercial processing machinery, livestock, seeds, feeds or any other agricultural products. A partial list of "farm equipment" follows: farm tractors; garden tractors; planting, seeding and fertilizing machinery; plows and listers; harrows, rollers, pulverizers, and stalk cutters; cultivators and weeders; harvesting machinery (combines, binders, pickers, potato diggers, pea and bean harvesters, beet lifters, etc.); haying machinery (mowers, rakes, hay loaders, stackers, balers, etc.); manure loaders; dairy farm equipment (milking machines, farm milk coolers (except mechanically refrigerated), farm cream separators, etc.); poultry farm equipment (incubators, brooders, feeders, waterers, etc.); bee keepers' equipment; agricultural spraying equipment; weed burners for farm use; barn and barnyard equipment; mechanical hog feeders; ironed singletrees, doubletrees and neck yokes; electrical fence controllers; farm water pumps and water systems; irrigation systems and equipment for farm use; windmills; windmill generating sets; portable farm grain elevators; wood slat corn cribbing woven with wire; silos; wood-sawing machines intended for farm use; machines for farm processing for market or farm use (farm size cane mills, cider mills, corn shellers, corn huskers and shredders, ensilage cutters, feed cutters, feed grinders and crushers, fruit presses, grain cleaners and graders, grain threshers, hammer mills, hay presses, peanut pickers, potato sorters and graders, syrup evaporators, etc.); farm wagons; and attachments and parts for all the foregoing.

(i) *Manufacturer.* This term means any one of the following:

(1) Any person engaged in one or more operations in the fabrication, processing or assembling of the commodity being priced, including subcontractors.

(2) Any person who sells a commodity which has been produced on his account, from materials or parts owned by him.

(3) Any person who sells a commodity under his own brand or trade name, where he produces the same, or a similar commodity in his own plant, or where the commodity which he sells under his

own brand or trade name is a replacement part for a commodity which he produces in his own plant.

(j) *Net invoice cost.* This term refers to your invoice cost, less any discount or allowance you took or could have taken. It does not include separately stated charges, such as freight, taxes, etc.

(k) *OPS.* OPS means the Office of Price Stabilization.

(l) *Person.* This term includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successors or representatives of the foregoing, and the United States, or any other government, or their political subdivisions or agencies.

(m) *Records.* This term means books, or accounts, sales lists, sales slips, orders, vouchers, contracts, receipts, invoices, bills of lading, and other papers and documents.

(n) *Reseller.* This term means a seller who is not a manufacturer of the commodity being sold.

(o) *Sale at retail.* Sale at retail means any sale to an ultimate user, other than a commercial, industrial, governmental or institutional user.

(p) *Sale at wholesale.* Sale at wholesale means any sale to a reseller, or to a commercial, industrial, governmental or institutional user.

(q) *Sell.* This term includes sell, supply (with respect to either commodities or services), dispose, barter, exchange, transfer and deliver, and contracts and offers to do any of the foregoing. The term "buy" and "purchase" shall be construed accordingly.

(r) *You.* "You" means the person subject to this regulation. "Your" and "yours" shall be construed accordingly.

Effective date. The effective date of this regulation is August 27, 1951.

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

MICHAEL V. DiSALLE,
Director of Price Stabilization.

AUGUST 21, 1951.

APPENDIX A—COMMODITIES COVERED BY THIS REGULATION

The commodities covered by this regulation are listed below:

Abrasive products, including coated, bonded, natural stone and artificial abrasives.

Air-conditioning equipment, condensing units of 25 tons capacity and over.

Aircraft.

Aircraft parts (all parts, subassemblies and unfinished parts and components of aircraft which are in such form as to permit their use only as aircraft parts, except tires and tubes.)

Anchors, marine, earth and rock.

Antennas, radio and television, except built-in antennas included within the cases of domestic radio or television receivers.

Anvils, except jewelers' anvils.

Arresters, lightning, including lightning rods.

Asphalt mixing plants and attendant plants.

Attachments and accessories for machinery and machine tools, including the following illustrative list:

Adapters.

Arbors.

Blocks, machine tool.

- Brakes, spindle.
Centers, bench.
Centers, lathe.
Chucks, all types.
Clamps.
Collets.
Die heads.
Die sets.
Dogs, work driving.
Edges, straight.
Electric etchers and de-magnetizers.
Feeding devices.
Glass, level.
Grinders.
Ground steel stock for punches, dies, jigs, fixtures, etc.
Guides, adjustable.
Heads.
Holders, tool and work.
Mandrels, all types.
Plates, all types.
Posts, tool.
Saw accessories (sets, swages, guides, clamps, bracing tools).
Sockets.
Stops, machine.
Templates.
Torque wrenches.
Wheels, buffing and polishing.
- Augers, earth.
Automotive parts (see definition in section 17).
Automotive testing and maintenance equipment, mechanical and electrical.
Automotive trucks (including fire trucks), motorcycles, busses and house and truck trailers.
Batteries, storage.
Battery chargers.
Bearings, antifriction (ball, roller, needle, etc.).
Bearings and bushings, ferrous and nonferrous.
Belting, leather and textile.
Bimetallic thermal strips, fabricated.
Blocks and tackle.
Boilers, power, industrial and marine, 100 p. s. i. and higher working pressure.
Broom-making machinery.
Brushes, industrial, power-driven.
Brush-making machinery.
Bushings, porcelain, glass and steatite, for electrical uses.
Cable, insulated, electrical.
Cable accessories, electrical.
Can-making machinery and equipment.
Capacitors, electrical.
Carbon graphite and metal graphite for electrical uses.
Carriers, lumber, steel, etc., specifically designed for industrial or commercial use.
Cars, freight, including all types of flanged wheel mining and industrial cars.
Cars, passenger, for surface, subway or elevated lines.
Casters.
Cement-making machinery.
Ceramics machinery.
Chain, power transmission, including chain fittings and assemblies.
Chemical processing machinery.
Circuit breakers, electrical.
Clamps of the C and bar type, except those used for medical or dental purposes.
Clevises.
Clockwork systems, industrial, used in connection with mechanical instruments.
Coal preparation equipment.
Coke oven doors and jams.
Compressors, except those used with condensing units under 25 horsepower or 25 tons.
Concrete products machinery and equipment.
Condensers, synchronous, electrical.
Conduit fittings.
Conduit.
Control equipment, electrical, industrial.
Convertors, synchronous, electrical.
Conveyors and conveying systems, industrial.
Core drilling and core making machinery.
- Cotton-ginning machinery.
Cranes, crawler, overhead bridge, locomotive, revolving, truck and others.
Cutting tools, including the following illustrative list:
Augers, machine.
Bits, machine.
Blades, hacksaw—all types.
Blades, power-driven saw.
Blades, machine, shear, etc.
Broaches.
Chasers.
Chisels, machine.
Counterbores.
Countersinks, machine.
Cutters.
Dies, cutting and threading.
Dressers, abrasive wheel.
Drills.
Extractors.
Files, rasps and burrs.
Form tools.
Hobs.
Knives, machine.
Knurling tools.
Punches, machine.
Reamers.
Rules, creasing, cutting and perforating.
Scraper blades, machine.
Taps.
Tips: tool, tungsten, carbide, stellite, etc.
Cylinders, power, hydraulic, pneumatic and hydropneumatic.
Derricks.
Diamond tools: core bits, dies .002" and larger, dressing tools, shaped tools, wheels, etc.
Dies, jigs, and fixtures
Die-casting machinery.
Distribution boards, electrical.
Dollies, industrial.
Dozers, angle, bull and push.
Dredging machinery.
Dry-cleaning and clothes-pressing machinery, except domestic.
Ducts for electrical uses, except those manufactured from asbestos, cement, ceramic materials or clay.
Dust-collecting equipment, industrial, portable and stationary, including industrial vacuum cleaners.
Economizers, steam, industrial and marine.
Electrodes.
Electroplating and hot-dip metal coating equipment, including preparatory and finishing equipment used in connection with metal coating processes.
Electro-therapeutic apparatus and supplies.
Electronic devices, equipment and parts (other than radio and television receivers).
Elevators, passenger and freight.
Engines, diesel and oil.
Engines, gas.
Engines, gasoline and kerosene, except toy, and portable, outboard motors.
Engines, steam, except toy.
Engine-generator sets.
Escalators (moving inclined stairways for raising or lowering passengers).
Excavating and earth-moving machinery, including power shovels, ditchers, draglines and power scrapers.
Fabricated structural steel shapes, plates and bars.
Fans and blowers, industrial, excluding unit heaters or unit ventilators, hand blowers, and desk, pedestal, portable, ceiling and wall-bracket type fans, but including warm air furnace fans, attic ventilating fans, pressure fans and blowers and built-in fans.
Farm equipment (see definition in section 17).
Feed-water heaters, industrial and marine.
Floor surfacing and floor maintenance machinery, industrial.
Food and beverage machinery, including baking, bottling, brewing, canning, confectionery, grain milling, meat packing, edible oil, sugar and dairy machinery and equipment.
- Foundry machinery, including ladles not over 40-ton capacity.
Furnaces and ovens, industrial and laboratory, except space heating, warm air furnaces, stoves, blast furnaces, open hearth furnaces, Bessemer converters, soaking pits and coke ovens.
Fuses for the protection of electrical equipment.
Galvanometer and pyrometer movements.
Gas burners designed for use with products covered by this regulation.
Gaskets and packings, except those made in whole or in part of rubber.
Gauges, specifically designed for industrial or commercial use.
Gears, pinions, sprockets and speed reducers, including gear motor, motorized speed reducers and variable speed and other machine drives.
Generators, electrical.
Generators, gas.
Generator sets, diesel-electric, gas engine, electric and motor or engine driven.
Glass-making machinery.
Governors, engine.
Glass products, industrial scientific and technical which are listed below:
Electrical glassware:
Bulbs, glass portion (incandescent, fluorescent, indicator, auto lamp, radio, television, X-ray, radar and power tube).
Bushings.
Capacitors.
Coil forms.
Flares (glass base portion for lighting, radio, indicator, auto lamp, television, X-ray, radar and power tube).
Fuse plugs.
Insulators.
Resistor tubes.
Tubing (electrical, fluorescent).
Industrial glassware:
Cylinders.
Flat gauge glasses.
Glass bulbs.
Gauge cup and oil cup glasses.
Meter and relay covers.
Miscellaneous industrial glassware which is to be further fabricated by others or which is to be incorporated as a component part of an industrial product.
Laboratory and pharmaceutical glassware:
Apparatus ware.
Chemical ware.
Instrument tubing.
Laboratory apparatus tubing.
Vials and ampules.
Optical glass:
Rough glass blanks for optical, ophthalmic and scientific use.
Signal glassware:
Airplane running lights.
Battery jars.
Explosion resisting globes.
Fresnels.
Front glasses.
Lenses.
Obstruction lights.
Optical ware (color and light filters).
Roundels.
Ground steel stock for punches, dies, jigs, fixtures, etc.
Gyroscopes.
Hat-making and repairing machinery.
Heat exchanger equipment (when designed for use with products covered by this regulation).
Heaters, sand, stone, or bitumen.
Heating, melting, burning and thawing equipment, portable, for industrial and transportation purposes, except mechanics' fire pots and blow torches.
Heating units and devices, electrical, industrial.
Hoists.
Hose and tubing, metal, flexible.
Hydraulic machinery,

- Instruments, electrically or mechanically operated for measuring, testing, indicating or recording electrical quantities.
- Instruments, mechanical, for indicating, measuring, recording and testing, including aircraft, laboratory, marine, precision and scientific mechanical instruments, but excluding tire gauges, carpenters' tools, clinical, dental, household, optical and surgical instruments, low pressure heating controls (such as thermostatic traps, blast traps and strainers), water level controls (all types), air temperature and humidity controls (all types), coin-operated devices and household refrigeration controls.
- Insulators, porcelain, glass and steatite, for electrical uses.
- Inter-communicating systems, electronic.
- Jacks and jack screws.
- Kilns (except brick), coolers and dryers, specifically designed for industrial or commercial use.
- Laundry machinery, except domestic.
- Leather-working machinery.
- Lighting equipment, electrical, for airway, commercial, flood-lighting, industrial, marine, seadrome, and street and highway uses.
- Lighting fixtures, not portable.
- Line material, transmission or trolley.
- Loading and unloading equipment, specifically designed for industrial or commercial use.
- Lock and dam machinery, which is designed exclusively for the control of water flow in locks, dams and structures when such locks, dams, and structures are designed for flood control, irrigation, power generation or transportation purposes.
- Locomotives and tenders, including mining and industrial.
- Logging and lumbering machinery and equipment.
- Lubricating systems and devices, industrial, stationary.
- Machinery, industrial, not listed elsewhere in this Appendix. The term "industrial machinery" means any machinery or equipment not specifically excluded from the coverage of this regulation, which is used in the extraction, production or processing of commodities.
- Machine tools (power driven machines used for shaping metal by cutting, abrading, straightening, forcing, forging or forming under pressure).
- Machine tool attachments (any accessory equipment furnished with a machine tool, or separately for use on a machine tool).
- Machines, tools, devices and appliances designed specifically for the installation, operation, maintenance and protection of tracks, yards, signals, rolling stock and motive power of surface, subway or elevated rail lines.
- Magnetos.
- Magnets, lifting, industrial.
- Marine equipment listed below:
- Anchors.
 - Boat hooks without handles.
 - Buoys, pontoons and rafts, metallic.
 - Capstans.
 - Chocks.
 - Cleats.
 - Controls, bulkhead and throttle.
 - Deck and manhole plates, machined.
 - Fog horns and whistles, manually operated.
 - Gooseneck and boom bands.
 - Hatch covers, metal.
 - Lights, oil.
 - Marlin spikes and belaying pins, metal.
 - Mooring and riding bits.
 - Port lights.
 - Pumps, marine, manually operated.
 - Reels, hawser, manually operated.
 - Rope guides and leaders.
 - Rowlocks.
 - Shackles.
 - Snaps.
 - Sockets.
 - Steering apparatus, manually operated.
 - Ventilators.
- Metals and alloys, special, electrical (except steel with less than 6% alloy content, in any fabricated form) used for electrical, magnetic or glass-sealing purposes, including special contact alloys and special coated iron wire.
- Mining and quarrying machinery, including mine cars and trucks.
- Molds and patterns.
- Motion picture equipment, 35 millimeter, including sound equipment and parts for recording, reproducing and projecting, for studio, theatre, commercial or industrial use.
- Motors, electrical.
- Neon indicator attachments.
- Numbering and marking machines for use on metal, except office machines.
- Oil burners, industrial and marine, burning No. 5 oil or heavier, except horizontal, rotary and gun type burners.
- Oil mill machinery and equipment.
- Oil-well and oil-field machinery and equipment.
- Optical processing machinery.
- Ore-crushing and concentrating machinery.
- Ovens, industrial and laboratory, except coke ovens.
- Packaging, wrapping, filing and labeling machinery.
- Paint-making and ink-making machinery.
- Panelboards, electrical.
- Parts and subassemblies of any commodity listed in this Appendix where the part or subassembly is in such form that it can be used only in a commodity listed in this Appendix, except mechanical rubber goods.
- Petroleum refining machinery.
- Pharmaceutical machinery.
- Pile drivers.
- Pipe wrapping and coating machinery.
- Pistons and piston rings.
- Plants, stationary, for railroad use in handling cinders, fuel, sand or water.
- Plastics fabricating and molding machinery.
- Pole-line hardware and line construction specialties.
- Power transmission equipment, industrial, including belt-tighteners, blocks and bearing housings, brackets, clutches, collars, couplings, hangers, motor bases, pillow blocks, pulleys, sheaves, shifters, universal joints and variable speed and other machine drives.
- Presses, specifically designed for industrial or commercial use.
- Printing machinery and equipment.
- Public address apparatus.
- Pulp, paper and paper products machinery.
- Pulverized fuel burners.
- Pumps, power operated, with or without power.
- Pumps, hand-operated except store fixtures.
- Railroad car and locomotive parts, and specialties for elevated, subway or surface lines, including:
- Axles.
 - Bearings, truck side.
 - Bollers, fireboxes, front ends and cabs, fittings, fixtures, devices, or appliances mounted thereon.
 - Brakes and brake gears.
 - Coupler devices or attachments.
 - Devices and appliances mounted on locomotives for treatment, distribution or control of water, fuel, steam, sand or electricity.
 - Doors and fixtures.
 - Draft gears, buffers, and attachments.
 - Driving, foundation, or running gear.
 - Grain control apparatus.
 - Journal boxes, assembled.
 - Heating, lighting, ventilation, and air-conditioning equipment.
 - Lubricating devices.
 - Miscellaneous fittings, fixtures, specialties, devices or appliances designed specifically for use on railroad cars or locomotives, except artillery or other exclusively military or naval equipment.
 - Safety appliances and warning devices.
 - Sides, roofs, ends, running boards, and brake steps.
- Spring rigging, snubbers and shock absorbers.
- Tires, steel.
- Trucks, complete.
- Underframes.
- Wheels, iron and steel.
- Rectifiers, power, industrial.
- Refrigeration equipment, condensing units of 25 horsepower and over.
- Regulators, feeder voltage.
- Regulators and dampers, power operated, except those designed for domestic heating systems.
- Replacement units and assemblies for mechanical refrigerators having a refrigerated volume of 16 cubic feet or less, when sold by the manufacturer.
- Reproduction machinery, architectural and engineering, such as blueprinting, black and white printing, and brown printing machinery.
- Road and airport building and maintenance machinery, including graders, pavers, rollers, sprayers, mechanical road cleaning equipment, etc.
- Rock-crushers and plants.
- Rod, wire and tube-working machinery and equipment.
- Rolling mill machinery and auxiliary equipment.
- Rope fittings, manila and wire.
- Rubber and allied products machinery.
- Rubber tire and tube machinery and equipment, including the recapping and retreading molds and necessary parts (full circle and sectional molds, matrices, etc.), tire buffers and spot vulcanizers for tubes.
- Saws, specifically designed for industrial or commercial use.
- Scaffolds and towers.
- Scales, weighing, industrial and laboratory, except coin operated, counter, household, office and store types.
- Searchlights.
- Separators, steam, industrial and marine.
- Sewing machines, industrial.
- Sharpening and filing equipment.
- Ships (any ship or boat powered by an in-board engine, and barges and cargo carrying barges, whether powered or not).
- Shoe manufacturing and repairing machinery.
- Signal equipment, railroad, including highway crossing signals.
- Signalling apparatus.
- Siren blowers.
- Skid platforms and pallets, all metal.
- Snow plows.
- Soot blowers and tube cleaners, power operated, industrial and marine.
- Sound recording and reproducing equipment and parts, including portable recorders and recording and transcription turntables, except home or office recording or reproducing equipment.
- Spraying devices, industrial, power-operated, for the application of any material.
- Spreaders for construction and road-building use.
- Spring winding and forming machinery.
- Sprockets, power transmission.
- Stackers, industrial.
- Steam cleaning and degreasing equipment and parts, washing and cleaning equipment, except commercial and domestic dish and utensil washing and cleaning equipment.
- Steam specialties.
- Stokers, industrial and marine, with a capacity of 1200 pounds per hour or more.
- Stone working machinery.
- Sub-stations, unit (power distribution).
- Superheaters, industrial and marine.
- Surveying instruments, such as alidades, levels and transits.
- Switchboxes.
- Switches, electrical, knife and enclosed.
- Switchgear and switchgear accessories.

- Tanks and vessels, pressure, made of metal 10 B. W. G. and heavier, regardless of capacity, or of a capacity in excess of 192 gallons, regardless of gauge, except field erected storage tanks or cylinders which are designed primarily for the transportation of liquids or gases under pressure and which are not designed to be permanently attached to the vehicle transporting such tanks.
- Tanks and vessels, non-pressure, made of metal heavier than 10 B. W. G., regardless of capacity, or of a capacity in excess of 585 gallons, regardless of gauge, except all obround tanks; field erected tanks or vessels; products commonly known as plumbing fixtures, such as flush tanks and laundry trays; products commonly known as pans and cans, such as pails and buckets; non-returnable shipping retainers; refuse receptacles, drip and waste receivers; and septic tanks.
- Telegraph apparatus.
- Telephone apparatus, including sound and powered telephone and non-electronic intercommunicating equipment.
- Testing sets for electronic equipment.
- Textile machinery, including equipment and accessories designed exclusively for use with such machinery.
- Tobacco working machinery.
- Tools, manually operated, for the cutting, forming and punching of metals.
- Tools, pipe and tube, manually operated, including beading, belling, banding, cleaning, cutting, expanding, and flaring and wrenches for operating.
- Tools, power-driven, portable or non-portable.
- Track work, fabricated (including but not limited to frogs, switches and cross-overs).
- Tractors.
- Trailers.
- Transformers, including specialty transformers.
- Trucks, industrial, hand.
- Trucks, power-operated, lift, platform and straddle.
- Turbine generator sets.
- Turbines and governors, gas, hydraulic and steam.
- Turnbuckles.
- Vises, all types, vise mounts, stands and supports.
- Water conditioning and purifying equipment, industrial.
- Water power equipment.
- Welding apparatus and supplies, electrical, including electrodes.
- Welding and cutting apparatus and supplies, gas, including generators, welding rods and welding wire.
- Well-drilling equipment.
- Wheels.
- Winches and windlasses, manually or power operated.
- Wire accessories, electrical.
- Wire, insulated, electrical.
- Wire machinery.
- Wiring devices, electrical.
- Woodworking machinery.
- X-ray and electro-therapeutic apparatus and supplies.

[F. R. Doc. 51-10143; Filed, Aug. 21, 1951; 11:20 a. m.]

[General Overriding Regulation 3, Amdt. 2]
GOR 3—EXEMPTION OF CERTAIN RUBBER, CHEMICAL AND DRUG COMMODITY TRANSACTIONS

ADDITIONAL EXEMPTIONS

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. No. 163—7

2 (16 F. R. 738), this amendment to General Overriding Regulation 3 (16 F. R. 3216) is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment exempts from price control all butadiene derived from non-petroleum sources which is sold for use in the manufacture of synthetic rubber. Butadiene from petroleum sources, sold for use in making synthetic rubber, has previously been exempt from price control by Ceiling Price Regulation 17, in order to facilitate transfers of this commodity and stimulate its production and to meet intensified demands attendant upon the defense program.

The effect of this amendment exempting non-petroleum butadiene from price control is to render all butadiene sold for use in synthetic rubber manufacture, regardless of its source, free of Office of Price Stabilization regulations. Butadiene from non-petroleum sources, when sold for other purposes, is subject to the General Ceiling Price Regulation.

AMENDATORY PROVISIONS

General Overriding Regulation 3, as amended, is further amended by adding paragraph (d) to section 2 to read as follows:

(d) Butadiene derived from non-petroleum sources when sold for use in the manufacture of synthetic rubber.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Supp. 2154)

Effective date. This amendment shall become effective August 25, 1951.

MICHAEL V. DISALLE,
 Director of Price Stabilization.

AUGUST 21, 1951.

[F. R. Doc. 51-10140; Filed, Aug. 21, 1951; 11:19 a. m.]

Chapter VI—National Production Authority, Department of Commerce

[NPA Order M-32 as Amended August 20, 1951]

M-32—CHEMICALS

LIMITATION FOR DO RATED ORDERS

This amended NPA Order M-32, as last amended July 17, 1951, is found necessary and appropriate to promote the national defense and is issued pursuant to the authority granted by section 101 of the Defense Production Act of 1950 as amended. In the formulation of this order as amended there has been consultation with industry representatives, including trade association representatives, and consideration has been given to their recommendations.

This amendment affects NPA Order M-32, as amended, by changing in Schedule A the limitation for acceptance of rated orders and the lead time for carbon tetrachloride, and by adding six items to Schedule A. As so amended, NPA Order M-32 reads as follows:

- Sec.**
1. What this order does.
 2. Definitions.
 3. Chemicals to which this order applies.
 4. Required shipment dates.

- Sec.**
5. Rejection of rated orders.
 6. Limitation for acceptance of rated orders.
 7. NPA assistance in placing rated orders.
 8. Applications for adjustment or exception.
 9. Communications.
 10. Records.
 11. Audit and inspection.
 12. Reports.
 13. Violations.

AUTHORITY: Sections 1 to 13 issued under sec. 704, 64 Stat. 816 as amended; 50 U. S. C. App. Supp. 2154. Interpret or apply sec. 101, 64 Stat. 799, as amended; 50 U. S. C. App. Supp. 2071; sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.; sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61.

SECTION 1. What this order does. This order applies particularly to producers and distributors of each chemical listed in Schedule A appearing at the end of this order and provides rules for placing, accepting, and scheduling rated orders for such chemical. Its purpose is to provide equitable distribution of rated orders among all producers and distributors thereof, in order to make possible maximum production and to reduce to a minimum disruption of normal distribution. It supplements NPA Reg. 2 but only those provisions of Reg. 2 which are inconsistent with this order are superseded and all other provisions of Reg. 2 continue to apply to the chemical industry.

SEC. 2. Definitions. As used in this order:

(a) "Person" means any individual, corporation, partnership, association, or any other organized group of persons, and includes agencies of the United States or any other government.

(b) "Producer" means any person engaged in the business of producing for sale any chemical listed in Schedule A.

(c) "Distributor" means any person who buys and receives from a producer any chemical listed in Schedule A and who resells or holds for resale such chemical.

(d) "Schedule A" means the list of chemicals marked "Schedule A" appearing at the end of this order.

(e) "NPA" means National Production Authority.

SEC. 3. Chemicals to which this order applies. This order applies only to the chemicals listed in Schedule A, as amended from time to time. It is the intention of NPA that if and when the need arises, additional chemicals will be added to Schedule A.

SEC. 4. Required shipment dates. A rated order for any chemical listed in Schedule A must specify shipment on a particular date or dates or during a particular month, which in no case may be earlier than required by the person placing the order. The producer of such chemical must schedule the order for shipment within the requested month as close to the requested shipment date as is practicable, considering the need for maximum production. The distributor must schedule the order for shipment within the requested month as close to the requested shipment date as is practicable.

RULES AND REGULATIONS

SEC. 5. Rejection of rated orders. Unless otherwise specifically directed by NPA, no producer or distributor need accept a rated order for any chemical listed in Schedule A which is received by him less than the number of days (lead time), if any, set forth in Schedule A opposite the name of such chemical, prior to the first day of the month in which shipment is requested. Rated orders for any such chemical as to which no such period of time is specified in Schedule A are not subject to the provisions of this section.

SEC. 6. Limitation for acceptance of rated orders. Unless otherwise specifically directed by NPA, no producer or distributor shall be required to accept rated orders for shipment of any chemical listed in Schedule A in any one month in excess of the percentage specified in Schedule A.

SEC. 7. NPA assistance in placing rated orders. Any person who is unable to place a rated order for any chemical listed in Schedule A due to the limitation imposed by section 6 of this order should apply to NPA, Ref: Order M-32, specifying the producers or distributors who refused to accept the order. NPA will arrange to assist him in locating sources of supply.

SEC. 8. Applications for adjustment or exception. Any person affected by any provision of this order may file with NPA a request for adjustment or exception upon the ground that such provision works an undue or exceptional hardship upon him not suffered generally by others in the same trade or industry, or that its enforcement against him would not be in the interest of the national defense or in the public interest. In examining requests for adjustment which claim that the public interest is prejudiced by the application of any provision of this order, consideration will be given to the requirements of public health and safety, civilian defense, and dislocation of labor and resulting unemployment that would impair the defense program. Each such request shall be in writing and shall set forth all pertinent facts, the nature of the relief sought, and the justification therefor.

SEC. 9. Communications. All communications concerning this order shall be addressed to National Production Authority, Washington 25, D. C., Ref: M-32.

SEC. 10. Records. Each person participating in any transaction covered by this order shall retain in his possession for at least 2 years records of receipts, deliveries, inventories, and use, in sufficient detail to permit an audit that determines for each transaction that the provisions of this order have been met. This does not specify any particular accounting method and does not require alteration of the system of records customarily maintained, provid-

ed such records supply an adequate basis for audit. Records may be retained in the form of microfilm or other photographic copies instead of the originals.

SEC. 11. Audit and inspection. All records required by this order shall be made available at the usual place of business where maintained for inspection and audit by duly authorized representatives of NPA.

SEC. 12. Reports. Persons subject to this order shall make such records and submit such reports to NPA as it shall require, subject to the terms of the Federal Reports Act of 1942 (5 U. S. C. 139-139F).

SEC. 13. Violations. Any person who wilfully violates any provision of this order or any other order or regulation of NPA or who wilfully conceals a material fact or furnishes false information in the

course of operation under this order is guilty of a crime and, upon conviction, may be punished by fine or imprisonment or both. In addition, administrative action may be taken against any such person to suspend his privilege of making or receiving further deliveries of materials or using facilities under priority or allocation control and to deprive him of further priorities assistance.

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

This order as amended shall take effect on August 20, 1951.

NATIONAL PRODUCTION
AUTHORITY,
MANLY FLEISCHMANN,
Administrator.

SCHEDULE A

Name of chemical	Limitation for acceptance of rated order		Number of days (lead time) if any	
	By producers	By distributors	For producers	For distributors
Ethyl ether of cellulose (known as "ethyl cellulose").	40 percent by weight of the producer's scheduled production for the month of shipment.	None	15	None
DDT (Dichlorodiphenyl-trichloroethane).....	20 percent by weight of the producer's scheduled production for the month of shipment.	None	15	None
Barium carbonate.....	20 percent by weight of the producer's scheduled production for the month of shipment.	None	None	None
Melamine and melamine-containing compounds.	None.....	None	15	None
Anthraquinone vat dyes of the following types: Brown G—CI 1152. Brown R—CI 1151. Khaki 2G—Pr 122. Olive Green B—Pr 233. Olive GGL. Olive R—CI 1150. Olive T. Yellow GC—Pr 9. Orange RRT—CI 1098.	30 percent by weight of the producer's scheduled production for the month of shipment of each of the specified types.	None	None	None
Carbon tetrachloride.....	30 percent by weight of the producer's scheduled production for the month of shipment.	None	20	20
Methylene chloride.....	None.....	None	15	20
Perchloroethylene.....	None.....	None	15	20
Dichloro-difluoromethane (known as "Freon-12").	None.....	None	15	None
Trichloro-monofluoromethane (known as "Freon-11").	None.....	None	15	None
Monochloro-difluoromethane (known as "Freon-22").	None.....	None	15	None
Chrome yellow.....	30 percent by weight of the producer's scheduled production for the month of shipment.	None	None	None
Chrome orange.....	30 percent by weight of the producer's scheduled production for the month of shipment.	None	None	None
Phenol formaldehyde resin: (a) Without filler.....	45 percent by weight of the producer's scheduled production for the month of shipment.	None	15	None
(b) With filler.....	35 percent by weight of the producer's scheduled production for the month of shipment.	None	15	None
Phthalic anhydride.....	35 percent by weight of that portion of the producer's scheduled production for the month of shipment not reserved for his captive use.	None	15	None
Aniline.....	None.....	None	15	None
Styrene.....	None.....	None	15	None
Phenol.....	None.....	None	15	None
Paratertiary butyl phenol.....	None.....	None	15	None
Chlorobenzene.....	None.....	None	15	None

[NPA Order M-4A as Amended August 20, 1951]

M-4A—CONSTRUCTION

This order as amended is found necessary and appropriate to promote the national defense and is issued pursuant to the authority granted by section 101 of the Defense Production Act of 1950 as amended. In the formulation of this order as amended, consultation with industry representatives was found to be impracticable due to the necessity for immediate action.

Sec.

1. What this order does.
2. Revocation of NPA Order M-4.
3. Definitions.
4. Commencing or continuing construction of buildings, structures, or projects listed in Table I.
5. Commencing or continuing construction of buildings, structures, or projects not listed in Table I.
6. How to obtain an authorized construction schedule and related allotments.
7. Use of copper and aluminum in construction.
8. Applications for adjustment or exception.
9. Exemptions.
10. Prohibited deliveries.
11. Scope of this order.
12. Communications.
13. Records and reports.
14. Violations.

Table I—Recreational, Entertainment, and Amusement Construction.

Table II—Agencies to Which Communications Should Be Directed.

AUTHORITY: Sections 1 to 14 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154. Interpret or apply sec. 101, 64 Stat. 799, as amended; 50 U. S. C. App. Sup. 2071, sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.; sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61.

SECTION 1. What this order does. (a) This order supersedes NPA Order M-4 (Construction); and, in its place, it provides new rules for limiting building construction and for limiting the use of certain building materials, in order to further the purposes of conserving critical materials and services required for the defense program. To accomplish these purposes, this order:

(1) Prohibits the commencement or continuing of construction of all types of buildings, structures, or projects which require the use of more than certain specified quantities of controlled materials, unless the prime contractor receives either an authorized construction schedule and related allotment under CMP Regulation No. 6, or is permitted to self-authorize his orders for the materials which he will use for the construction.

(2) Prohibits the use in construction of copper or aluminum for certain specified purposes.

(b) This order makes provision for the granting of adjustments or exceptions in cases of unreasonable hardship, or where required in the interest of the national defense or in the public interest.

SEC. 2. Revocation of NPA Order M-4. NPA Order M-4 as amended July 1, 1951, has been revoked. That revocation does not affect any liabilities for violation of NPA Order M-4, as amended from time to time, or for violation of any adjust-

ments, exceptions, directions, directives, or other actions of the National Production Authority under it.

SEC. 3. Definitions. As used in this order:

(a) "Person" means any individual, corporation, partnership, association, or any other organized group of persons, and includes any agency of the United States or any other government.

(b) "Construction" means the erection of any building, structure, or project, or addition or extension thereto, or alteration thereof, through the incorporation-in-place on the site of materials which are to be an integral and permanent part of the building, structure, or project, but it does not include maintenance and repair.

(c) "Commence construction" means to incorporate into a building, structure, or project, a substantial quantity of materials which are to be an integral and permanent part of such building, structure, or project (for example, the pouring or placing of footings or other foundations). Fabrication, production, or processing of prefabricated buildings, building materials, building equipment, or personal property to be installed does not constitute commencement of construction.

(d) "Allotment" has the meaning as given in section 2 (p) of CMP Regulation No. 6.

(e) "Authorized construction schedule" has the meaning as given in section 2 (g) of CMP Regulation No. 6.

(f) "Controlled material" means steel, copper, and aluminum in the forms and shapes indicated in Schedule I of CMP Regulation No. 1.

(g) "Steel," "copper," and "aluminum" means steel, copper, and aluminum in the forms and shapes indicated in Schedule I of CMP Regulation No. 1.

(h) "Multiunit residential structure" has the meaning as given in section 2 (c) of Direction 1 of CMP Regulation No. 6.

SEC. 4. Commencing or continuing construction of buildings, structures, or projects listed in Table I. (a) No person shall commence construction of any building, structure, or project of a type specified in Table I of this order if completion of such building, structure, or project will require the use of more than 2 tons of carbon steel, or 200 pounds of copper, or any quantity of aluminum, alloy steel, or stainless steel. An adjustment or exception to permit the commencement of such construction may be granted under section 8 of this order.

(b) After September 30, 1951, a person shall not continue construction that has been commenced of a building, structure, or project of a type listed in Table I of this order without receiving an adjustment or exception under section 8 of this order, unless his total requirements of each kind of controlled material for completion of such construction, including material for Class A products, do not exceed the following: Carbon steel, 2 tons; copper, 200 pounds; aluminum, alloy steel, stainless steel, none.

(c) Construction by, or for the account of, the Department of Defense or

the Atomic Energy Commission is exempt from the provisions of this section.

SEC. 5. Commencing or continuing construction of buildings, structures, or projects not listed in Table I.—(a) *Commencing construction.* (1) Prior to October 1, 1951, a person shall not commence construction of a multiunit residential structure if his total requirements of each kind of controlled material for completion of such construction, including material for Class A products, exceed the following: Carbon steel, 25 tons; copper, 2,000 pounds; alloy steel, stainless steel, and aluminum, none. A person who desires, prior to October 1, 1951, to commence construction of a multiunit residential structure requiring more than the amounts of controlled materials specified in this paragraph may request authorization to do so by submitting an application on Form CMP-4C to the Housing and Home Finance Agency, Washington 25, D. C.

(2) Prior to October 1, 1951, a person shall not commence construction of a building, structure, or project, other than a multiunit residential structure or one of a type listed on Table I of this order, unless his total requirements for delivery of each kind of controlled material after September 30, 1951, for completion of such construction, including material for Class A products, do not exceed the amounts specified in Schedule I of Direction 1 to CMP Regulation No. 6 for the appropriate type of construction. However, if a person has received an authorized construction schedule and related allotment prior to October 1, 1951, he may commence construction before that date in accordance with such authorized construction schedule.

(3) After September 30, 1951, no person shall commence construction of any building, structure, or project until he has received an authorized construction schedule and related allotment, unless his total requirements for delivery of each kind of controlled material after September 30, 1951, for completion of such construction do not exceed the amounts specified in Schedule I of Direction 1 to CMP Regulation No. 6 for the appropriate type of construction.

(b) *Continuing construction.* (1) Prior to October 1, 1951, a person shall not continue construction which has been commenced of a multiunit residential structure if his total requirements of each kind of controlled material for completion of such construction, including material for Class A products, exceed the following: Carbon steel, 25 tons; copper, 2,000 pounds; alloy steel, stainless steel, aluminum, none. A person who desires, prior to October 1, 1951, to continue construction which has been commenced of a multiunit residential structure requiring more than the amounts of controlled materials specified in this paragraph may request authorization to do so by submitting an application on Form CMP-4C to the Housing and Home Finance Agency, Washington 25, D. C. After September 30, 1951, a person shall not continue construction that has been commenced of a multiunit residential structure without receiving authoriza-

tion pursuant to an application submitted on Form CMP-4C to the appropriate field office of the Housing and Home Finance Agency (as indicated on the instruction sheet to that form).

(2) A person shall not continue construction that has been commenced of any building, structure, or project, other than one of a type listed in Table I of this order or a multiunit residential structure, without submitting an application on Form CMP-4C, if his total requirements for delivery after September 30, 1951, of each kind of controlled material for completion of such construction, including material for Class A products, exceed the amounts specified in Schedule I of Direction 1 to CMP Regulation No. 6, for the appropriate type of construction indicated therein.

SEC. 6. How to obtain an authorized construction schedule and related allotment. The method of acquiring an authorized construction schedule and related allotment is set forth in CMP Regulation No. 6, which provides for submitting an application on Form CMP-4C. The instruction sheet to Form CMP-4C indicates where the application shall be filed, depending upon the type of construction involved. Further, provision is made in Direction 1 to CMP Regulation No. 6 for self-authorization by a prime contractor of his orders for certain specified quantities of controlled materials.

SEC. 7. Use of copper and aluminum in construction. No person shall use in or in connection with the construction of any building, structure, or project, any copper or aluminum controlled material (as defined in CMP Regulation No. 1) for decorative or ornamental purposes or use any aluminum (other than Class B products) for any purpose other than industrial construction, or use any copper controlled material to be fabricated, adapted, or fitted on the site of the construction for any of the following purposes:

Cement flooring and composition flooring (except that [crude arsenical] copper precipitate may be used for flooring in hospital operating and anesthesia rooms, for places where explosives are handled or stored, and for places where explosive vapors may be present).

Cornices.

Downspouts and accessories thereto.

Facias.

Guttes and accessories thereto.

I. P. S. waste nipples.

Leaders and accessories thereto.

Linoleum stripping.

Marquees.

Metal siding.

Moldings for joining cabinet sinks.

Pipe, iron pipe sizes, and fittings (except for industrial process piping and chemical and gas equipment; solder nipples, solder bushing, and ferrules; and special hospital plumbing fixtures), including unions and union fittings (except seats, and except for other parts of unions and union fittings (1) where and to the extent that the physical and chemical properties of the liquid or gas passing through the union or union fittings make the use of any other material dangerous or impractical, or (2) where the valve is of a type designed for use in an air-conditioning or refrigeration "system," or (3) where use of copper and tubing and/or brass pipe is permitted).

Roofing.

Store fronts.

Supply pipes, iron pipe sizes.

Terrazzo strips.

Tube, tubing, and fittings for piping systems in construction (except for type K for underground water service connections; types B, L, and M for domestic hot and cold water supply pipes, tank to oil burner hook-ups, interconnecting lines carrying primary or secondary refrigerant between compression equipment and cooling coils, and oxygen lines; types B, K, L, and M for industrial process, food, chemical and gas equipment piping; and seamless tube carrying the actuating medium for air temperature control apparatus).

SEC. 8. Applications for adjustment or exception. (a) Any person affected by any provision of section 4 or 7 of this order may file a request for adjustment or exception upon the ground that such provision works an undue or exceptional hardship upon him not suffered generally by others in the same trade or industry, or that the enforcement against him would not be in the interest of the national defense or in the public interest. In examining requests for adjustment claiming that the public interest is prejudiced by the application of any provision of this order, consideration will be given to the requirements of the public health and safety, civilian defense, and dislocation of labor and resulting unemployment that would impair the defense program.

(b) To apply for an adjustment or exception from section 4 of this order, both Form NPAF-24A and Form CMP-4C shall be filed. The forms shall be filed with the National Production Authority, Washington 25, D. C., except in the following instances:

(1) An application for an adjustment or exception to permit the commencement or continuance of construction of a building, structure, or project of the type specified in Table I of this order, which is required as part of an integrated hospital program of the Veterans' Administration, shall be filed with the Veterans' Administration, Washington 25, D. C.

(2) An application for an adjustment or exception to permit the commencement or continuance of construction of a building, structure, or project of the type specified in Table I of this order, which is required as part of an integrated hospital program of the Federal Security Agency, shall be filed with the Federal Security Agency, Washington 25, D. C.

(3) An application for an adjustment or exception to permit the commencement or continuance of construction of a gymnasium which is to be part of a school plant, and is to be used primarily for instructional purposes in physical education and training, shall be filed with the Federal Security Agency, Washington 25, D. C. (The Federal Security Agency shall not authorize the commencement or continuance of construction of such a school gymnasium if it provides for spectator seating).

(c) In determining whether an adjustment or exception should be granted under paragraph (b) of this section, the agency processing the application will consider whether the applicant has properly contained in his inventory, as provided for in CMP Regulation No. 2,

controlled materials in a quantity sufficient to complete the proposed building, structure, or project.

(d) Each request for an adjustment or exception from the provisions of section 7 of this order shall be made by filing Form NPAF-24A with the National Production Authority, Washington 25, D. C. Ref: M-4A. However, when any such request relates to a category of construction with respect to which NPA has delegated authority to another Government agency, it shall be addressed to such Government agency, Washington 25, D. C., Ref: M-4A.

SEC. 9. Exemptions. The following construction is exempt from the provisions of sections 5 and 6 of this order:

(a) Construction of electric power generating projects, which is subject to NPA Order M-50.

(b) Construction of facilities for the production, processing, refining, and distribution of petroleum and gas, which is subject to NPA Order M-46B.

(c) Operating construction in connection with communications facilities, which is subject to NPA Order M-77.

SEC. 10. Prohibited deliveries. No person shall accept an order for, or sell, deliver, or cause to be delivered, any material, equipment, or supplies which he knows, or has reason to believe, will be used in violation of the provisions of this order.

SEC. 11. Scope of this order. This order shall apply to construction in the 48 States, the District of Columbia, and in the territories and insular possessions of the United States.

SEC. 12. Communications. All communications concerning this order shall be addressed to the particular agency designated in Table II of this order as being responsible for the particular category of construction involved (Ref: NPA Order M-4A).

SEC. 13. Records and reports. (a) Each person participating in any transaction covered by this order shall retain in his possession for at least 2 years records of receipts, deliveries, inventories, and use, in sufficient detail to permit an audit that determines for each transaction that that provisions of this order have been met. This does not specify any particular accounting method and does not require alteration of the system of records customarily maintained, provided such records supply an adequate basis for audit. Records may be retained in the form of microfilm or other photographic copies instead of the originals.

(b) All records required by this order shall be made available at the usual place of business where maintained for inspection and audit by duly authorized representatives of the National Production Authority.

(c) Persons subject to this order shall make such records and submit such reports to the National Production Authority, or other governmental agency administering this order, as shall be required, subject to the terms of the Federal Reports Act of 1942 (5 U. S. C. 139-139F).

SEC. 14. Violations. Any person who wilfully violates any provision of this order or any other order or regulation of the National Production Authority or who wilfully conceals a material fact or furnishes false information in the course of operation under this order is guilty of a crime and, upon conviction, may be punished by fine or imprisonment or both. In addition, administrative action may be taken against any such person to suspend his privilege of receiving further deliveries of products or materials or using facilities under priority or allocation control and to deprive him of further priorities assistance.

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

This order as amended shall take effect on August 20, 1951.

NATIONAL PRODUCTION
AUTHORITY,
MANLY FLEISCHMANN,
Administrator.

TABLE I—RECREATIONAL, ENTERTAINMENT, AND AMUSEMENT CONSTRUCTION

- All buildings, structures, or projects to be used for, or in connection with, any recreational, amusement, or entertainment purpose, whether public or private, including, but not limited to:
 - Amphitheater.
 - Amusement arcade.
 - Amusement device built into place on the site, such as a roller coaster, merry-go-round, or similar device or kind. This shall not include demountable or portable equipment.
 - Amusement park.
 - Arena.
 - Assembly hall used primarily for recreation or amusement.
 - Athletic field house.
 - Band stand.
 - Bars and buildings or structures where the predominant business carried out therein or in connection therewith shall be the sale for consumption on the premises of alcoholic liquors.
 - Baseball park.
 - Bathhouse.
 - Billiard or pool parlor.
 - Bleachers and similar seating arrangements when they are built in place as a permanent part of the building, structure, or project.
 - Boardwalk used primarily for recreation or amusement.
 - Boat or canoe club.
 - Bowling alley establishment.
 - Cabana.
 - Camp (except for public or social welfare).
 - Carnival.
 - Club building except for social welfare purposes.
 - Country club.
 - Dance hall.
 - Dance studio.
 - Dude ranch used primarily for recreation or amusement.
 - Exposition or exhibition building or structure for recreational, amusement, or entertainment displays or purposes.
 - Flood lighting (including piers, poles, towers, framework, or foundation with fixed equipment) in connection with any recreational, amusement, or entertainment purpose.
 - Gambling establishment.
 - Golf course.
 - Golf club.
 - Golf driving range.

- Grandstand.
- Gymnasium.
- Lodge hall.
- Music shell.
- Night club.
- Pier used primarily for recreation or amusement.
- Race track, any kind.
- Riding academy.
- Rodeo.

- Shooting gallery.
- Skating rink.
- Ski lodge.
- Slot-machine establishment.
- Stadium.
- Swimming pool.
- Theater, any kind (including drive-in theater).
- Yacht basin or marine railway primarily for the use of pleasure craft.

TABLE II—AGENCIES TO WHICH COMMUNICATIONS SHOULD BE DIRECTED

Category of construction	Agency	Address where communications shall be filed
All school and library construction; all hospital and health facility construction other than the Veterans' Administration and military hospitals; all other health and sanitation programs (but not water-supply and sewer-construction programs), except such types of construction on federally owned property under the control of the Atomic Energy Commission and such types of construction on military reservations; college housing.	Federal Security Agency..	Schools and libraries: Office of Education, Federal Security Agency, Washington 25, D. C. Ref: NPA Order M-4A. Hospitals and health projects: Public Health Service, Federal Security Agency, Washington 25, D. C. Ref: NPA Order M-4A.
The hospital program of the Veterans' Administration.	Veterans' Administration.	Assistant Administrator for Construction, Supply and Real Estate, Veterans' Administration, Washington 25, D. C. Ref: NPA Order M-4A.
Housing construction, alteration, and repair, except: housing and community facilities on federally owned property under the control of the Atomic Energy Commission; housing on military reservations; military housing under Public Law 211, 81st Congress; college housing; and farmstead construction.	Housing and Home Finance Agency.	Public housing: Public Housing Administration Field Offices. Ref: NPA Order M-4A. Private housing: Federal Housing Administration Field Offices. Ref: NPA Order M-4A.
Facilities for departmental programs of the Department of the Interior.	Department of the Interior.	Department of the Interior, Washington 25, D. C. Ref: NPA Order M-4A.
Facilities for the production, preparation, and processing of solid fuels.	Department of the Interior.	Defense Solid Fuels Administration, Department of the Interior, Washington 25, D. C. Ref: NPA Order M-4A.
Facilities for the production and processing of metals and minerals (except solid fuels, oil, and gas).	Department of the Interior.	Defense Minerals Administration, Department of the Interior, Washington 25, D. C. Ref: NPA Order M-4A.
Facilities for the production and processing of fishery products.	Department of the Interior.	Defense Fisheries Administration, Department of the Interior, Washington 25, D. C. Ref: NPA Order M-4A.
Facilities for the generation, transmission, and distribution of electric power.	See NPA Order M-50....	Defense Electric Power Administration, Department of the Interior, Washington 25, D. C. Ref: NPA Order M-4A.
Facilities for the production, processing, refining, and distribution of petroleum and gas, and facilities for the production, processing, and distribution of the products listed in Appendix A of NPA Delegation 9 (but not filling stations).	See NPA Order M-46B...	Petroleum Administration for Defense, Department of the Interior, Washington 25, D. C. Ref: NPA Order M-4A.
Bureau of Public Roads programs for highway construction and maintenance of all rural and urban highways, streets, highway equipment repair shops, bridges, tunnels, toll-road facilities, and appurtenant installations, regardless of financing.	Department of Commerce.	Bureau of Public Roads, District Engineer, Field Offices (through State Highway Department). Ref: NPA Order M-4A.
Air navigation facilities; civil airports.....	Department of Commerce.	Civil Aeronautics Administration, Attention: W-30, Washington 25, D. C. Ref: NPA Order M-4A.
Shipyards.....	Department of Commerce.	Maritime Administration, Washington 25, D. C. Ref: NPA Order M-4A.
Facilities for domestic transportation, storage, and port facilities.	Defense Transport Administration.	Defense Transport Administration, Washington 25, D. C. Ref: NPA Order M-4A.
Construction by, or for the account of, the Department of Defense and all military housing under Public Law 211, 81st Congress; Navy construction; Army construction; Air Force construction, including but not limited to projects of an industrial nature financed by the Air Force; military command construction.	Department of Defense....	Local representative of the military department concerned. Ref: NPA Order M-4A. (Do not file Form CMP-4C unless it is requested.)
All construction by, or for the account of, the Atomic Energy Commission; industrial construction sponsored by the Atomic Energy Commission.	Atomic Energy Commission.	Appropriate operations office of the Atomic Energy Commission. Ref: NPA Order M-4A. (Do not file Form CMP-4C unless it is requested.)
All construction by, or for the account of, the National Advisory Committee for Aeronautics.	National Advisory Committee for Aeronautics.	National Advisory Committee for Aeronautics, Washington 25, D. C. Ref: NPA Order M-4A.
Federal buildings and facilities except as otherwise designated in this table.	General Services Administration.	Controlled Materials Division, General Services Administration, Room G-125, GSA Building, 18th and F Streets, N.W., Washington 25, D. C. Ref: NPA Order M-4A.
Farm construction, including farmstead construction; food production and processing facilities; and wholesale food distribution facilities within the limits of the memorandum of agreement between the Administrator of the Production and Marketing Administration and the Administrator of the National Production Authority (16 F. R. 3410), as from time to time amended or supplemented.	Department of Agriculture.	State offices, Production & Marketing Admin., Department of Agriculture. Ref: NPA Order M-4A.
Operation construction in connection with communications facilities.	National Production Authority. See NPA Order M-77.	Communications Division, National Production Authority, Washington 25, D. C. Ref: NPA Order M-4A.
Industrial construction not listed above.....	National Production Authority.	Industrial Expansion Division, NPA, Washington 25, D. C. Ref: NPA Order M-4A.

TABLE II—AGENCIES TO WHICH COMMUNICATIONS SHOULD BE DIRECTED—Continued

Category of construction	Agency	Address where communications shall be filed
Facilities for ground and surface water supplies: transmission, pumping, treatment, storage, and distribution, for domestic and industrial use; facilities for domestic and industrial liquid, water, sewage collection, transmission, pumping, treatment, and disposal.	National Production Authority.	Water Resources Division, National Production Authority, Washington 25, D. C. Ref: NPA Order M-4A.
All other construction not specifically listed above (including all categories of construction in Table I except as provided in section 8 of this order).	National Production Authority.	Construction Controls Division, National Production Authority, Washington 25, D. C. Ref: NPA Order M-4A.

[F. R. Doc. 51-10106; Filed, Aug. 20, 1951; 4:50 p. m.]

[NPA Order M-64, as Amended August 20, 1951]

M-64—USED RAILS, USED AXLES, AND USED CAST-IRON CAR WHEELS

This order as amended is found necessary and appropriate to promote the national defense and is issued pursuant to the Defense Production Act of 1950, as amended. In the formulation of this order, there has been consultation with industry representatives, including trade association representatives, and consideration has been given to their recommendations. In the issuance of this order as amended, however, consultation with industry representatives was rendered impracticable due to the necessity for immediate action.

NPA Order M-64, dated May 28, 1951, is hereby amended by making appropriate changes in certain sections of the order so that used cast-iron car wheels are made subject to its provisions.

Sec.

1. What this order does.
2. Definitions.
3. Directives.
4. Written authorization required.
5. Exceptions to authorization requirement.
6. Applications for adjustment or exception.
7. Communications.
8. Records.
9. Audit and inspection.
10. Reports.
11. Violations.

AUTHORITY: Sections 1 to 11 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154. Interpret or apply sec. 101, 64 Stat. 799, as amended; 50 U. S. C. App. Sup. 2071; sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.; sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61.

SECTION 1. What this order does. The purpose of this order is to conserve used rails, used axles, and used cast-iron car wheels and to provide for their distribution and use so as best to serve the interest of the national defense program and of defense-supporting activities by promoting the distribution of unserviceable axles to bar mills and forging plants, the distribution of unserviceable rails to re-rolling mills and to foundries, and the distribution of scrap cast-iron car wheels for use in producing new cast-iron car wheels. It prohibits, subject to certain exceptions, deliveries of used rails, used axles, and used cast-iron car wheels except by authorizations to be issued from time to time by the National Production Authority (hereinafter called "NPA").

SEC. 2. Definitions. As used in this order:

(a) "Person" means any individual, corporation, partnership, association, or any other organized group of persons, and includes any agency of the United States or any other government.

(b) "Rail" means the steel-rolling-mill shape known as "tee rail," and includes high tee or flange rail from streetcar tracks.

(c) "Used rail" means rail (weighing not less than 20 pounds or more than 160 pounds per yard in length, weight determination based on standard rail descriptions) which has been released from track by the laying of new replacement rail or used rail, or by withdrawal of the track as a transportation facility.

(d) "Axle" means the steel-rolling-mill shape or forging-billet shape known as solid steel car or locomotive axle.

(e) "Used axle" means any axle which has been released from railroad passenger car, locomotive, or freight car equipment.

(f) "Used cast-iron car wheel" means any wheel which has been released from railroad freight car equipment.

SEC. 3. Directives. NPA may, from time to time, issue specific directives concerning used rails, used axles, or used cast-iron car wheels and, unless otherwise provided therein, such directives will prevail over the provisions of this order.

SEC. 4. Written authorization required.

(a) After May 31, 1951, no person shall deliver or accept delivery of used rails or used axles, including, but not limited to, any used rails or used axles generated as a result of an abandonment or dismantling, in any quantity exceeding 10 tons of each item in any one month, except in accordance with the terms of a written authorization issued by NPA.

(b) After September 1, 1951, no person shall deliver or accept delivery of used cast-iron car wheels, including, but not limited to, any used cast-iron car wheels generated as a result of an abandonment or dismantling, in any quantity exceeding 10 tons in any one month, except in accordance with the terms of a written authorization issued by NPA.

(c) An application for a written authorization must be filed with NPA by letter or telegram by the owner of the materials. The application shall state the quantity of used rails, used axles, or used cast-iron car wheels involved; the

grade; contemplated party or parties to the transaction or transactions; and the location of the material.

(d) NPA may, from time to time, allocate used rails, used axles, or used cast-iron car wheels, and specifically direct the manner and quantities in which deliveries to particular persons or classes of persons or for particular uses or classes of uses shall be made or withheld.

SEC. 5. Exceptions to authorization requirement. (a) The provisions of section 4 of this order shall not apply to the delivery of:

(1) Used rails by a common carrier for use in industrial sidings or for use in its own tracks.

(2) Used axles by a common carrier for use in repairing its own rolling stock.

(3) Any grades of used rails or used axles to a person for use in his own tracks or in his own rolling stock.

(4) Used axles or used cast-iron car wheels of serviceable grade, and used rails of relayer grade, for use in repairing or re-equipping rolling stock or for laying tracks.

(5) Used cast-iron car wheels to a producer of new cast-iron car wheels for use in the production of new cast-iron car wheels.

(b) In any case where a delivery of used rails, used axles, or used cast-iron car wheels (except delivery of used rails of relayer grade or used axles or used cast-iron car wheels of serviceable grade by a parent to a subsidiary railroad corporation, or by a lessor railroad to a lessee railroad) is to be made under the provisions of this section, the person making such delivery shall first obtain from the person to whom delivery is to be made a certificate signed as provided in section 8 of NPA Reg. 2. This certificate shall be in substantially the following form and shall be filed with each purchase order placed with the person selling or delivering such material.

To..... supplier:

The undersigned certifies, subject to statutory penalties, that the (used rails) (used axles) (used cast-iron car wheels) classified in the accompanying order are for use by the undersigned, and that the use thereof by the undersigned will be in compliance with NPA Order M-64.

SEC. 6. Applications for adjustment or exception. Any person affected by any provision of this order may file a request for adjustment or exception upon the ground that such provision works an undue or exceptional hardship upon him not suffered generally by others in the same trade or industry, or that its enforcement against him would not be in the interest of the national defense or in the public interest. In examining requests for adjustment claiming that the public interest is prejudiced by the application of any provision of this order, consideration will be given to the requirements of the public health and safety, civilian defense, and dislocation of labor and resulting unemployment that would impair the defense program. Each request shall be in writing, shall set forth all pertinent facts and the nature of the

relief sought, and shall state the justification therefor.

Sec. 7. Communications. All communications concerning this order shall be addressed to National Production Authority, Washington 25, D. C., Ref.: M-64.

Sec. 8. Records. Each person participating in any transaction covered by this order shall retain in his possession for at least 2 years records of receipts, deliveries, inventories, and use, in sufficient detail to permit an audit that determines for each transaction that the provisions of this order have been met. This does not specify any particular accounting method and does not require alteration of the system of records customarily maintained, provided such records supply an adequate basis for audit. Records may be retained in the form of microfilm or other photographic copies instead of the originals by those persons who have maintained or who may maintain such microfilm or other photographic records in the regular and usual course of business.

Sec. 9. Audit and inspection. All records required by this order shall be made available at the usual place of business where maintained for inspection and audit by duly authorized representatives of the NPA.

Sec. 10. Reports. Persons subject to this order shall make such records and submit such reports to NPA as it shall require, subject to the terms of the Federal Reports Act of 1942 (5 U. S. C., 139-139F).

Sec. 11. Violations. Any person who wilfully violates any provision of this order or any other order or regulation of the NPA or who wilfully conceals a material fact or furnishes false information in the course of operation under this order is guilty of a crime and, upon conviction, may be punished by fine or imprisonment or both. In addition, administrative action may be taken against any such person to suspend his privilege of making or receiving further deliveries of materials or using facilities under priority or allocation control and to deprive him of further priorities assistance.

This order, as amended, shall take effect on August 20, 1951.

NATIONAL PRODUCTION
AUTHORITY,
MANLY FLEISCHMANN,
Administrator.

[F. R. Doc. 51-10108; Filed, Aug. 20, 1951;
4:51 p. m.]

**TITLE 38—PENSIONS, BONUSES,
AND VETERANS' RELIEF**

Chapter I—Veterans' Administration

**PART 6—UNITED STATES GOVERNMENT LIFE
INSURANCE**

**PART 8—NATIONAL SERVICE LIFE
INSURANCE
DISABILITIES**

1. In Part 6, § 6.122 is amended to read as follows:

§ 6.122 *Disabilities deemed to be total and permanent.* Without prejudice to any other cause of disability, the permanent loss of the use of both feet, of both hands, or of both eyes, or of one foot and one hand, or of one foot and one eye, or of one hand and one eye, or the loss of hearing of both ears, or the organic loss of speech, or becoming permanently helpless or permanently bedridden shall be deemed to be total and permanent disability under United States Government life insurance, and monthly installments of insurance for any of the specifically enumerated causes of total and permanent disability shall accrue from the date of such total and permanent disability, and any premiums paid after the date of such total and permanent disability shall be refunded without interest. Organic loss of speech will mean the loss of the ability to express oneself, both by voice and whisper, because of organic changes in the organs involved. The fact that one is able to speak only by use of an artificial appliance should be disregarded. To meet this condition for statutory permanent and total disability it is necessary that there be a complete inability to form words through use of any of the human organs as distinguished from forming words only by the use of a mechanical device. (The provisions of this section shall not be applicable to contracts of United States Government life insurance originally issued on and subsequent to December 15, 1936.)

(Sec. 7, 50 Stat. 661; 38 U. S. C. 512c)

2. A new § 6.165 is added as follows:

§ 6.165 *Disabilities deemed to be total.* Without prejudice to any other cause of disability, the loss of the use of both feet, of both hands, or of both eyes, or of one foot and one hand, or of one foot and one eye, or of one hand and one eye, or the loss of hearing of both ears, or the organic loss of speech, or becoming permanently helpless or permanently bedridden shall be deemed to be total disability for United States Government life insurance authorized by section 311 of the World War Veterans Act, 1924, as amended July 3, 1930, and monthly income payments for any of these specifically enumerated causes of total disability may be paid from the first day of the fifth consecutive month of such continuous total disability. Organic loss of speech will mean the loss of the ability to express oneself, both by voice and whisper. The fact that one is able to speak only by use of an artificial appliance should be disregarded. To meet this condition for statutory total disability, it is necessary that there be a complete inability to form words through use of any of the human organs as distinguished from forming words only by the use of a mechanical device. However, such anatomical and functional loss shall not be deemed to be a total disability under a total disability provision originally issued on and subsequent to December 15, 1936.

(Sec. 5, 43 Stat. 608, as amended, sec. 2, 46 Stat. 1016, sec. 7, 48 Stat. 9; 38 U. S. C. 11a,

426,707. Interpret or apply secs. 300, 301, 43 Stat. 624, as amended; 38 U. S. C. 511, 512)

3. In Part 8, § 8.42 (a) is amended to read as follows:

§ 8.42 *Discontinuance of premium waiver.* (a) The Administrator may require proof of continuance of total disability at any time he may deem same necessary. In the event it is found that an insured is no longer totally disabled, the waiver of premiums shall cease as of the date of such finding, and the insurance may be continued by payment of premiums, the due date of the first premium payable being the next regular monthly due date of the premium under the policy. The insurance shall not lapse prior to the date of expiration of the grace period allowed for the payment of such premium or prior to the expiration of 31 days after date of notice to the insured of the termination of the premium waiver, whichever is the later date. Such notice shall be sent by registered mail, return receipt requested, and sufficient notice will be deemed to have been given when such letter has been placed in the mails by the Veterans' Administration: *Provided*, That the Administrator may grant an additional period of not more than 31 days for payment of the premium in any case in which it is shown that the failure to make payment within 31 days after notice as defined in this paragraph was due to circumstances beyond the insured's control; but the premiums in any such case must be paid during the lifetime of the insured. The failure of the insured to furnish a correct current address at which mail will reach him promptly shall not be grounds for a further extension of time for payment of premiums under this section.

4. Section 8.43 is amended to read as follows:

§ 8.43 *Total disability.* (a) Total disability as referred to in this section is any impairment of mind or body which continuously renders it impossible for the insured to follow any substantially gainful occupation.

(b) Without prejudice to any other cause of disability, the permanent loss of the use of both feet, of both hands, or of both eyes, or of one foot and one hand, or of one foot and one eye, or of one hand and one eye, or the total loss of hearing of both ears, or the organic loss of speech shall be deemed total disability for insurance purposes under the Insurance Act of 1946 (Public Law 589, 79th Congress). Organic loss of speech will mean the loss of the ability to express oneself, both by voice and whisper. The fact that one is able to speak only by use of an artificial appliance shall be disregarded. To meet this condition for statutory total disability, it is necessary that there be a complete inability to form words through use of any of the human organs as distinguished from forming words only by the use of a mechanical device.

(Sec. 608, 54 Stat. 1012, as amended; 38 U. S. C. 808. Interpret or apply sec. 602, 54 Stat. 1009, as amended; 38 U. S. C. 802)

This regulation effective August 22, 1951.

[SEAL]

O. W. CLARK,
Deputy Administrator.

[F. R. Doc. 51-9927; Filed, Aug. 20, 1951;
8:47 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

Appendix—Public Land Orders

[Public Land Order 743]

ALASKA

TRANSFERRING CERTAIN LAND RESERVED BY EXECUTIVE ORDER NO. 8305 OF DECEMBER 19, 1939, FOR THE USE OF THE WAR DEPARTMENT FOR MILITARY PURPOSES TO THE DEPARTMENT OF AGRICULTURE FOR USE FOR BUILDING PURPOSES

By virtue of the authority vested in the President by section 1 of the act of June 25, 1910, 36 Stat. 847 (43 U. S. C. 141), and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

The following-described tract of public land, reserved for the use of the War Department for military purposes by Executive Order No. 8305 of December 19, 1939, is hereby transferred to the Department of Agriculture, for the use of the Soil Conservation Service for building purposes:

All that portion of Government lot 2, sec. 5, T. 1 S., R. 1 W., Fairbanks Meridian, Alaska, described as follows:

Beginning at the southeast corner of said Government lot 2; thence west along the southerly line of said lot 2, 530 feet, more or less, to the southerly line of College Road; thence northeasterly along the southerly line of said College Road 610 feet, more or less, to the east line of said Government lot 2; thence South along the east line of said Government lot 2, 310 feet, more or less, to the point of beginning, containing 1.90 acres, more or less.

The said Executive Order No. 8305 of December 19, 1939, is amended accordingly.

R. D. SEARLES,
Secretary of the Interior.

AUGUST 16, 1951.

[F. R. Doc. 51-9968; Filed, Aug. 21, 1951;
8:45 a. m.]

[Public Land Order 744]

IDAHO

REVOKING EXECUTIVE ORDER NO. 5482 OF NOVEMBER 14, 1930

By virtue of the authority vested in the President by the act of June 25, 1910, 36 Stat. 847 (43 U. S. C. 141), and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

Executive Order No. 5482 of November 14, 1930, withdrawing the following-described land in Idaho pending legislation is hereby revoked:

BOISE MERIDIAN

T. 4 N., R. 23 E.,
Sec. 2, NW $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 3, NW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$,
and SE $\frac{1}{4}$;
Sec. 9, NE $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 10, W $\frac{1}{2}$ NE $\frac{1}{4}$ and NW $\frac{1}{4}$.
T. 2 N., R. 23 E.,
Sec. 26, S $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, and SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 35, NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$,
SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, and S $\frac{1}{2}$ SE $\frac{1}{4}$.

The areas described, including both public and non-public lands, aggregate 1280 acres.

The land is primarily grazing in character.

No applications for these lands may be allowed under the homestead, small-tract, or desert-land laws, or any other non-mineral public-land laws unless the land in question has already been classified as valuable or suitable for such types of application or shall be so classified upon consideration of an application.

This order shall not otherwise become effective to change the status of such lands until 10:00 a. m., on the 35th day after the date of this order. At that time the said lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, and selection as follows:

(a) *Ninety-one day period for preference-right filings.* For a period of 91 days, commencing at the hour and on the day specified above, the public lands affected by this order shall be subject only to (1) application under the homestead or the desert-land laws or the Small Tract Act of June 1, 1938, 52 Stat. 609 (43 U. S. C. 682a), as amended, by qualified veterans of World War II and other qualified persons entitled to preference under the act of September 27, 1944, 58 Stat. 747 (43 U. S. C. 279-284), as amended, subject to the requirements of applicable law, and (2) application under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications under subdivision (1) of this paragraph shall be subject to applications and claims of the classes described in subdivision (2) of this paragraph. All applications filed under this paragraph either at or before 10:00 a. m., on the 35th day after the date of this order shall be treated as though filed simultaneously at that time. All applications filed under this paragraph after 10:00 a. m., on the said 35th day shall be considered in the order of filing.

(b) *Date for non-preference-right filings.* Commencing at 10:00 a. m., on the 126th day after the date of this order, any lands remaining unappropriated shall become subject to such application, petition, location, selection, or other appropriation by the public generally as may be authorized by the public-land laws. All such applications filed either at or before 10:00 a. m., on the 126th day after the date of this order, shall be treated as though filed simultaneously at the hour specified on such 126th day. All applications filed

thereafter shall be considered in the order of filing.

A veteran shall accompany his application with a complete photostatic, or other copy (both sides), of his certificate of honorable discharge, or of an official document of his branch of the service which shows clearly his honorable discharge as defined in § 181.36 of Title 43 of the Code of Federal Regulations, or constitutes evidence of other facts upon which the claim for preference is based and which shows clearly the period of service. Other persons claiming credit for service of veterans must furnish like proof in support of their claims. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated statements in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the Land and Survey Office, Boise, Idaho, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 166 to 170, inclusive, of Title 43 of the Code of Federal Regulations, and applications under the desert-land laws and the said Small Tract Act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

Inquiries concerning these lands shall be addressed to the Land and Survey Office, Boise, Idaho.

R. D. SEARLES,
Acting Secretary of the Interior.

AUGUST 16, 1951.

[F. R. Doc. 51-9969; Filed, Aug. 21, 1951;
8:45 a. m.]

TITLE 47—TELECOMMUNICATIONS

Chapter I—Federal Communications Commission

PART 2—FREQUENCY ALLOCATIONS AND RADIO TREATY MATTERS; GENERAL RULES AND REGULATIONS

EXTENSION OF TEMPORARY ALLOCATION OF FREQUENCIES

In the matter of a petition filed with the Commission by the Seismograph Service Corporation of Tulsa, Oklahoma, requesting extension of temporary allocation of frequencies to the radiolocation service in the band 1750-1800 kc.

At a meeting of the Federal Communications Commission held at its offices in Washington, D. C., on the 15th day of August 1951;

The Commission having under consideration Footnote (2) to § 2.104 (a) of its rules which, subject to certain conditions, temporarily allocates the band 1750-1800 kc. until not later than August 17, 1951, to a radiolocation service for

the location of petroleum deposits in the Gulf of Mexico, and having under consideration a petition filed by the Seismograph Service Corporation requesting an extension of this temporary allocation for an additional period after August 17, 1951, on the general grounds that such extension is needed pending a decision in the proceedings in the Commission's general radiolocation hearing in Docket 9233 and on the further grounds that the petitioner has filed applications for renewal of its existing Class 2 Experimental licenses authorizing the use of this band for certain radiolocation purposes; and

It appearing, that on June 4 and 5, 1951, the Commission heard testimony and received evidence in the proceedings of Docket 9233, and, pending final determination in the matter of Docket 9233, a further extension of the temporary allocation would permit continuation of the current radiolocation operations in the band 1750-1800 kc.; and

It further appearing, that the Commission has heretofore found that establishment on a temporary basis of a radiolocation system as described above would be in the public interest and a further temporary extension as herein ordered would continue to be in the public interest; and

It further appearing, that on February 21, 1951, the Commission adopted the Disaster Services Rules (Part 20, effective March 21, 1951), making frequencies in the band 1750-1800 kc. available to stations in that service on a non-exclusive basis and that such service should be free from harmful interference such as might be caused by the operation of a radiolocation service in this band; and

It further appearing, that the legal authority for a temporary extension of the existing temporary allocation of the band 1750-1800 kc. is vested in the Commission under sections 4 (i), and 303 (a), (b), (c), (d), (f), (g), (h), and (r) of the Communications Act of 1934, as amended; Article 7 of the Cairo (1938) General Radio Regulations, and Article 3 of the Atlantic City (1947) Radio Regulations;

It is ordered, That the petition of the Seismograph Service Corporation is granted to the extent that the temporary allocation is extended in accordance with the terms hereinafter set forth.

It is further ordered, That footnote (2) to § 2.104 (a) of the Commission's rules governing frequency allocations and other matters is amended to read as follows:

² On the condition that harmful interference shall not be caused to the Disaster Communications Service in this band, this band is temporarily allocated to the radiolocation service until not later than February 17, 1952, subject to possible temporary continuance beyond that time for such additional period or periods as the Commission may find necessary: *Provided, however,* That this temporary allocation, or any temporary continuation thereof, shall be subject to the use-in-derogation provisions of Article 7 of the Cairo General Radio regulations and Chapter III of the Atlantic City Radio regulations: *And provided further,* That this temporary allocation, or any temporary continuation thereof, shall automatically terminate,

without the necessity of any further action by the Commission, not later than the date on which that part of the Table of Frequency Allocations of the Inter-American Radio Agreement (Washington, 1949) covering the band 1750-1800 kc. becomes effective, or the date on which that part of the Atlantic City Table of Frequency Allocations covering all of the bands below 27,500 kc. becomes effective (as provided by Article 47 of the Atlantic City Radio regulations), whichever date is earlier: *And provided still further,* That this temporary allocation, or any temporary continuation thereof, shall be subject to earlier cancellation or modification by the Commission, without the necessity of a hearing, if during any period when such allocation is in effect the Commission shall, in the course of any action by the United States Government directed toward bringing into force any part of the Inter-American Radio Agreement (Washington, 1949) or toward making effective all or any portion of that part of the Atlantic City Table of Frequency Allocations covering the bands below 27,500 kc. or in the course of proceedings undertaken by the Commission to determine whether a radiolocation service should be provided on a permanent basis, reach conclusions which, in the opinion of the Commission, require such cancellation or modification. This temporary allocation, or any temporary continuation thereof, is strictly limited to a radiolocation service for the location of petroleum deposits in the Gulf of Mexico. Stations in this service shall be located within 150 miles of the shoreline of the Gulf of Mexico.

It is further ordered, That this order, and the amendment of Part 2 of the rules herein ordered, shall be effective August 17, 1951.

(Sec. 4, 48 Stat. 1066 as amended; 47 U. S. C. 154. Interprets or applies sec. 303, 48 Stat. 1082, as amended; 47 U. S. C. 303)

Released: August 15, 1951.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] WM. P. MASSING,
Acting Secretary.

[F. R. Doc. 51-10027; Filed, Aug. 21, 1951; 8:53 a. m.]

[Docket No. 9990]

PART 9—AERONAUTICAL SERVICES

CERTAIN FREQUENCIES FOR USE BY AIRCRAFT AND AIRDROME CONTROL STATIONS

In the matter of amendment of §§ 9.312 (h), 9.321 (b), and 9.411 (a) of Part 9, the Commission's rules and regulations governing aeronautical services in order to provide certain frequencies within the band 118.1-126.7 Mc for use by aircraft and airdrome control stations.

At the session of the Federal Communications Commission held in its offices in Washington, D. C., on the 15th day of August 1951;

The Commission having under consideration the above captioned matter which proposed to amend Part 9, the Commission's rules and regulations governing aeronautical services, in order to make available additional frequencies for assignment to airdrome control stations and to aircraft for air traffic control operations; and

It appearing, that in accordance with the requirements of the Administrative

Procedure Act, a notice of proposed rule making was duly published in the FEDERAL REGISTER on June 12, 1951, which notice proposed the above amendment to the Commission's rules; and

It further appearing, that the period in which interested persons were afforded an opportunity to submit comments having expired, all comments were considered, and no objections to the proposal were received; and

It further appearing, that the public interest, convenience and necessity will be served by this amendment, the authority for which is contained in sections 4 (i), 303 (b), (c), (d), and (r) of the Communications Act of 1934, as amended;

It is ordered, That effective October 1, 1951, Part 9, the Commission's rules and regulations governing aeronautical services, is amended as set forth below.

(Sec. 4, 48 Stat. 1066, as amended; 47 U. S. C. 154. Interprets or applies sec. 303, 48 Stat. 1082, as amended; 47 U. S. C. 303)

Released: August 16, 1951.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] WM. P. MASSING,
Acting Secretary.

1. Amend § 9.312 (h) to read as follows:

(h)	118.1 A	119.9	123.7	125.5
	118.3	120.1	123.9	125.7
	118.5	120.3 B	124.1	125.9
	118.7	120.5	124.3	126.1 E
	118.9	120.7	124.5	126.3 E
	119.1	120.9	124.7	126.5
	119.3	121.1	124.9	126.7 F
	119.5	121.3 C	125.1	
	119.7	121.7 D	125.3	

These frequencies are available for air traffic control operations

A Primarily for international operations,
B Primarily for communications with Air Route Traffic Control Centers.

C For communication with low activity airdrome control stations.

D Available on a secondary basis to its primary use as an airport utility frequency.

E Available on a non-interference basis to government use of 126.18 Mc.

F For communication with Interstate Airway Communication Stations.

2. Delete footnote 3A on § 9.312 (h) and footnote 4 on § 9.321 (b).

3. Amend § 9.411 (a) to read as follows:

(a) ⁵	118.1 A	119.7	121.3 C	124.9
	118.3	119.9	121.7 D	125.1
	118.5	120.1	123.7	125.3
	118.7	120.3 B	123.9	125.5
	118.9	120.5	124.1	125.7
	119.1	120.7	124.3	125.9
	119.3	120.9	124.5	126.1 E
	119.5	121.1	124.7	126.3 E

A Primarily for international operations.
B Primarily for assignment to Air Route Traffic Control Centers.

C For assignment to low activity airdrome control stations only.

D Available on a secondary basis to its primary use as an airport utility frequency.

E Available on a non-interference basis to government use of 126.18 Mc.

[F. R. Doc. 51-10028; Filed, Aug. 21, 1951; 8:53 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF JUSTICE

Immigration and Naturalization Service

[8 CFR Part 119]

APPLICATIONS FOR EXTENSION OF TEMPORARY STAY SUBMITTED BY EXCHANGE VISITORS

NOTICE OF PROPOSED RULE MAKING

AUGUST 10, 1951.

Pursuant to section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U. S. C. 1003), notice is hereby given of the proposed issuance by the Commissioner of Immigration and Naturalization, with the approval of the Attorney General, of the following amendment of the rule relating to extension of temporary stay of exchange visitors. In accordance with subsection (b) of the said section 4, interested persons may submit to the Commissioner of Immigration and Naturalization, Room 1063, Temporary Federal Office Building X, Nineteenth and East Capitol Streets NE., Washington 25, D. C., written data, views and arguments relative to these proposed rules. Such representations may not be presented orally in any manner. All relevant material received within 20 days following the day of publication of this notice will be considered.

Paragraph (d) of § 119.8, *Exchange visitors; special provisions*, Chapter I, Title 8 of the Code of Federal Regulations, is amended to read as follows:

(d) Any application for extension of stay shall be supported by satisfactory written evidence from the alien's approved sponsor or employer, showing the time and terms of the continuation of the status under which the alien was admitted.

(Sec. 23, 39 Stat. 892, sec. 24, 43 Stat. 166, sec. 37, 54 Stat. 675; 8 U. S. C. 102, 222, 458)

ARGYLE R. MACKEY,
Commissioner,

Immigration and Naturalization.

Approved: August 15, 1951.

J. HOWARD McGRATH,
Attorney General.

[F. R. Doc. 51-9993; Filed, Aug. 21, 1951;
8:52 a. m.]

DEPARTMENT OF LABOR

Wage and Hour Division

[29 CFR Part 522]

EMPLOYMENT OF LEARNERS IN THE HOSIERY INDUSTRY

NOTICE OF PROPOSED RULE MAKING

Pursuant to section 14 of the Fair Labor Standards Act of 1938, as amended, the Administrator has heretofore issued regulations (§§ 522.40 through 522.51) providing for the employment of learners in the hosiery industry at wages lower than the minimum

wage applicable under section 6 of the act.

Such regulations have been reexamined in the light of recent changes in wage levels and administrative experience in the operation of the regulations. All relevant information available indicates that it is necessary to revise the hosiery industry learner regulations so as to eliminate certain learner occupations, shorten the learning period in others, and adjust upward certain of the prescribed subminimum wage rates.

Accordingly, notice is hereby given pursuant to the Administrative Procedure Act (60 Stat. 237; 5 U. S. C. 1001), that under the authority provided in section 14 of the Fair Labor Standards Act of 1938, as amended (Section 14, 52 Stat. 1068; 29 U. S. C. 214), the Administrator of the Wage and Hour Division, United States Department of Labor, proposes to revise §§ 522.40 through 522.51 as hereinafter set forth. Prior to adoption of the revised regulations, consideration will be given to any data, views or arguments pertaining thereto which are submitted in writing to the Administrator of the Wage and Hour Division, United States Department of Labor, Washington 25, D. C., within 30 days from publication of this notice in the FEDERAL REGISTER.

- Sec.
522.40 Issue of special learner certificates in the hosiery industry.
522.41 Number and proportion of learners.
522.42 Learner occupations.
522.43 Learning period in Class I Occupations.
522.44 Learning period in Class II Occupations.
522.45 Class I learner rates.
522.46 Class II learner rates.
522.47 Piece rate payment to all learners.
522.48 Duration of certificates.
522.49 Provisions of learner certificates.
522.50 Cancellation of special learner certificates.
522.51 Definition of the hosiery industry.

AUTHORITY: §§ 522.40 to 522.51 issued under section 14, 52 Stat. 1068; 29 U. S. C. 214.

§ 522.40 *Issue of special learner certificates in the hosiery industry.* (a) When necessary in order to prevent the curtailment of opportunities for employment, special certificates authorizing the employment of learners in the occupations and subject to the terms herein set forth shall be issued to any plant in the hosiery industry making application therefor on forms furnished by the Wage and Hour Division, providing that:

(1) Experienced workers in the occupations named herein are not available for such employment (except as provided in § 522.49), and that

(2) The issuance of a special certificate will not create unfair competitive labor cost advantage or impair or depress working standards established for experienced workers for work of a like or comparable character in the industry.

(b) Such application forms require to be set forth, among other things, a list of occupations in which learners are requested, the number of learners requested, the number of learners hired

during the preceding 12 months, a list of occupations in which experienced workers are employed, the number employed, their average straight-time hourly earnings in cents per hour, and information concerning the type of machine to be used by learners.

§ 522.41 *Number and proportion of learners.* (a) Except as otherwise provided in this section, no learners' certificate shall authorize the employment of learners in excess of five percent of the total number of factory workers (not including office and sales personnel) employed in the plant: *Provided, however,* That employment of as many as five learners may be authorized in any certificate.

(b) Special certificates may also be issued for a number of learners in excess of that provided in paragraph (a) of this section, for new mills and expanding mills. A new mill is one which is newly established and being operated for the first time, or which has not been operated more than eight months, and in which a substantial number of workers must be trained for operations on products of the mill. Expanding mills are those in which expansion occurs through the installation of additional mechanical equipment or the utilization of mechanical equipment in that mill which has been idle for at least one year and which expansion will result in the need for additional learners in numbers in excess of five percent or five learners.

§ 522.42 *Learner occupations.* (a) A learner may be employed in any one of the following Class I occupations at not less than the applicable hourly rate provided in § 522.45:

CLASS I OPERATIONS

Seamless Branch

Knitting, except transfer top.
Seaming.
Folding, except women's nylon and rayon stockings.
Examining and inspecting.
Topping.
Boarding.
Folding, women's nylon and rayon stockings.
Wetling.
Mending.
Pairing, except women's nylon stockings.

Full Fashioned Branch

Boarding.
Examining and inspecting.
Folding.
Knitting, single-unit (such as Wildman) or short-section (such as Reiner) full fashioned knitting machines of less than 18 sections.¹

(b) A learner may be employed in any one of the following Class II occupations

¹ For purposes of §§ 522.40-522.51, this occupation is defined as including only those work processes directly related to the operation and maintenance of the described knitting machines and any auxiliary tasks incidental to the operation of such machines to the extent that such auxiliary operations are a normal part of the experienced knitter's task.

at not less than the applicable hourly rate provided for such occupations in § 522.46:

CLASS II OCCUPATIONS

Seamless Branch

Knitting, transfer top only.
Looping.
Pairing, women's nylon stockings only.

Full Fashioned Branch

Knitting, multiple-section full fashioned knitting machines of not less than 18 sections.¹
Looping.
Seaming.
Hand mending.²
Pairing.

§ 522.43 *Learning period in Class I occupations.* (a) A person who has had no previous hosiery industry experience in any one of the Class I occupations may be employed as a learner for not to exceed 480 hours in the following Class I occupations:

Seamless Branch

Topping.
Boarding.
Folding, women's nylon and rayon stockings.
Welting.
Mending.
Pairing, except women's nylon stockings.

Full-Fashioned Branch

Folding.
Knitting, single-unit (such as Wildman) or short-section (such as Reiner) full-fashioned knitting machines of less than 18 sections.

(b) A person who has had no previous hosiery industry experience in any one of the Class I occupations may be employed as a learner for not to exceed 240 hours in the following Class I occupations:

Seamless Branch

Knitting, except transfer top.
Seaming.
Examining and inspecting.
Folding, except women's nylon and rayon stockings.

Full-Fashioned Branch

Boarding.
Examining and inspecting.

(c) A person who has had partial training in the hosiery industry in any one Class I occupation for less than the number of hours authorized in paragraphs (a) or (b) of this section may be employed as a learner in the same Class I occupation until that employee

¹ For purposes of §§ 522.40-522.51, this occupation is defined as including only those work processes directly related to the operation and maintenance of the described knitting machines and any auxiliary tasks incidental to the operation of such machines to the extent that such auxiliary operations are a normal part of the experienced knitter's task.

² For purposes of §§ 522.40-522.51, this occupation is defined as the process of hand-mending hosiery, either in the greige or finished condition, excluding snagging or scratching if performed as a full time and continuous process, and excluding the operation of various types of mending machines, such as Vitos, Vanitas, Stelos or Marvel, except where the operation of such machines is incidental to the hand-mending operation and the use of such machinery is an adjunct to the hand-mending process.

has completed the number of hours authorized for that occupation.

(d) A worker previously employed in one of the Class I occupations may be transferred to another Class I occupation and employed in such occupation as a learner for not to exceed the number of hours authorized for that occupation except that:

(1) A worker may not be transferred from the occupation of pairing to the occupations of folding or inspecting.

(2) A worker may not be transferred from the seamless branch of the hosiery industry to the full-fashioned, or the full-fashioned branch to the seamless and employed as a learner if the person is employed in the same occupation as that in which he or she has been previously employed.

(3) A worker may not be employed as a learner in more than two Class I occupations.

(e) A worker in any of the Class II occupations named above may be transferred to and employed as a learner for not to exceed the authorized learning period in any one of the Class I occupations, except that a worker may not be transferred from the occupation of pairing to the occupations of folding or inspecting, nor may a worker be transferred to the same type of work in a Class I occupation for which training has already been received in a Class II occupation.

§ 522.44 *Learning period in Class II occupations.* (a) A person who has had no previous experience in the hosiery industry in any one of the Class I or Class II occupations may be employed as a learner for not to exceed 960 hours in any one of the Class II occupations.

(b) A person who has had partial training in the hosiery industry in any one Class II occupation for less than 960 hours may be employed as a learner in the same Class II occupation until that employee has completed a total of 960 hours in that occupation.

(c) A person who has completed the learning period of 960 hours in any one of the Class II occupations may be employed as a learner in another Class II occupation for not to exceed 480 hours except that:

(1) A worker in the seamless branch may not be transferred to the full-fashioned branch or a worker in the full-fashioned branch may not be transferred to the seamless branch and employed as a learner in the same occupation in the other branch as that in which he or she has been previously employed, and

(2) A worker may not be employed as a learner in more than two Class II occupations.

(d) A worker in a Class I occupation who has not been employed as a learner in more than two Class I occupations may be transferred to and employed as a learner for not to exceed 480 hours in any one of the Class II occupations, with the exception of full-fashioned knitting on multiple-section machines of not less than 18 sections for which provision is made in paragraph (e) of this section, and with the further exception that a folder or an inspector who is transferred to pairing (Class II) may not be em-

ployed at the learner rate for more than a total of 960 hours.

(e) A worker in any Class I or Class II occupation may be employed as a learner on full-fashioned knitting on multiple section machines of not less than 18 sections for a total of not to exceed 960 hours, which total hours shall include all past employment, if any, in full-fashioned knitting.

§ 522.45 *Class I learner rates.* Learners employed in Class I occupations shall be paid not less than 63 cents an hour in the seamless branch, and not less than 65 cents an hour in the full-fashioned branch of the industry.

§ 522.46 *Class II learner rates—(a) Piece rate basis.* Learners employed on a piece-rate basis in Class II occupations in the seamless branch of the hosiery industry shall be paid not less than 63 cents an hour for the first 480 hours, and not less than 68 cents an hour for the second 480 hours; and in the full-fashioned branch, not less than 65 cents an hour for the first 480 hours, and not less than 70 cents an hour for the second 480 hours.

(b) *Basis other than piece rate.* Learners employed on other than a piece-rate basis in Class II occupations in the seamless branch of the hosiery industry shall be paid not less than 63 cents an hour for the first 480 hours, and 69 cents an hour for the second 480 hours; and in the full-fashioned branch, not less than 65 cents an hour for the first 480 hours, and not less than 71 cents for the second 480 hours.

(c) *Retraining—(1) Piece rate basis.* A worker employed on a piece-rate basis, who is being transferred and employed as a learner in accordance with § 522.44 (c) or (d) (retraining), shall be paid not less than 64 cents an hour in the seamless branch of the hosiery industry and not less than 68 cents an hour in the full-fashioned branch.

(2) *Basis other than piece rate.* A worker employed on other than a piece-rate basis, who is being transferred and employed as a learner in accordance with § 522.44 (c) or (d) (retraining), shall be paid not less than 69 cents an hour in the seamless branch of the hosiery industry and not less than 71 cents an hour in the full-fashioned branch.

§ 522.47 *Piece rate payment to all learners.* If experienced operators are paid on a piece work rate, learners shall be paid at least the same piece work rate as that paid workers already employed on similar work in the establishment and learners shall receive their full piece work earnings whenever these exceed the subminimum hourly wage established in the certificate.

§ 522.48 *Duration of certificates.* Special learner certificates authorizing the employment of learners not in excess of five percent of total factory employees or certificates authorizing not more than five learners shall be valid for a period of not longer than one year unless sooner revoked because an adequate supply of experienced workers are available or for other cause. Special certificates authorizing the employment of learners in excess of five percent shall

be valid for a period not exceeding eight months unless sooner revoked in accordance with § 522.50 for cause.

§ 522.49 *Provisions of learner certificates.* All special certificates shall include, among other matters, the learner occupations, length of learning period, and rates set forth in this part; the definition of a learner; the requirement that the employer shall exercise due diligence to secure experienced workers before employing inexperienced workers at learner rates in their stead, except in the instance of retraining experienced workers already employed in the mill, when the necessity of employing experienced workers in lieu of learners shall not apply; the requirement that the certificate shall be posted continuously during its validity in a conspicuous place in the plant where the learners are to be employed; and a prohibition against the violation of any of the terms and conditions set forth in the certificate.

§ 522.50 *Cancellation of special learner certificates.* (a) Any special certificate may be canceled if it is found that it is not necessary to prevent a curtailment of opportunities for employment: *Provided, however,* That when experienced workers become available after a certificate has been issued, the certificate may be canceled insofar as future employment is concerned, or may be allowed to continue in effect, upon condition that the employer does not hire additional learners under it until experienced workers are not again available. In the absence of fraud or misrepresentation learners already hired under a special certificate may be retained under the terms of the certificate if the learning period extends beyond the date on which the certificate has been canceled.

(b) Any special certificate shall be canceled as of the date of issue if it is found that the certificate has been obtained by fraud or misrepresentation. When a certificate has been obtained by fraud or misrepresentation the employer shall be liable to the employee for wages established by the act as if no certificate had been issued.

(c) Any special certificate may be canceled as of the first date of violation if it is found that any of its terms have been violated, and the employer shall be liable to those employed under such certificate, from the date of violation, for wages established by the act.

(d) Except in cases of willfulness or those in which the public interest requires otherwise, before any special certificate for the employment of learners in the hosiery industry is canceled, facts or conduct which may warrant such action shall be called to the attention of the employer in writing and he shall be accorded an opportunity to demonstrate or achieve compliance with the regulations contained in this part.

§ 522.51 *Definition of the hosiery industry.* For purposes of § 522.40-522.51, the "hosiery industry" is defined as follows: The manufacture or processing of hosiery including, among other processes, the knitting, dyeing, clocking, and all phases of finishing hosiery, but not

Including the manufacture or processing of yarn or thread.

Signed at Washington, D. C., this 16th day of August 1951.

F. GRANVILLE GRIMES, Jr.,
Acting Administrator.

[F. R. Doc. 51-9973; Filed, Aug. 21, 1951;
8:46 a. m.]

FEDERAL SECURITY AGENCY

Food and Drug Administration

[21 CFR Part 155]

SEAFOOD INSPECTION

NOTICE OF PROPOSAL TO ISSUE REGULATIONS COVERING THE INSPECTION OF FRESH AND FROZEN SHRIMP

Pursuant to the provisions of section 702A of the Federal Food, Drug, and Cosmetic Act (49 Stat. 871; 21 U. S. C. 372a), the Federal Security Administrator has heretofore issued regulations (21 CFR Part 155 and 1950 Supp.) governing the inspection of canned shrimp. The Administrator has determined that it has become necessary to expand the sea-food inspection service to cover frozen and iced shrimp products. Accordingly, notice is hereby given pursuant to the Administrative Procedure Act (60 Stat. 237; 5 U. S. C. 1001) that the Federal Security Administrator proposes to revise Part 155 by adding §§ 155.16 through 155.29, inclusive, as hereinafter set forth. Prior to final adoption of the proposed regulations, consideration will be given to any data or views pertaining thereto which are submitted in writing to the Hearing Clerk, Federal Security Agency, Room 5440, Federal Security Building, Fourth Street and Independence Avenue SW., Washington, D. C., within 30 days from the date of publication of this order in the FEDERAL REGISTER.

INSPECTION OF FRESH AND FROZEN SHRIMP

Sec.	
155.16	Application for inspection service.
155.17	Granting or refusing inspection service; cancellation of application.
155.18	Inspection periods.
155.19	Assignment of inspectors.
155.20	Uninspected shrimp excluded from inspected establishments.
155.21	General requirements for plant and equipment
155.22	General operating conditions.
155.23	Code marking.
155.24	Freezing, icing, and refrigeration.
155.25	Examination after processing.
155.26	Labeling.
155.27	Certificates of inspection; warehousing and export permits.
155.28	Inspection fees.
155.29	Suspension, withdrawal, and termination of inspection service.

§ 155.16 *Application for inspection service.* (a) Applications for inspection service on the processing of fresh and frozen shrimp under the provisions of section 702A of the Federal Food, Drug, and Cosmetic Act shall be on forms supplied by the Food and Drug Administration. The processing of shrimp comprises all the operations, including labeling and storage, necessary to prepare for the market shrimp in any of the following forms: Raw headless (which may or may not be deveined), iced or

frozen; cooked peeled, iced or frozen; completely peeled and deveined, which may or may not be battered and breaded before freezing, or partially peeled deveined shrimp battered and breaded and then frozen. No application for an inspection period filed with the Food and Drug Administration after May 1, preceding such period in any year, shall be considered unless the applicant shows substantial cause for failure to file such application on or before May 1 of such year. A separate application shall be made for each inspection period in each establishment in which the service is applied for. Each application for an inspection period shall be accompanied by an advance deposit of \$525.00 as prescribed by § 155.28 (b). Such deposit shall be paid in the manner prescribed by § 155.28 (e).

(b) An application by two or more packers for inspection service in one establishment to be jointly or severally operated by them shall be accompanied by an agreement signed by such packers binding each to be jointly and severally liable for the payment of all fees and deposits required for such establishment by § 155.23.

(c) For the purpose of §§ 155.16 to 155.29 an establishment is defined as a factory where shrimp may be completely processed in any of the forms described in paragraph (a) of this section.

§ 155.17 *Granting or refusing inspection service; cancellation of application.* (a) The Federal Security Administrator may grant the inspection service applied for when he determines that the establishment covered by such application complies with the requirements of § 155.21.

(b) The Administrator may refuse to grant the inspection service at any establishment for cause. In case of refusal he shall notify the applicant of the reason therefor and shall return to such applicant the payment which accompanied the application, less any expenses incurred by the Food and Drug Administration for preliminary inspection of the establishment or for other purposes incident to such application.

(c) The applicant, by giving written notice to the Administrator, may withdraw his application for inspection service before July 1 preceding the inspection period covered by the application. In case of such withdrawal, the Administrator shall return to such applicant the payment that accompanied the application, less any salary and other expense incurred by the Administration incident to such application.

§ 155.18 *Inspection periods.* (a) Each inspection period shall be for not more than 1 year, and shall begin on July 1 of each year. Upon request of the packer, and with the approval of the Administration, such service during any inspection period may be transferred from one establishment to another to be operated by the same packer. In case of such transfer the packer shall furnish all necessary transportation of inspectors.

(b) For the first year that inspection service is offered on all forms of shrimp processing, the date of the beginning of

the inspection period shall be regarded as the date specified for the beginning of the service in the application therefor, or such other date as may be specified by the Administration; but if the Administrator is not prepared to begin the service on the specified date, the date of the beginning of such period shall be regarded as the date on which the service is begun.

(c) Inspection service shall be continuous throughout the inspection period.

(d) The inspection service will not permit processing of shrimp from waters closed by State conservation laws.

§ 155.19 *Assignment of inspectors.*

(a) An initial assignment of at least one inspector shall be made to each establishment in which inspection service under §§ 155.16 to 155.29 is granted. Thereafter the Administration shall adjust the number of inspectors assigned to each establishment to the number required for continuous and efficient inspection.

(b) Any inspector of the Administration shall have free access at all times to all parts of the establishment and to all fishing and freight boats and other conveyances catching shrimp for, or transporting shrimp to, such establishment.

§ 155.20 *Uninspected shrimp excluded from inspected establishments.* (a) No establishment to which inspection service has been granted shall at any time thereafter process shrimp which has not been so inspected; but this paragraph shall not apply to an establishment after termination of inspection service therein as authorized by § 155.29.

(b) All shrimp and other ingredients entering into the finished products shall be subject to inspection when delivered to the establishment or at any time thereafter. Certificates of inspection shall be issued on all shrimp handled and processed in accordance with these regulations.

§ 155.21 *General requirements for plant and equipment.* (a) All exterior openings of the establishment shall be adequately screened, and roofs and exterior walls shall be tight. When necessary, fly traps or other approved insect-control devices shall be installed.

(b) Except for raw headless shrimp, which may or may not be deveined, picking and packing rooms shall be separate, and fixtures and equipment thereof shall be so constructed and arranged as to permit thorough cleaning. Such rooms shall be adequately lighted and ventilated, and the floors thereof shall be tight and arranged for thorough cleaning and proper drainage. Open drains from picking room shall not enter packing room. If picking and packing rooms are in separate buildings, such buildings shall not be more than 100 yards apart unless adequate provisions are made to enable efficient inspection.

(c) All surfaces of tanks, belts, tables, flumes, utensils, and other equipment with which either picked or unpicked shrimp come in contact after delivery to the establishment shall be of metal other than lead, or of other nonporous and easily cleanable materials. Metal seams shall be smoothly soldered.

(d) Adequate supplies of steam, non-toxic detergents, sanitizing agents, and clean, unpolluted running water shall be provided for washing, cleaning, and otherwise maintaining the establishment in a sanitary condition.

(e) Adequate toilet facilities of sanitary type shall be provided. Full compliance must be met with the requirements of State laws, city ordinances, or both.

(f) An adequate number of sanitary wash basins, with liquid or powdered soap, shall be provided in both the picking and packing rooms. Paper towels shall be provided in the packing room. Provision shall be made for sanitizing the hands of employees by the use of agents approved by the Administration.

(g) Signs requiring employees handling shrimp to wash and sanitize their hands after each absence from post of duty shall be conspicuously posted in the picking and packing rooms and elsewhere about the establishment as conditions require.

(h) One or more suitable washing devices and one or more suitable inspection belts shall be installed for the washing and subsequent inspection of the shrimp before processing.

(i) Suitable containers, flumes, chutes, or conveyors shall be provided for removal of offal from picking room.

(j) Picking or heading tables shall be equipped with flumes supplied with clean, unpolluted water or with mechanical conveyors for removing the picked or headed shrimp.

(k) Equipment shall be provided for code-marking immediate containers and the master cartons used in the packaging of the shrimp.

(l) Each freezing and cold-storage compartment shall be fitted with at least the following equipment:

(1) An automatic control for regulating temperatures.

(2) An indicating thermometer so installed as to indicate accurately the temperature within the freezing or storage compartment.

(3) A recording thermometer shall be installed on each freezing and/or storage compartment in such a manner as to record accurately the temperature within the compartment at all times. The case which houses the charts and recording mechanism shall be provided with an approved lock, all keys to which shall be in the sole custody of the inspector.

(m) Provision shall be made for water-glazing where such glazing is necessary to maintain the quality of the frozen shrimp. Glazing shall be done with clean, unpolluted water.

(n) Provision shall be made for the immediate icing or cold storage of all packaged shrimp which is destined for sale as unfrozen shrimp.

(o) Suitable space and facilities shall be provided for the inspector to prepare records and examine samples and for the safekeeping of records and equipment.

§ 155.22 *General operating conditions.* (a) The decks and holds of boats catching shrimp for, or transporting shrimp to, an inspected establishment, and the bodies of other conveyances so

transporting shrimp shall be kept in a sanitary condition. The shrimp shall be refrigerated immediately after they are caught, and shall be kept adequately refrigerated until delivery to the establishment.

(b) Inspected establishments, freight boats, and other conveyances serving such establishments shall accept only fresh, clean, sound shrimp.

(c) After delivery of each load of shrimp to the establishment, decks and holds of each boat and the body of each other conveyance or container making such delivery shall be washed down with clean, unpolluted water, and all debris shall be cleaned therefrom before such boat or other conveyance or container leaves the establishment premises.

(d) Before picking, heading, or deveining, the shrimp shall be adequately washed with clean, unpolluted water and then passed over the inspection belt and culled to remove all shrimp that are filthy, decomposed, putrid, or otherwise unfit for food, and all extraneous material.

(e) Offal from picking tables shall not be piled on the floor, but shall be placed in suitable containers for frequent removal, or shall be removed by flumes, conveyors, or chutes.

(f) Shrimp shall be picked into flumes which immediately remove the picked meats from the picking tables; except that shrimp may be picked into seamless containers of not more than 3 pints capacity if the picked meats are not held in such containers for more than 20 minutes before being flumed or conveyed from the picking tables. For the purpose of this paragraph, the term "picked" shall include the operation whereby a portion of the shell is removed, leaving the tail in place, and the back of the shrimp is sliced open to remove the alimentary canal or vein.

(g) If shrimp are picked into containers, such containers shall be cleaned and sanitized as often as may be necessary to maintain them in a sanitary condition, but in no case less frequently than every 2 hours. Whenever pickers are absent from post of duty, containers shall be cleaned and sanitized before picking is resumed.

(h) Picked shrimp being transported from one building to another before enclosure in the can or other immediate container shall be properly covered and protected against contamination.

(i) From the time of delivery to the establishment up to the time of final processing, shrimp shall be handled expeditiously and under such conditions as to prevent contamination or spoilage. Shrimp shall be precooled immediately after the final cleaning operation to a temperature not exceeding 40° F. if it is not packaged immediately, or to a temperature not exceeding 50° F. if it is packaged immediately. If such shrimp are to be frozen they shall be placed in the freezing compartment within 1 hour of final preparation.

(j) The packer shall immediately destroy for food purposes all shrimp in his possession condemned by the inspector as filthy, decomposed, putrid, or otherwise unfit for food. Shrimp condemned on boat or unloading platform

shall not be taken into the ice box or picking room.

(k) Raw materials other than shrimp which enter into the finished product shall not be used if condemned by the inspector as unfit for food. Such condemned raw materials shall be segregated from usable materials and held for disposal as directed by the inspector, or they may be destroyed forthwith by the packer if he so desires.

(l) All portions of the establishment shall be adequately lighted to enable the inspector to perform his duties properly.

(m) All floors and other parts of the establishment, including unloading platforms, and all fixtures, equipment, and utensils shall be cleaned as often as may be necessary to maintain them in sanitary condition.

(n) The packer shall require all employees handling shrimp to wash and sanitize their hands after each absence from post of duty.

(o) The packer shall require all employees to observe proper habits of cleanliness, and shall not knowingly employ in or about the establishment any person afflicted with infectious or contagious disease, or with any open sore on the hands or face.

(p) Offal, debris, or refuse from any source whatever shall not be allowed to accumulate in or about the establishment.

(q) If batter is employed it shall be used within 1 hour after it is prepared. The temperature of the batter shall not exceed 50° F.

(r) Containers for mixing or holding batter shall be adequately cleaned and sanitized before they are used for a new batch of batter.

(s) Equipment for applying batter shall be adequately cleaned and sanitized at least once an hour while in operation.

§ 155.23 *Code marking.* (a) Permanently legible code marks shall be placed on all immediate containers at the time of packaging. Such marks shall show:

- (1) The date of packing.
- (2) The establishment where packed.
- (3) The size of the shrimp, where the label bears a size designation and the shrimp are not in containers through which they are clearly visible.

Corresponding code marks also shall be placed on the master cartons containing individual packages of shrimp.

(b) Keys to all code marks shall be given to the inspector.

(c) Each lot shall be stored separately, pending final inspection. For the purposes of the regulations in this part, all immediate containers bearing the same code mark shall be regarded as comprising a lot.

§ 155.24. *Freezing, icing, and refrigeration.* (a) The method of freezing is not specified by these regulations. Whatever method is used must be such as will produce a hard-frozen product in a sufficiently short time to prevent decomposition. Bulk packages containing 5 pounds or more of shrimp per package should be hard-frozen within 24 hours; smaller packages should be hard-frozen within 12 hours. After freezing, the shrimp shall be stored in

such manner that its temperature does not exceed 0° F. and shall be handled in such manner as will maintain the hard-frozen condition.

(b) The storage temperatures for shrimp which are not frozen are as follows:

(1) Cooked and peeled shrimp shall be stored at a room temperature not exceeding 35° F.

(2) Raw headless shrimp shall be stored at a room temperature not exceeding 35° F. or at a room temperature not exceeding 45° F., provided it is well iced.

(c) The inspector shall identify each record on the thermometer chart with the code mark of the lot to which such record relates and the date of such record. The Administration shall keep such charts for at least 5 years, and upon request shall make them available to the packer.

(d) The packer shall keep for at least 1 year all shipping records covering shipments from each lot, and upon request shall furnish such records to any inspector of the Administration.

§ 155.25 *Examination after processing.* (a) Adequate samples shall be drawn by the inspector from each lot of processed shrimp and shall be examined to determine whether or not such processed shrimp conforms to all requirements of the Federal Food, Drug, and Cosmetic Act, amendments thereto, and regulations thereunder.

(b) The packer shall destroy for food purposes, under the immediate supervision of the inspector, all processed shrimp condemned by the inspector as not complying with § 155.24 (a) or (b), as the case may be, or as filthy, decomposed, putrid, or otherwise unfit for food.

§ 155.26 *Labeling.* (a) Labels on shrimp packed and certified under §§ 155.16 to 155.29, inclusive, may bear a distinctive mark attesting to such packing and certification. Depending upon the type of processing, such marks, if used, shall read as follows:

(1) *Frozen shrimp.* "Packing and freezing supervised by U. S. Food and Drug Administration. Perishable product—Not warranted against mishandling after freezing."

(2) *Fresh, iced, or refrigerated shrimp.* "Packing supervised by U. S. Food and Drug Administration. Perishable product—Not warranted against mishandling after packing."

Such marks, if used, shall be plainly and conspicuously displayed in type of uniform size and style on a strongly contrasting uniform background, and shall appear on the principal panel or panels of the label so as to be easily observable in connection with the name of the article. Labels on inspected shrimp shall bear the statement "Perishable—Keep frozen" or "Perishable—Keep refrigerated," whichever is applicable for the product. The marks referred to in paragraph (a) (1) and (2) of this section shall not be used on the master cartons unless such marks will be defaced by the opening of the carton.

(b) Two proofs, or one proof and one photostat thereof, or eight specimens of all labeling intended for use on inspected shrimp or on or within the cases therefor, shall be submitted to the Administration for approval. If proofs or photostat and proof are submitted, eight specimens of the labeling shall be sent to the Administration after printing. The Administration is hereby authorized to approve labeling for use on or with shrimp inspected under §§ 155.16 to 155.29, inclusive. Approval shall be subject to the condition that such labeling shall be so used as to comply with the provisions of the Federal Food, Drug, and Cosmetic Act, amendments thereto, and regulations thereunder. The Administration is also hereby authorized to revoke any such approval for cause. The Administration shall not approve labeling for shrimp intended for export under the provisions of § 155.27 (e).

(c) No commercial brand or brand name appearing on labeling approved as authorized under paragraph (b) of this section and bearing any of the marks described in paragraph (a) of this section, and no labeling simulating any such approved labeling, shall be used after such approval on shrimp other than that which has been handled, prepared, packed, and stored in compliance with all provisions of §§ 155.16 to 155.29; but this section shall not apply to any packer's labeling after termination of inspection as authorized by § 155.29, or to any distributor's labeling after 3 months' written notice by the owner thereof to the Administration that the use of such labeling on inspected shrimp has been discontinued and will not be resumed.

(d) Shrimp labeling authorized by or approved under paragraph (a) or (b) of this section shall be used only as authorized by §§ 155.16 to 155.29. Unauthorized use of such labeling renders the user liable to the penalties prescribed by the Federal Food, Drug, and Cosmetic Act, as amended.

§ 155.27 *Certificates of inspection; warehousing and export permits.* (a) After finding that the shrimp comprising any parcel: Has been handled, prepared, and packed in compliance with all provisions of §§ 155.16 to 155.29, inclusive; bears labeling approved as authorized under § 155.26; and complies with all the provisions of the Federal Food, Drug, and Cosmetic Act, amendments thereto, and regulations thereunder—the inspector shall issue a certificate showing that such shrimp so complies. The certificate shall specify the code marks to which it applies, the quantity of the parcel so marked, the place where such parcel is stored, the size of the shrimp where there is a label declaration of size, the size and kind of containers, the type of pack, the commercial brand name on the labels, destination of the lot, and the condition of the shrimp if it is broken. Such certificate shall become void: If such labeling is removed, altered, obliterated, or replaced (but such shrimp may be relabeled under the supervision of an inspector and recertified if the inspector finds that, after being relabeled, it complies with the requirements laid down by this paragraph for the issuance of a

certificate); or if mishandling, improper storage, or other circumstances so change the product that it no longer complies with the requirements for the issuance of a certificate.

(b) Unless covered by certificate, shrimp shall be moved from an inspected establishment only for storage authorized under paragraph (c) of this section, or export authorized under paragraph (e) of this section, or for destruction as provided by § 155.25 (b).

(c) Applications to move uncertified shrimp from storage in a warehouse or cold storage elsewhere than in the establishment where such shrimp was packed shall give the name and location of the warehouse, freezer or cold storage in which such shrimp is to be stored. The application shall be accompanied by an agreement signed by the operator of such warehouse, freezer or cold storage that inspectors shall have free access at all times to all shrimp so stored, and that conditions which will preserve the identity of each parcel of such shrimp shall be continuously maintained pending issuance of a certificate thereon or removal as authorized by paragraph (d) of this section. If such application is approved and it appears to the inspector that the shrimp comprising any parcel has been packed in compliance with §§ 155.16 to 155.29, inclusive; is not slack-filled; and conforms, except for the absence of labeling, to all requirements of the Federal Food, Drug, and Cosmetic Act, amendments thereto, and regulations thereunder, the inspector shall issue to the applicant, on his request, a warehousing permit covering such shrimp. Such permit shall specify the code marks to which it applies, the quantity of the parcel so marked, the places from and to which such parcel is to be moved, the size of the shrimp, the size and kind of containers, the type of pack and the condition of the shrimp, if it is broken. When any provision of the agreement is violated, the Administration may revoke any permit issued pursuant to such agreement, and may also revoke its approval of the application for warehousing or cold storage which accompanied such agreement.

(d) Unless covered by certificate, shrimp stored under the authority of paragraph (c) of this section shall be moved from the warehouse or cold storage where stored only for restorage under such authority, or for return upon written permission of the inspector to the establishment where packed, or for export authorized under paragraph (e) of this section, or for destruction as provided by § 155.25 (b).

(e) Section 801 (d) of the Federal Food, Drug, and Cosmetic Act provides that a food intended for export shall not be deemed to be adulterated or misbranded under the act if it accords to the specifications of the foreign purchaser; is not in conflict with the laws of the country to which it is intended for export and is labeled on the outside of the shipping package to show that it is intended for export. An application to export shrimp under the provisions of section 801 (d) of the act shall be accompanied by the original or a verified copy

of the specifications of the foreign purchaser; if so required by the Administration, evidence showing that such shrimp is not in conflict with the laws of the country to which it is intended for export; and, if shipment of labeled shrimp is specified or directed, eight specimens of the labeling therefor. If shrimp prepared or packed according to such specifications is not in conflict with the laws of such country, the Administration shall direct the inspector to issue to the applicant an export permit covering such shrimp comprising any parcel ordered by such specifications, when the inspector finds that such shrimp was packed in compliance with the requirements of §§ 155.16 to 155.29 regarding sanitary conditions and processing; is not filthy, decomposed, putrid, or otherwise unfit for food; accords to such specifications; and is labeled on the outside of the shipping package to show that it is intended for export. Such permit shall specify the code marks to which it applies and the quantity of the parcel so marked, and shall show that such shrimp was packed under sanitary conditions, is wholesome, and accords to the specifications. The applicant shall furnish to the inspector documentary evidence showing the exportation of all such shrimp. Shrimp intended for export under this section shall not be stored in any warehouse or cold storage in the United States elsewhere than in the establishment where such shrimp was prepared or packed, except on written permission of the inspector or of the chief of the Food and Drug Administration district within whose territory such warehouse or cold storage is located.

§ 155.28 *Inspection fees.* (a) Except as otherwise provided by the regulations in this part, the fee prescribed for inspection service shall be 25 cents per 100 pounds of whole shrimp or 35 cents per 100 pounds of frozen or fresh raw headless shrimp received by the plant. Advance deposits of not less than \$500.00 shall be made whenever necessary to prevent arrears in the payment of fees, unless the Administration on an estimate of output authorizes payment in other amounts. Any excess advance deposits so made for the fiscal year shall be returned to the packer by the Administration after the completion of the fiscal year.

(b) (1) In addition to the fee prescribed by paragraph (a) of this section, an initial deposit of \$525.00 shall accompany each application for inspection; thereafter, 11 monthly deposits of \$525.00 each shall be made on or before the first day of each month beginning June 1 and continuing through April 1: *Provided*, That a packer who is concurrently receiving inspection service under the regulations for the inspection of canned shrimp or canned oysters or both shall not pay any additional advance deposits under this paragraph. The Commissioner of Food and Drugs may require the full amount of advance deposits prescribed by this paragraph to accompany the application of an applicant who has defaulted in payment of any advance deposit due for any prior packing season.

(2) Whenever it is determined, without hearing, by the Commissioner of Food and Drugs that an establishment having the inspection service has been damaged by wind, fire, flood, or other calamity to such extent that packing operations cannot be resumed before the end of the fiscal year then current, no advance monthly deposits falling due after such calamity will be required from the operator of such establishment for that fiscal year; but whenever it is determined, without hearing, by the Commissioner of Food and Drugs that an establishment having the inspection service has been so damaged by any such calamity that packing operations must be suspended temporarily and can be resumed before the end of the fiscal year then current, payment of the advance monthly deposits falling due after such calamity and before the month of resumption of operations shall be postponed until operations are resumed and thereupon shall be paid in equal monthly installments during the period between the time of resumption of operations and June 1 of the fiscal year then current: *Provided*, That in the event of a determination described in this subparagraph the total deposits made by the operator involved shall be charged with the cost of the service made available for the establishment, without regard to the method provided hereinafter for computing charges against deposits, and the balance of the total deposits remaining after such charges shall be returned by the Administration to the operator of the establishment after the completion of the fiscal year.

(3) Advance deposits made under this paragraph shall be charged with the cost of the inspection service that has not been provided for by fees under paragraph (a) of this section. The deposits by each packer shall be so charged in the same ratio to the total deposits made under this paragraph and under § 155.12 (b) for the inspection of canned shrimp and under § 155.42 (b) for the inspection of canned oysters and under this paragraph for the inspection of fresh and frozen shrimp, as the number of months of inspection service (including the number of months, if any, for inspecting canned shrimp or canned oysters or fresh and frozen shrimp or any combination of these inspection services) rendered in such packer's establishment bears to the total number of months of inspection service for shrimp and oysters rendered in all establishments. The balance remaining after such charges have been made shall be returned by the Administration to the packers after the completion of the fiscal year. When inspection service is withdrawn from an establishment as authorized by § 155.29 (a), the Administration shall not return to the packer any of the advance deposits made for such establishments; such deposits shall be charged with the cost of the service made available for the establishment, without regard to the method as prescribed in this paragraph, and the balance that would have accrued to such packer shall remain to the credit of the Food and Drug Administration in the

special account "Salaries and Expenses, Certification and Inspection Services."

(c) A separate fee shall be paid to cover all expenses, incurred in accordance with the regulations of the United States Government, for salary, travel, subsistence, and other purposes incident to inspection for the purpose of issuing a certificate of warehousing or export permit on shrimp stored or held at any place other than an establishment to which a seafood inspector is then assigned.

(d) When the establishment and the warehouse or cold storage of an establishment are located at different points of such distance apart that transportation between them is required for the inspector to perform his duties in the establishment, the packer shall furnish such transportation or shall pay an extra fee to cover all expenses therefor.

(e) All payments required by the regulations in this part shall be by bank draft or certified check, collectible at par, drawn to the order of the Treasurer, United States, and payable at Washington, D. C. All such drafts and checks, except for the payment required by

§ 155.16, shall be delivered to the inspector and promptly scheduled to the Food and Drug Administration, Federal Security Agency, Washington, D. C., whereupon after making appropriate records thereof they will be endorsed and transmitted to the Chief Disbursing Officer, Division of Disbursement, Treasury Department, for deposit to the special account "Certification and Inspection Services, Food and Drug Administration."

(f) Refunds to the packers making advance deposits will be by check drawn on the Treasury of the United States pursuant to refund vouchers duly certified and approved by the designated administrative officers.

§ 155.29 *Suspension, withdrawal, and termination of inspection service.* (a) The Administration may suspend and the Administrator may withdraw inspection service in any establishment—

(1) Upon failure of the packer to comply with any provision of §§ 155.16 to 155.29, inclusive, or

(2) Upon the dissemination by the packer or any person in privity with him

of any representation which is false or misleading in any particular regarding the application to any seafood of the inspection service provided by the regulations in this part.

(b) When inspection service is suspended in an establishment, as authorized by paragraph (a) of this section, the Administration shall not lengthen the inspection period in such establishment to compensate for any of the time of suspension.

(c) After inspection service for a fiscal year is closed in an establishment, but before the resumption of packing therein during the next fiscal year, the packer may terminate inspection service under the regulations in this part by giving written notice of such termination to the Food and Drug Administration.

Dated: August 16, 1951.

[SEAL] JOHN L. THURSTON,
Acting Administrator.

[F. R. Doc. 51-9991; Filed, Aug. 21, 1951; 8:52 a. m.]

NOTICES

DEPARTMENT OF LABOR

Wage and Hour Division

LEARNER EMPLOYMENT CERTIFICATES

NOTICE OF ISSUANCE TO VARIOUS INDUSTRIES

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938, as amended (52 Stat. 1068, as amended; 29 U. S. C. and Supp. 214), and Part 522 issued thereunder (29 CFR Part 522), special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rates applicable under section 6 of the act have been issued to the firms listed below. The employment of learners under these certificates is limited to the terms and conditions therein contained and is subject to the provisions of Part 522. The effective and expiration dates, occupations, wage rates, number or proportion of learners, and learning period for certificates issued under the general learner regulations (§§ 522.1 to 522.14), are as indicated below; conditions provided in certificates issued under special industry regulations are as established in these regulations.

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear and Other Odd Outerwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry Learner Regulations (29 CFR 522.160 to 522.166, as amended September 25, 1950; 15 F. R. 5701; 6326).

Academy Sportswear Co., Inc., 630 Washington Street, Boston, Mass., effective 8-13-51 to 8-12-52; for normal labor turnover, 10 percent of the productive factory workers or five learners, whichever is greater. This certificate does not authorize the employment of learners at subminimum wage rates

in the production of skirts (skirts, jackets and slacks).

Blue Bell, Inc., Nappanee, Ind., effective 8-9-51 to 2-8-52; 40 learners may be employed for expansion purposes (men's and boys' denim dungarees).

Blue Bell, Inc., North Webster, Ind., effective 8-9-51 to 2-8-52; 40 learners may be employed for expansion purposes (men's and boys' denim dungarees).

Buttnick Manufacturing Co., 204 First Avenue South, Seattle, Wash., effective 8-13-51 to 8-12-52; 10 percent of the productive factory workers or 10 learners whichever is greater (sportswear and other odd outerwear).

Citadel Shirts, Williamston Shirt Co., Columbia, S. C., effective 8-9-51 to 8-8-52; for normal labor turnover, 10 percent of the productive factory workers (dress shirts, sports shirts).

The Cleveland Overall Co., 1768 East Twenty-fifth Street, Cleveland, Ohio, effective 8-13-51 to 8-12-52; 10 percent of the productive factory workers for normal labor turnover (men's cotton work garments).

Four's Co., Inc., Blairsville, Pa., effective 8-7-51 to 8-6-52; 10 learners (children's dresses).

Hollywood Maxwell Co., 2035 Western Avenue, Topeka, Kans., effective 8-26-51 to 2-25-52; an additional 65 learners may be employed for expansion purposes only (brassieres).

Kennebec Manufacturing Co., Inc., South Gardiner, Maine, effective 8-10-51 to 8-9-52; for normal labor turnover, 10 percent of the productive factory workers of 10 learners, whichever is greater (outer garments of woven and knitted fabrics).

New Castle Manufacturing Co., Inc., New Castle, Va., effective 8-10-51 to 2-9-52; an additional five learners may be employed for expansion purposes only (women's pajamas and nightgowns).

Patterson Manufacturing Co., 428 North Main Street, Miami, Okla., effective 8-14-51 to 2-13-52; an additional 45 learners may be employed for expansion purposes only (pants, overalls, coveralls and work shirts).

Charles L. Rousseau, N. B., McCaughy and F. G. Thomas, copartners, East Main Street, Tupelo, Miss., effective 8-10-51 to 2-9-52; 60 learners may be employed for expansion purposes (dungarees).

Russell Street Manufacturing Co., Russell Street, Saugerties, N. Y., effective 8-10-51 to 8-9-52; for normal labor turnover, five learners (dresses).

Variety Sportswear Co., 125 Broadway, Long Branch, N. J., effective 8-14-51 to 8-13-52; for normal labor turnover, 10 percent of the productive factory workers or five learners, whichever is greater (ladies' dresses and sportswear).

Hosiery Industry Learner Regulations (29 CFR 522.40 to 522.51, as revised January 25, 1950; 15 F. R. 283).

Hobart Hosiery Corporation, Denton, N. C., effective 8-8-51 to 8-7-52; five learners.

Infants Socks, Inc., Eufaula, Ala., effective 8-21-51 to 8-20-52; 5 percent of the total number of productive factory workers.

Winchester Hosiery Corp., Braddock and Amherst Streets, Winchester, Va., effective 8-8-51 to 8-7-52; five learners.

Glove Industry Learner Regulations (29 CFR 522.220 to 522.231, as amended October 26, 1950; 15 F. R. 6888).

Jomac Products, Inc., Warsaw, Ind., effective 8-18-51 to 8-17-52; 10 learners.

Jomac Products, Inc., Warsaw, Ind., effective 8-18-51 to 2-17-52; five learners for expansion purposes (supplemental certificate).

Livermore Falls Glove Co., Livermore, Maine, effective 8-22-51 to 8-21-52; 10 learners.

Richmond Glove Corp., 601 North D Street, Richmond, Ind., effective 8-18-51 to 8-17-52; 10 learners.

Frank Russell Glove Co., 203 Park Avenue, Berlin, Wis., effective 8-10-51 to 8-9-52; five learners.

Independent Telephone Industry Learner Regulations (29 CFR 522.82 to

522.93, as amended January 25, 1950; 15 F. R. 398).

Northern Ohio Telephone Co., Pemberville, Ohio, effective 8-17-51 to 8-16-52.
Northern Ohio Telephone Co., Plymouth, Ohio, effective 8-17-51 to 8-16-52.

Knitted Wear Industry Learner Regulations (29 CFR 522.69 to 522.79, as amended January 25, 1950; 15 F. R. 398).

Apco Manufacturing Co., St. Elmo, Ill., effective 8-7-51 to 2-6-52; 40 learners for expansion purposes only (expansion certification).

Regulations Applicable to the Employment of Learners (29 CFR 522.1 to 522.14).

American Pearl Button Co., Inc., 604 East Seventh Street, Washington, Iowa, effective 8-8-51 to 2-7-52; six learners; finished button sorters, blank cutters; 480 hours each; 60 cents per hour for first 320 hours and 65 cents per hour for remaining 160 hours (pearl buttons).

Canvas Products Corp., Fond du Lac, Wis., effective 8-12-51 to 2-11-52; 10 percent of the total number of productive factory workers or 10 learners, whichever is greater; sewing machine operators, 240 hours at 60 cents per hour (awnings, canvas goods).

Hart Schaffner & Marx, 165 North Joliet Street, Joliet, Ill., effective 8-13-51 to 1-8-52; 15 additional learners for expansion purposes in the manufacture of men's clothing only; sewing machine operators, handsewers; 480 hours each; 60 cents per hour for first 240 hours and 65 cents per hour for remaining 240 hours (men's and women's outer clothing).

Shoe Industry Learner Regulations (29 CFR 522.250 to 522.260; 15 F. R. 6546).

Carmo Shoe Manufacturing Co., Union, Mo., effective 8-10-51 to 8-9-52; 10 percent of the total number of productive factory workers.

Owensville Shoe Manufacturing Corp., Owensville, Mo., effective 8-10-51 to 8-9-52; 10 percent of the total number of productive factory workers.

Washington Shoe Manufacturing Corp., Washington, Mo., effective 8-10-51 to 8-9-52; 10 percent of the productive factory workers.
The following special learner certificates were issued in Puerto Rico to the companies hereinafter named. The effective and expiration dates, the number of learners, the learner occupations, the length of the learning period and the learner wage rates are indicated, respectively.

Handwork Textiles, Inc., Albonito, P. R., effective 8-1-51 to 1-31-52; 75 learners; machine stitching; 240 hours at 30 cents per hour and 240 hours at 38 cents per hour (gloves).

A. C. T. Hankles, Inc., Santurce, Puerto Rico, effective 8-2-51 to 12-14-51; 36 learners; machine embroidering; 240 hours at 22½ cents per hour (laces).

M'Lady, Inc., Hato Rey, P. R., effective 8-8-51 to 2-7-52; 24 learners; filing, sanding and polishing; 320 hours at 35 cents per hour (costume jewelry).

Puerto Rico Hosiery Mills, Inc., Arecibo, P. R., effective 8-6-51 to 2-5-52; 38 learners; knitters, 320 hours at 25 cents per hour; loopers, 320 hours at 30 cents per hour; seamers, 320 hours at 35 cents per hour; toppers, 160 hours at 25 cents per hour; menders, 160 hours, at 30 cents per hour and 160 hours at 35 cents per hour; Examiners, 80 hours at 25 cents per hour, 80 hours at 30 cents per hour and 80 hours at 35 cents per hour (full-fashioned hosiery).

Each certificate has been issued upon the employer's representation that em-

ployment of learners at subminimum rates is necessary in order to prevent curtailment of opportunities for employment, and that experienced workers for the learner occupations are not available. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within fifteen days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of Part 522.

Signed at Washington, D. C., this 14th day of August 1951.

MILTON BROOKE,
Authorized Representative
of the Administrator.

[F. R. Doc. 51-9974; Filed, Aug. 21, 1951; 8:46 a. m.]

DEFENSE PRODUCTION ADMINISTRATION

[D. P. A. Request No. 13]

REQUEST TO PARTICIPATE IN THE VOLUNTARY AGREEMENT RELATING TO THE SUPPLY OF PETROLEUM TO FRIENDLY FOREIGN NATIONS

Pursuant to section 708 of the Defense Production Act of 1950, as amended, the request set forth below to participate in the Voluntary Agreement, as revised, entitled "Voluntary Agreement Relating to the Supply of Petroleum to Friendly Foreign Nations," dated June 25, 1951, was approved by the Attorney General after consultations with respect thereto between the Attorney General, the Chairman of the Federal Trade Commission, and the Director of the Office of Defense Mobilization, and was transmitted to the companies listed below.

The Voluntary Agreement, also set forth below, has been approved by the Director of the Office of Defense Mobilization and found to be in the public interest as contributing to the national defense.

CONTENTS OF REQUEST

You are requested to participate in the Voluntary Agreement, as revised, entitled "Voluntary Agreement Relating to the Supply of Petroleum to Friendly Foreign Nations," dated June 25, 1951, a copy of which is enclosed.

In my opinion, your participation will greatly assist in the accomplishment of our national defense program.

The Attorney General has approved this request after consultations with respect thereto between his representatives, representatives of the Chairman of the Federal Trade Commission, and my representatives, pursuant to section 708 (c) of the Defense Production Act of 1950 (Pub. Law 774-81st Cong.).

I approve the Voluntary Agreement, as revised, and find it to be in the public interest as contributing to the national defense. You will become a participant therein upon advising me in writing of your acceptance of this request. Immunity from prosecution under the Federal antitrust laws and the Federal Trade Commission Act, as provided in section 708 (b) of the Defense Production Act of 1950, will be given only upon such acceptance, provided that your acts relative

to such participation are within the scope of this Voluntary Agreement, as revised.

Your cooperation in this matter will be appreciated.

Sincerely yours,

Charles E. Wilson.¹

LIST OF COMPANIES ACCEPTING REQUESTS TO PARTICIPATE

The Texas Co., 135 East Forty-Second Street, New York, N. Y.
Standard-Vacuum Oil Co., 26 Broadway, New York, N. Y.
Gulf Oil Corp., Gulf Building, Pittsburgh 30, Pa.
Creole Petroleum Corp., 350 Fifth Avenue, New York 1, N. Y.
Caltex Oil Products Co., 551 Fifth Avenue, New York, N. Y.
The Atlantic Refining Co., 260 South Broad Street, Philadelphia 1, Pa.
Venezuelan Petroleum Co., 630 Fifth Avenue, New York 20, N. Y.
Standard Oil Co. (N. J.), 30 Rockefeller Plaza, New York 20, N. Y.
Tide Water Associated Oil Co., 79 New Montgomery Street, San Francisco 20, Calif.
Arabian American Oil Co., 505 Park Avenue, New York 22, N. Y.
Socony-Vacuum Oil Co., Inc., 26 Broadway, New York 4, N. Y.
Standard Oil Co. of California, Standard Oil Building, San Francisco 20, Calif.
The Superior Oil Co., Edison Building, Los Angeles, Calif.
American Independent Oil Co., One Eleven Sutter, San Francisco 4, Calif.
Union Oil Co. of California, Union Oil Building, Los Angeles 17, Calif.
Sinclair Oil Corp., 630 Fifth Avenue, New York, N. Y.
Conorada Petroleum Corp., 630 Fifth Avenue, New York 20, N. Y.
Pacific Western Oil Corp., 417 South Hill Street, Los Angeles, Calif.
Barber Oil Corp., 30 Rockefeller Plaza, New York 20, N. Y.

(Sec. 708, 64 Stat. 818, 50 U. S. C. App. Supp. 2158; E. O. 10200, Jan. 3, 1951, 16 F. R. 61)

MANLY FLEISCHMANN,
Administrator.

Defense Production Administration.

VOLUNTARY AGREEMENT RELATING TO THE SUPPLY OF PETROLEUM TO FRIENDLY FOREIGN NATIONS

JUNE 25, 1951.

1. *Need for an Agreement.* Current worldwide supply and demand for petroleum products are most delicately balanced. There is only a negligible amount of world refining capacity not presently in operation. All operating refineries are running at approximately their normal maximum capacity. Transportation facilities, particularly essential tanker tonnage, are strained to the utmost. Loss of any substantial current source of world petroleum supply can seriously jeopardize the interests of the free nations of the world.

The defense and security programs of the United States, and others of the United Nations, have accelerated essential demands for oil. Stocks of petroleum at various key

¹ The letter from the President, dated Apr. 27, 1951, to the Director of the Office of Defense Mobilization, conferred upon the Director of the Office of Defense Mobilization the powers delegated to the Defense Production Administrator by E. O. 10200 of Jan. 3, 1951, 16 F. R. 61, relating to voluntary agreements and programs under Sec. 708 of the Defense Production Act of 1950, Pub. Law 774, 81st Cong., during the incumbency of the Acting Defense Production Administrator. On July 23, 1951, these powers were assumed by the present Administrator of the Defense Production Administration.

points throughout the world must be maintained at satisfactory working levels. Any substantial diminution in world petroleum supplies will directly and adversely affect the interests of the United States, including the successful continuation of its mobilization program. Accordingly, the United States must be prepared to meet and handle immediately the problems inherent in any substantial loss of world petroleum supplies.

It should be emphasized that petroleum supply is a world-wide matter and that shortages in one location necessarily involve adjustments in remotely distant areas. This normal inter-reliance is sharply pointed up in times of emergency.

It is believed that a committee composed of the American oil companies engaged in foreign petroleum operations can aid materially in meeting such problems by considering and making recommendations for action to be taken which will either compensate for or alleviate shortages arising from any such loss.

2. *What this Agreement does.* This is a Voluntary Agreement under Section 708 of the Defense Production Act of 1950 (64 Stat. 798). This Agreement authorizes the formation of a committee and subcommittees to consider and make recommendations designed to prevent, eliminate or alleviate shortages of petroleum supplies in friendly foreign nations which threaten to affect or which do affect adversely the defense mobilization interests or programs of the United States. It establishes procedures under which persons engaged in foreign petroleum operations and participating in this Agreement can take cooperative action among themselves or with appropriate designated agencies, committees or other persons to accomplish the objective of this Agreement.

3. *Definitions.* As used in this Agreement:

(a) "Administrator" means the Secretary of the Interior and Petroleum Administrator for Defense or the Deputy Petroleum Administrator for Defense.

(b) "Committee" means the Foreign Petroleum Supply Committee and the Executive Committee thereof created pursuant to section 4 of this Agreement.

(c) "Subcommittee" means any Subcommittee created pursuant to section 4 of this Agreement.

(d) "Director" means that Assistant Deputy Administrator of the Petroleum Administration for Defense in Charge of Foreign Operations.

(e) "Foreign country or area" means any country or area outside the continental United States.

(f) "Person" means any individual, partnership, association, business trust, corporation or organized group of individuals, whether domestic or foreign and whether incorporated or not, engaged in foreign petroleum operations.

(g) "Petroleum" means crude petroleum, petroleum products of all kinds, and blending agents used in the manufacture of petroleum products, except those which the Administrator may exclude from the operation of this Agreement.

(h) "Foreign Petroleum Operations" means the production, refining, transportation, storage, supply or distribution of petroleum in any foreign country or area, the export of petroleum from or the import of petroleum into any foreign country or area by any person directly as principal or indirectly by agent, affiliate or otherwise.

(i) "Plan of Action" means the recommendation of the Committee to the Administrator pertaining to the solution of such problem or problems as the Director has requested the Committee to consider.

(j) "Schedule" means that document issued by the Administrator which sets forth the detailed operating procedures or actions to be taken to implement an approved Plan of Action.

4. *Formation of Committees.* (a) A "Foreign Petroleum Supply Committee" shall be appointed by the Administrator to investigate problems and make recommendations thereon to assist the Administrator to accomplish the objectives of this Agreement. The Committee members shall be those American petroleum companies engaged in foreign petroleum operations which are participants in this Agreement. Each member shall have one representative sitting on the Committee and an alternate to sit in his absence or disability. Each representative of each member of the Committee shall be a senior official of the participating company he represents.

(b) The Administrator may appoint from the Committee membership an Executive Committee which shall perform all duties and functions of the Committee when the latter is not in session, and may, from time to time, alter the membership thereof. Individuals appointed to serve on the Executive Committee shall be chosen by the Administrator from among those individuals who are representatives or alternates of the members of the Committee.

(c) The Administrator may appoint Subcommittees from the members of the Committee to assist the Committee in performing its duties and functions, and may, from time to time, alter the membership thereof. Representatives on Subcommittees need not be the same individuals representing members on the Committee.

(d) The Administrator shall designate, from the representatives of members and their alternates, the individuals who are to serve as Chairmen of the Foreign Petroleum Supply Committee, the Executive Committee thereof and any Subcommittee appointed pursuant to this Agreement.

5. *Meetings.* (a) Meetings of the Committee shall be held upon the call of the Administrator or director. Meetings of Subcommittees shall be held at such times as the Administrator shall designate in the written notices of appointment of such Subcommittees or upon the call of the Director or of the Chairmen of such Subcommittees.

(b) The agenda for meetings of the Committee and any Subcommittee shall be initiated and formulated in advance of the meeting by the Administrator or the Director. Matters may be added to such agenda by the Chairmen of such Committees.

(c) The Committee and the Subcommittees shall maintain such staff and appoint such persons as may be requisite to discharge the duties and functions conferred upon them pursuant to this Agreement. Operating expenses of the Committee and Subcommittees shall be met from a fund to which voluntary contributions may be made by persons participating in this Agreement and such funds may be solicited by the Committee.

(d) Each Committee and Subcommittee meeting shall be open to any member of the Committee or any Subcommittee, to representatives of any Government agency, and to any individual designated by the Director. Full and complete minutes of all meetings of such Committees shall be kept and copies thereof shall be sent to the Administrator.

6. *Operation under this voluntary Agreement.* (a) The Director shall submit to the Committee in writing a request to prepare one or more plans of action to meet problems arising under this Agreement.

(b) The Committee shall prepare and submit in writing to the Administrator recommended plans of action for the solution of the problems presented to the Committee under 6 (a).

(c) Each plan of action shall describe the manner in which the Committee recommends that the problem or problems submitted to it be solved, including a statement of such facts as the companies who will participate thereunder, the geographic area or areas affected, the nature of the action to be taken and such other material facts as may be

necessary for consideration of the plan for approval under section 708 of the Defense Production Act of 1950.

(d) If the plan of action is approved by the Administrator, he will submit it to the appropriate Government agencies in accordance with section 708 of the Defense Production Act of 1950.

(e) Prior to the issuance of an appropriate approval in respect of the plan of action under section 708 of the Defense Production Act of 1950, the Committee may prepare proposed schedules implementing the plan of action and submit such schedules to the Administrator for his consideration. Upon approval of the plan of action under Section 708 of the Defense Production Act of 1950 and approval and issuance of the schedules by the Administrator, action may be taken pursuant to such schedules.

7. *Other Committee functions.* Upon written request of the Director, the Committee shall:

(a) Make surveys and investigations of and obtain, analyze, and keep current pertinent information and data with respect to foreign petroleum operations.

(b) Estimate the petroleum requirements (product by product) of each foreign country or area to be supplied and the supplies available therefor, and prepare and submit recommended plans of action and supply schedules to the Administrator for each such foreign country or area.

(c) Make recommendations to the Director with respect to stocks of petroleum to be maintained in friendly foreign nations, with primary consideration for the maintenance of adequate stocks of petroleum for military use.

(d) Make such other investigations, surveys and recommendations requested by the Director.

8. *Effectuation of schedules.* (a) All schedules authorized to be prepared and submitted pursuant to this Agreement in implementation of a plan of action which has been approved as provided in section 6 hereof shall, after such modification or revision of the Administrator shall determine to be necessary, be issued by the Administrator and no such schedules shall become effective until so issued. Upon issuance of any such schedule, copies thereof shall be forwarded to the Committee and the appropriate Subcommittees and to all participants named therein and all participants who may be affected by such schedule shall carry it into effect according to its terms, conditions and intent. The Administrator may reject any schedule prepared and submitted to him and may, at any time, if in his judgment such action is necessary, terminate and cancel, in whole or in part, any schedule which he has issued.

(b) Any participant affected by any schedule issued in accordance with the foregoing subparagraph, who considers that compliance therewith will work an exceptional and unreasonable hardship upon him, may request the Administrator to review such schedule. Such request shall be in writing and shall set forth the pertinent facts and the reasons why he considers himself entitled to relief, and the Administrator shall act promptly upon such request and render a decision thereon within a period of fifteen (15) days.

9. *Emergency action.* In cases of need for alterations in any schedule referred to in section 8 of this Agreement which arise subsequent to the issuance thereof, the Administrator, if he deems such action necessary, may make specific changes in or modifications of any such Schedule. Such changes or modifications shall be in writing and copies thereof shall be forwarded to the Committee, any appropriate Subcommittee and to all participants affected thereby.

10. *Coordination and cooperation.* In carrying out the provisions of this Agreement, the Committee, the Subcommittees,

and all participants shall endeavor to coordinate their activities with, and shall cooperate with such agencies, committees and other persons as may be designated in writing by the Director.

11. *Collection of information.* In carrying out its duties and functions, the Committee and each Subcommittee may direct such inquiries to and request and obtain information from persons engaged in foreign petroleum operations as may be necessary or appropriate.

12. *Committee representation.* Any individual appointed to represent a member on the Committee or any Subcommittee, either as representative or alternate, shall, prior to acting thereon, advise the Administrator in writing either by letter or telegram of his acceptance of such appointment. Such written acceptance shall be directed to the Administrator in the following form and shall obligate the individual as stated:

DEAR SIR: I hereby agree to become a representative of [here insert name of company], a participant in the "Voluntary Agreement Relating to the Supply of Petroleum to Friendly Foreign Nations" and accept appointment as such representative on [here state name of Committee or Subcommittee] created pursuant to said Agreement.

I hereby agree to use my best efforts to discharge the duties and functions incident to such representation adequately and expeditiously and in accordance with my individual experience and judgment.

Sincerely,

[Signature]

13. *Procedure for and effect of becoming a participant.* (a) After approval of this Agreement by the appropriate Government official as provided in section 708 of the Defense Production Act of 1950 and after requests for participation in it have been approved by the Attorney General and have been made of persons engaged in foreign petroleum operations by such Government official, such persons may become participants in this Agreement by advising such Government official in writing of acceptance of such request. Such requests will be effective for the purpose of granting certain immunity from the antitrust laws and the Federal Trade Commission Act as provided in section 708 (b) of the Defense Production Act of 1950 only with respect to such persons as notify such Government official in writing that they will comply with such request and only with respect to such acts by such persons as are within the scope of this Agreement.

(b) This Agreement shall not be construed as directing or requiring any participant to take any action, to carry into effect any schedule, which would conflict with any applicable laws or regulations of any foreign country or area or with any obligation of such participant which existed on the date the Director submitted to the Committee any request which results in the issuance of such schedule.

14. *Effective date and duration.* This Agreement shall become effective upon the date of its final approval by the Director of the Office of Defense Mobilization. It shall cease to be effective at the termination of Title VII of the Defense Production Act of 1950 unless the time limitation now specified in section 716 (a) of said act is extended or otherwise changed by legislative action in a form which permits continuation of this Agreement. However, the Agreement may be terminated at any time as may be determined by the Administrator upon notice by letter, telegram, or publication in the FEDERAL REGISTER.

15. *Withdrawal from Agreement.* Any participant may withdraw from this Agreement subject to the fulfillment of obligations incurred under this Agreement prior

to the date such withdrawal becomes effective by giving not less than 30 days' written notice to the Administrator.

[F. R. Doc. 51-10048; Filed, Aug. 17, 1951; 5:03 p. m.]

[D. P. A. Request No. 13A]

REQUEST TO PARTICIPATE IN PLAN OF ACTION NO. 1 UNDER VOLUNTARY AGREEMENT RELATING TO THE SUPPLY OF PETROLEUM TO FRIENDLY FOREIGN NATIONS

Pursuant to section 708 of the Defense Production Act of 1950, as amended, the request set forth below to participate in a plan of action, entitled "Plan of Action No. 1 under Voluntary Agreement Relating to the Supply of Petroleum to Friendly Foreign Nations," dated July 26, 1951, was approved by the Attorney General after consultations with respect thereto between the Attorney General, the Chairman of the Federal Trade Commission, and the Administrator of the Defense Production Administration, and was transmitted to the companies listed below.

Plan of Action No. 1, also set forth below, has been approved by the Administrator of the Defense Production Administration and found to be in the public interest as contributing to the national defense.

CONTENTS OF REQUEST

You are requested to participate in a plan of action, entitled "Plan of Action No. 1 under Voluntary Agreement Relating to the Supply of Petroleum to Friendly Foreign Nations," dated July 26, 1951, a copy of which is enclosed. This Plan was prepared in accordance with the Voluntary Agreement which Mr. Wilson has approved, entitled "Voluntary Agreement Relating to the Supply of Petroleum to Friendly Foreign Nations," dated June 25, 1951.

In my opinion, your participation will greatly assist in the accomplishment of our national defense program.

The Attorney General has approved this request after consultations with respect thereto between his representatives, representatives of the Chairman of the Federal Trade Commission, and my representatives, pursuant to section 708 of the Defense Production Act of 1950, as amended.

I approve the Plan of Action No. 1, dated July 26, 1951, and find it to be in the public interest as contributing to the national defense. You will become a participant therein upon advising me in writing of your acceptance of this request. Immunity from prosecution under the Federal antitrust laws and the Federal Trade Commission Act, as provided in the Defense Production Act of 1950, as amended, will be given only upon such acceptance, provided that your acts relative to such participation are within the scope of this Plan.

Your cooperation in this matter will be appreciated.

Sincerely,

MANLY FLEISCHMANN,
Administrator.

LIST OF COMPANIES ACCEPTING REQUEST TO PARTICIPATE

Arabian American Oil Co., 505 Park Avenue, New York 22, N. Y.

Standard Oil Co. (New Jersey), 30 Rockefeller Plaza, New York, N. Y.

Creole Petroleum Corp., 350 Fifth Avenue, New York 1, N. Y.

Eso Export Corp., 15 West Fifty-first Street, New York 19, N. Y.

Gulf Oil Corp., Gulf Building, P. O. Box 1166, Pittsburgh, Pa.

Standard Oil Co. of California, 225 Bush Street, San Francisco, Calif.

The Texas Co., 135 East Forty-second Street, New York, N. Y.

Barber Oil Corp., 30 Rockefeller Plaza, New York, N. Y.

Brighton Terminal, Ltd., 30 Rockefeller Plaza, New York, N. Y.

Caltex International, Ltd., 551 Fifth Avenue, New York 17, N. Y.

Caltex Oil Products Co., 551 Fifth Avenue, New York 17, N. Y.

California Texas Corp., 551 Fifth Avenue, New York 17, N. Y.

Overseas Tankship Corp., 551 Fifth Avenue, New York 17, N. Y.

Caltex Oceanic, Ltd., 551 Fifth Avenue, New York 17, N. Y.

Socony-Vacuum Oil Co., Inc., 26 Broadway, New York, N. Y.

Tide Water Associated Oil Co., 79 New Montgomery Street, San Francisco, Calif.

Standard-Vacuum Oil Co., 26 Broadway, New York, N. Y.

The Atlantic Refining Co., 260 South Broad Street, Philadelphia 1, Pa.

Venezuelan Petroleum Co., 630 Fifth Avenue, New York 20, N. Y.

(Sec. 708, 64 Stat. 818, 50 U. S. C. App. Supp. 2158; E. O. 10200, Jan. 3, 1951, 16 F. R. 61)

MANLY FLEISCHMANN,
Administrator,

Defense Production Administration.

PLAN OF ACTION NO. 1 UNDER VOLUNTARY AGREEMENT RELATING TO THE SUPPLY OF PETROLEUM TO FRIENDLY FOREIGN NATIONS

JULY 26, 1951.

This Plan of Action No. 1 is a Voluntary Agreement under section 708 of the Defense Production Act of 1950 (64 Stat. 788), as amended. It is submitted pursuant to section 6 of the "Voluntary Agreement Relating to the Supply of Petroleum to Friendly Foreign Nations", dated June 25, 1951, and has been duly recommended to, and approved by, the Administrator under said Voluntary Agreement as provided in said section 6 thereof.

1. *Need for Plan of Action No. 1.* The defense and security programs of the United States and others of the United Nations have accelerated essential demands for petroleum. The almost complete shutdown, in April 1951, of the world's largest refinery located at Abadan, Iran, resulted in the loss of up to 7,000,000 barrels of petroleum products. More recently, the discontinuance of all movements of both crude oil and petroleum products from Iran has resulted in a loss to free world trade of approximately 460,000 barrels a day of refined products (the equivalent of approximately 510,000 barrels a day of crude oil) plus a loss of 150,000 barrels a day of crude oil of Iranian production. If this loss of petroleum from Iran should continue throughout the balance of the year 1951 it will amount to a petroleum loss, due to increasing demand, of more than 700,000 barrels a day. As a direct consequence, there is building up a serious shortage and maldistribution of petroleum supplies which is affecting adversely the interests of the United States, including the successful continuance of its mobilization program and the mobilization programs of friendly foreign nations.

2. *What this Plan does.* The purpose of Plan of Action No. 1 is to provide measures designed to offset the deficit of supplies of crude oil and refined products resulting from the interruption of Iranian petroleum operations. The Plan authorizes cooperative action in foreign petroleum operations by some or all of the participants herein, and by such other persons engaged in foreign petroleum operations as are designated

by the Administrator, in schedules issued hereunder, as follows:

(a) Increasing the rate of production of crude oil in fields located in Bahrain Island, Canada, Colombia, Egypt, Indonesia, Iraq, Qatar, Kuwait, New Guinea, Saudi Arabia or Venezuela by the Arabian American Oil Company, The Atlantic Refining Company, The Bahrain Petroleum Company, LTD., Caltex Pacific Petroleum Maatschappij, California Texas Oil Company, LTD., Creole Petroleum Corporation, Gulf Oil Corporation, Socony-Vacuum Oil Company, Standard Oil Company of California, Standard Oil Company (N. J.), Standard Vacuum Oil Company, The Texas Company, or Venezuelan Petroleum Company. The amounts of crude oil to be produced pursuant to Plan of Action No. 1 in the areas specified above by any one or more of the participants herein, acting either as principal or through a person named on a schedule to be issued hereunder, shall be set forth from time to time in schedules to be prepared, approved and issued pursuant to section 3 of this Plan.

(b) Increasing the manufacture of refined petroleum products at refineries located in Argentina, Australia, Bahrain Island, Belgium, British West Indies, Canada, Colombia, Cuba, Denmark, Egypt, France, Germany, Indonesia, Italy, Japan, Kuwait, the Netherlands, Norway, Netherlands West Indies, Peru, Saudi Arabia, Spain, Trieste Zone, Trinidad, the United Kingdom, Uruguay or Venezuela by Arabian American Oil Company, The Atlantic Refining Company, Barber Oil Corporation, The Bahrain Petroleum Company, Ltd., California Texas Corporation, Caltex Oil Products Company, Caltex Petroleum Maatschappij, Creole Petroleum Corporation, Gulf Oil Corporation, Socony-Vacuum Oil Company, Incorporated, Standard Oil Company (N. J.), Standard Vacuum Oil Company, The Texas Company or Venezuelan Petroleum Company. Increases in the manufacture of refined petroleum products at the refineries referred to above pursuant to Plan of Action No. 1 will be accomplished by any one or more of the following actions: increased crude through-put through facilities installed at such refineries, adjustments in the through-put quality specifications or yields of products manufactured at such refineries or conversion of equipment now installed at such refineries from the manufacture of any one particular petroleum product to the manufacture of another petroleum product, the processing of selected crudes or the exchange of components between various refineries. The specific details of the amounts of increased manufacture and particular operations pursuant to Plan of Action No. 1 in the areas specified above by any one or more of the participants herein, acting either as principal or through a person named on a schedule to be issued hereunder, shall be set forth from time to time in schedules to be prepared, approved and issued pursuant to section 3 of this Plan.

(c) Arrangements among the participants herein for the purchase, loan, sale or exchange for distribution in, to or from foreign countries or areas of available crude oil, petroleum products and blending agents by and among themselves and such other persons engaged in foreign petroleum operations as are designated by the Administrator, in schedules issued hereunder, to the end that there shall be a maximum distribution of the amounts of crude oil and refined products available to offset the loss of crude oil and refined products due to the interruption of Iranian petroleum operations. It will be an objective of these arrangements to distribute to the extent possible Persian Gulf-Middle East crude oil (a portion of which is presently being exported to the United States and Canada) and refined products to the areas most accessible thereto, taking account of available refining capacity, pipeline and

tanker transportation. Supply deficits in other areas resulting from such redistribution will generally be made up from the sources of supply nearest at hand. The details of the specific purchases, loans, sales or exchanges authorized by and made pursuant to this subparagraph (c) shall be set forth in schedules to be prepared, approved and issued from time to time pursuant to the provisions of section 3 of this Plan.

(d) In order to assure the maximum transportation and distribution of the amounts of crude oil and refined products made available hereunder to the countries and areas specified in section 4 hereof, the participants herein may arrange between and among themselves and with such other persons engaged in foreign petroleum operations designated by the Administrator in schedules issued hereunder for the most efficient use, without regard to ownership, of terminal and storage facilities and tankers, pipeline capacities and other transportation facilities so as to minimize duplications, multiple loadings and discharging, split cargoes, cross-hauling and back-hauling, and idle time in port. The details of the arrangements authorized by and made pursuant to this subparagraph (d) shall be specified in schedules to be prepared, approved and issued from time to time pursuant to the provisions of section 3 of this Plan.

3. *Implementing schedules.* Plan of Action No. 1 will be implemented by schedules setting forth in detail the operating procedures or actions which are to be taken hereunder. Schedules prepared by a Subcommittee and recommended by the unanimous vote taken at a meeting thereof shall, after approval by the Committee, be forwarded directly to the Administrator. Upon approval of Plan of Action No. 1 as provided in section 708 of the Defense Production Act of 1950, as amended, and approval and issuance of the implementing schedules by the Administrator, action shall be taken by the participants herein (acting directly as principal or indirectly by agent, affiliate or otherwise) as provided in said schedules.

4. *Areas of operation.* The principal areas directly affected by the interruption of exports of crude oil and refined products from Iran include Great Britain, France, Germany, Scandinavia, Belgium, Netherlands, Luxembourg, Yugoslavia, Turkey, Greece, Italy, Switzerland, Spain, Portugal, Africa, Aden, India, Pakistan, Japan, Indonesia, Ceylon, Philippines, Formosa, Argentina, French Indo-China, Thailand, Burma, Malaya, Australia and New Zealand. To overcome shortages of the magnitude involved, it will be necessary to make numerous alterations and adjustments in foreign petroleum operations, with assistance to one area necessarily involving adjustments in other areas, including not only the directly affected areas specified above but also remotely distant areas including the Western Hemisphere.

5. *Companies participating in plan.* The companies which, it is contemplated, will participate in Plan of Action No. 1 are listed in Exhibit A attached hereto and made a part hereof. Additional companies may participate when so requested by the appropriate Government officials.

6. *Procedure for and effect of becoming a participant.* (a) After approval of this Agreement by the appropriate Government official as provided in section 708 of the Defense Production Act of 1950, as amended, and after requests for participation in it have been approved by the Attorney General and have been made of persons engaged in foreign petroleum operations by such Government official, such persons may become participants in this Agreement by advising such Government official in writing of acceptance of such requests. Such requests will be effective for the purpose of granting certain immunity from the Antitrust Laws and the Federal Trade Commission Act as provided in section 708 (b) of the

Defense Production Act of 1950, as amended, only with respect to such persons as notify such Government official in writing that they will comply with such request and only with respect to such acts by such persons as are within the scope of this Agreement.

(b) This Agreement shall not be construed as directing or requiring any participant to take any action to carry into effect any schedule, which would conflict with any applicable law or regulation of any foreign country or area or with any obligation of such participant which existed on the date the Director submitted to the Committee any request which results in the issuance of such schedules.

7. *Incorporation by reference.* The provisions of the "Voluntary Agreement Relating to the Supply of Petroleum to Friendly Foreign Nations", dated June 25, 1951, including section 3 (Definitions) thereof, are incorporated in this Plan of Action No. 1 as if set forth fully herein.

8. *Effective date and duration.* This Agreement shall become effective upon the date of its approval by the Defense Production Administrator or other proper Government official acting pursuant to the appropriate provisions of the Defense Production Act of 1950, as amended. It shall cease to be effective at the termination of Title VII of the Defense Production Act of 1950, as amended, unless the applicable time limitation now specified in said act is extended or otherwise changed by legislative action in a form which permits continuation of this Agreement. This Agreement may be terminated at any time as may be determined by the Administrator upon notice by letter, telegram, or publication in the FEDERAL REGISTER.

9. *Withdrawal from Agreement.* Any participant may withdraw from this Agreement subject to the fulfillment of obligations incurred under this Agreement prior to the date such withdrawal becomes effective by giving not less than thirty days' written notice to the Administrator.

EXHIBIT A

Arabian American Oil Co.
Standard Oil Co. (New Jersey).
Creole Petroleum Corp.
Esso Export Corp.
Gulf Oil Corp.
Standard Oil Co. of California.
The Texas Co.
Barber Oil Corp.
Brighton Terminal, Ltd.
Caltex International, Ltd.
Caltex Oil Products Co.
California Texas Corp.
Overseas Tankship Corp.
Caltex Oceanic, Ltd.
Socony-Vacuum Oil Co., Inc.
Tide Water Associated Oil Co.
Standard-Vacuum Oil Co.
The Atlantic Refining Co.
Venezuelan Petroleum Co.

[F. R. Doc. 51-10049; Filed, Aug. 17, 1951;
5:03 p. m.]

ADDITIONAL COMPANIES ACCEPTING REQUESTS TO PARTICIPATE IN THE VOLUNTARY PLAN TO CONTRIBUTE TANKER CAPACITY

Pursuant to section 708 of the Defense Production Act of 1950, as amended, the following supplemental list of companies is herewith published which have accepted the request to participate in the Voluntary Plan, entitled "Voluntary Plan under Public Law 774, 81st Congress for the Contribution of Tanker Capacity for National Defense Requirements," dated January 18, 1951, which request, original list of companies ac-

cepting such request and the Voluntary Plan were published on March 1, 1951, at 16 F. R. 1964. Additional lists of companies accepting such requests were published on April 14, 1951, at 16 F. R. 3316, and on May 3, 1951, at 16 F. R. 3931.

J. M. Carras, Inc., 24 State Street, New York, N. Y.

Crown Central Petroleum Corp., American Building, Baltimore, Md.

(Sec. 708, 64 Stat. 818, 50 U. S. C. App. Supp. 2158; E. O. 10200, Jan. 3, 1951, 16 F. R. 61)

MANLY FLEISCHMANN,
Administrator.

[F. R. Doc. 51-10050; Filed, Aug. 17, 1951;
5:04 p. m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

ALASKA

**AIR NAVIGATION SITE WITHDRAWAL NO. 1
ESTABLISHED**

AUGUST 14, 1951.

By virtue of the authority contained in section 4 of the act of May 24, 1928 (45 Stat. 729; 49 U. S. C. 214), and pursuant to section 2.22 (2) of Delegation Order No. 427 of August 16, 1950 (15 F. R. 5641), it is ordered as follows:

Subject to valid existing rights, the tract of public land near Kaltag on the right bank of the Yukon River, Alaska, described below by metes and bounds, is hereby withdrawn from all forms of appropriation under the public land laws, and reserved for the use of the Civil Aeronautics Administration, Department of Commerce, in the maintenance of air-navigation facilities, the reservation to be known as Air Navigation Site Withdrawal No. 1, Alaska:

Beginning at a point on the right bank of the Yukon River in the Fourth Judicial Division, Territory of Alaska, whence U. S. C. and G. S. Monument "TAG" bears N. 9° 55'46" W., 21,281 feet, approximate latitude 64°19'37.09" N., longitude 158°43'13.19" W., thence

West, 350 feet; S. 8° 30' W., 2,000 feet; East 1,585 feet to a point on said river bank, Northerly 2,000 feet, approximately to the point of beginning, containing 45.89 acres, more or less. All bearings are true.

It is intended that the public land described herein shall be returned to the administration of the Department of the Interior when it is no longer needed for the purpose for which it is reserved.

LOWELL M. PUCKETT,
Regional Administrator.

[F. R. Doc. 51-9970; Filed, Aug. 21, 1951;
8:46 a. m.]

Bureau of Reclamation

**PROJECT SUPPLY OFFICER, BOULDER
CANYON PROJECT**

**REDELEGATION OF AUTHORITY WITH RESPECT
TO CONTRACTS FOR SUPPLIES OR SERVICES**

AUGUST 15, 1951.

SECTION 1. Contracts. Pursuant to the authority contained in section 50 of

Departmental Order 2509 (14 F. R. 306), subject to applicable regulations and appropriations, the Project Supply Officer, Boulder Canyon Project, Boulder City, Nevada, may:

(a) Award and execute contracts for supplies or services where the amount does not exceed \$50,000;

(b) Approve and execute change orders and extra work orders pursuant to contracts for supplies or services where the amount does not exceed \$50,000;

(c) Approve and enter into modifications of contracts for supplies or services which are legally permissible, and terminate such contracts if such action is legally authorized, where the amount does not exceed \$50,000.

WESLEY R. NELSON,
Acting Commissioner of Reclamation.

[F. R. Doc. 51-9971; Filed, Aug. 21, 1951;
8:46 a. m.]

[No. 8]

**TUCUMCARI IRRIGATION PROJECT,
NEW MEXICO**

**ANNOUNCEMENT OF ANNUAL WATER
RENTAL CHARGES**

JUNE 29, 1951.

1. I have determined that it is factually impossible, in view of the provision for construction of distribution works by the United States under the contract with the Arch Hurley Conservancy District dated December 27, 1938, to make water available for irrigation use during the season 1952 as contemplated in Article 8 of the contract.

2. *Water rental.* Pursuant to Article 10 of the contract of December 27, 1938, irrigation water will be furnished, when available, upon a rental basis during the irrigation season of 1952, where the progress of construction will permit, to the irrigable lands in the Arch Hurley Conservancy District described below:

Entire project irrigable area embracing all units from 1 through 7: Water to be furnished beginning about April 1, 1952.

Irrigable lands shall be as designated by the Secretary under date of March 17, 1950, and described in detail in Appendix No. 1, Tabulation of Irrigable Areas, dated October 8, 1947, for Units 1 through 5, and in revised Appendix No. 2, Tabulation of Irrigable Areas, dated December 5, 1949, for Units 6 and 7, including any subsequent corrections, amendments or modifications thereof. Any qualified water user wishing to ascertain the irrigability of any tract of land may do so by examining copies of these designations in the office of the Arch Hurley Conservancy District.

3. *Charges and terms of payment—*
(a) *All units 1 through 7.* The minimum water rental charge for irrigable land within the boundaries of Units 1, 2, 3, 4, 5, 6, and 7, as above described, shall be \$3.75 per irrigable acre, payment of which will entitle the water user to one acre-foot of water per irrigable acres. Additional water will be furnished dur-

ing the irrigation season at the rate of \$2.00 per acre-foot.

(b) All charges shall be payable by the District to the United States in advance of the delivery of water, minimum water rental charges payable for irrigable lands which do not apply for water shall be due on or before June 1, 1952.

4. Water will be delivered and measured by Government forces at the nearest measuring device to the individual farm.

5. The District will request water delivery for, and certify to the United States as entitled to receive water, only such lands as are owned or held under contract of purchase by persons duly qualified to receive water under the terms of the Reclamation Act of June 17, 1902 (32 Stat. 388), and acts of Congress supplementary thereto or amendatory thereof, and who have duly complied with the requirements of the contract of December 27, 1938, between the United States and the District, including:

(a) The execution and delivery of the recordable contract as provided for in Article 30 (b) of said contract;

(b) The execution and delivery of the valid recordable contract, in case of ownership of excess land, as provided for in Articles 30 (a) and 32 of said contracts.

6. Individual applications for water on forms approved by the United States and the payments required by this announcement will be received at the office of the Secretary of the Arch Hurley Conservancy District, Tucumcari, New Mexico. Requests by the District for water for such lands as are entitled to receive water and payments by the District to the United States will be received at the office of the Bureau of Reclamation, Tucumcari, New Mexico.

H. E. ROBBINS,
Regional Director.

[F. R. Doc. 51-9972; Filed, Aug. 21, 1951;
8:46 a. m.]

Petroleum Administration for Defense

**NOTICE OF CERTIFICATION WITH RESPECT
TO RESTRICTING USE OF NATURAL GAS IN
MARYLAND**

Take notice that the Public Service Commission of the State of Maryland has certified to the President that it has authority to restrict the use of natural gas and is exercising that authority to the extent necessary to accomplish the objectives of the Defense Production Act of 1950. As the result of the above-described Certification, and pursuant to section 704 Defense Production Act of 1950, as amended, the restrictions imposed by section 3, PAD Order No. 2, August 14, 1951, 16 F. R. 8111, are hereafter inapplicable in the State of Maryland.

BRUCE K. BROWN,
Deputy Administrator, Petroleum
Administration for Defense.

[F. R. Doc. 51-10139; Filed, Aug. 21, 1951;
11:06 a. m.]

ECONOMIC STABILIZATION AGENCY

Office of Price Stabilization

[Ceiling Price Regulation 7, Section 43, Special Order 399]

CRESCENDOE GLOVES, INC.

CEILING PRICES AT RETAIL

Statement of considerations. This is an order establishing uniform retail prices issued upon the basis of an application filed by a supplier under section 43 of CPR 7. This section gives a manufacturer or wholesaler the right to apply for uniform retail ceiling prices for certain of his branded articles. This section requires that the articles must customarily have been sold at substantially uniform prices, and the ceiling prices applied for must not raise the general level of prices under CPR 7. The order may, of course, be amended or revoked if further review shows that the requirements of the regulation have not been fully met.

This special order requires each article to be tagged or marked with the retail ceiling price. The supplier must send to each retailer a copy of this special order, as well as a list of ceiling prices for each article or cost line and notice of all amendments. The order requires the supplier to file certain sales reports with OPS.

Retailers will be concerned with Sections 1 through 6 of this special order which contain provisions applying to them. The rest of the order is of interest primarily to the applicant.

Order. For the reasons set forth in the Statement of Considerations and pursuant to section 43 of CPR 7, it is ordered that the following provisions be in effect:

Provisions for retailers. 1. *What this order does.* Sections 1 through 6 apply to you and establish uniform ceiling prices if you sell at retail the articles identified below:

Name and address of applicant: Crescendoe Gloves, Inc., Crescendoe Road, Johnstown, New York.

Brand names: "Crescendoe Gloves".

Articles: Women's gloves.

2. *Retail ceiling prices for listed articles.* Your ceiling prices for sales at retail of the articles identified above are the retail prices listed in your supplier's application filed with OPS. These prices will be included in a list which will be annexed to the copy of this order which you will receive from your supplier. The list of ceiling prices will be filed with the Federal Register as an appendix to this special order as soon as practicable. These ceiling prices are effective 10 days after you receive this order and the ceiling price list but in no event later than 60 days after the date this order is issued. You shall not sell above these ceiling prices. You may, of course, sell below these prices.

3. *Retail ceiling prices for unlisted items.* Some or all of the retail ceiling prices in this order are fixed in terms of the cost of the article to you. Whenever you receive one of applicant's branded articles which is in the same category and which has the same net cost as one

covered by the list, the ceiling price for such article shall be the same as the ceiling price for the article having that same net cost.

4. *Retail ceiling prices affected by amendment to this order.* This order may be amended from time to time or it may be revoked. If so, the applicant is required to send you a copy of the revocation or amendment, together with any list of changes or additions in retail ceiling prices. The ceiling prices contained in any such amendment become your ceiling prices.

5. *Marking and tagging.* This order requires your supplier to preticket his articles by an early date. The label, tag or ticket must be in the following form:

OPS—Sec. 43—CPR 7

Price \$-----

After 60 days from the effective date of this order, unless you receive articles marked or tagged in this form, you must so mark or tag them yourself. Before that date you must mark, tag or post your prices in the manner required by the regulation which applies in the absence of this special order.

With respect to articles the ceiling prices of which are affected by any amendment to this order, the same rules apply except that you must mark or tag such articles as stated above not later than 60 days after the effective date of the amendment.

6. *Applicability.* This special order establishes your ceiling prices for the articles covered by it regardless of whether you would otherwise price the articles under CPR 7 or any other regulation. It applies to sales in the 48 States and the District of Columbia.

Provisions for the applicant. 7. *Notification to retailers.* As the manufacturer or wholesaler to whom this special order is issued, you shall do the following:

(a) *Sending order and list to old customers.* Within 15 days after the effective date of this special order, you shall send a copy of this order, together with a copy of the list referred to in section 8 below to each purchaser for resale to whom, within two months immediately prior to the effective date, you had delivered any article covered by this order.

(b) *Notification to new customers.* A copy of this special order and the list shall be sent to all other purchasers for resale on or before the date of the first delivery of any article covered by this order.

(c) *Notification with respect to amendments.* Within 15 days after the effective date of any subsequent amendment to this order, you shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, you had delivered any article included in such amendment. Within 15 days after any amendment, the amendment shall also be included with the notification to new customers.

(d) *Notification to OPS.* Within 15 days of the effective date of this order, you shall send a copy of the list of prices referred to in section 8 below to the Distribution Branch, Consumer Soft

Goods Division, Office of Price Stabilization, Washington 25, D. C.

8. *Ceiling price list.* The ceiling price list must be annexed to a copy of the order and shall contain the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling prices fixed by the order. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
\$----- per-----	Terms {net. percent EOM. etc.
{unit. dozen. etc.	\$-----

9. *Preticketing requirements.* As the applicant to whom this special order is issued, you must, within 60 days after the effective date of this order (or in the case of an amendment within 60 days after the effective date of that amendment), mark each article covered by this order with a statement in the following form:

OPS—Sec. 43—CPR 7

Price \$-----

Instead of marking the article you may attach a label, tag or ticket containing the same information.

10. *Sales volume reports.* Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, you shall file with the Distribution Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which you have delivered in that 6-month period.

This special order may be amended or revoked at any time.

Effective date. This special order shall become effective on August 15, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 14, 1951.

[F. R. Doc. 51-9808; Filed, Aug. 14, 1951; 5:00 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 400]

RENOIR OF CALIFORNIA, INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Renoir of California, Inc., 4577½ Hollywood Boulevard, Los Angeles 27, California, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of women's jewelry and belts, and men's jewelry manufactured by Renoir of California, Inc., 4577 1/2 Hollywood Boulevard, Los Angeles 27, California, having the brand names(s) "Renoir of California, Inc.", shall be the proposed retail ceiling prices listed by Renoir of California, Inc., 4577 1/2 Hollywood Boulevard, Los Angeles 27, California, in its application dated May 31, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 15, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 15, 1951, Renoir of California, Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price \$ -----

On and after November 14, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 14, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)									
Price to retailers	Retailer's ceilings for articles of cost listed in column 1									
\$..... per.....	<table border="0"> <tr> <td>{unit.</td> <td>Terms</td> <td>{net.</td> </tr> <tr> <td>{dozen.</td> <td></td> <td>{percent EOM.</td> </tr> <tr> <td>{etc.</td> <td></td> <td>{etc.</td> </tr> </table>	{unit.	Terms	{net.	{dozen.		{percent EOM.	{etc.		{etc.
{unit.	Terms	{net.								
{dozen.		{percent EOM.								
{etc.		{etc.								
	\$.....									

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6-month period following the

effective date of this special order and within 45 days of the expiration of each successive 6-month period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6-month period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 16, 1951.

MICHAEL V. DiSALLE,
Director of Price Stabilization.

AUGUST 15, 1951.

[F. R. Doc. 51-9858; Filed, Aug. 15, 1951; 4:00 p. m.]

[Ceiling Price Regulation 7, Section 43,
Special Order #401]

GORHAM CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, The Gorham Company, Providence 7, Rhode Island, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the percentage of total sales which each article covered by this special order bears to the total sales of all articles covered by this special order which applicant had delivered during the report-

ing period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special Provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of sterling flatware, plated flatware, sterling hollow ware, plated hollow ware, and dresserware, manufactured by The Gorham Company, Providence 7, Rhode Island, having the brand name "Gorham" shall be the proposed retail ceiling prices listed by The Gorham Company in its application dated May 23, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. (and supplemented and amended in the manufacturer's application dated May 31, 1951). A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 15, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 15, 1951, The Gorham Company must furnish each purchaser for resale to whom within two months immediately prior to the effective date the manufacturer had delivered any article covered by paragraph 1 of this special order, with a sign 8 inches wide and 10 inches high, a price book, and a supply of tags and stickers. The sign must contain the following legend:

The retail ceiling prices for The Gorham Company sterling flatware, sterling hollow ware, plated hollow ware, plated flatware, and dresser ware have been approved by OPS and are shown in a price book we have available for your inspection.

The price book must contain an accurate description of each article covered by paragraph 1 of this special order and the retail ceiling price fixed for each article. The front cover of the price book must contain the following legend:

The retail ceiling prices in this Gorham Company price book have been approved by OPS under section 43, CPR 7.

The tags and stickers must be in the following form:

The Gorham Company
OPS—Sec. 43—CPR 7
Price \$-----

On and after November 14, 1951, no retailer may offer or sell any article covered by this order unless he has the sign

described above displayed so that it may be easily seen and a copy of the price book described above available for immediate inspection. In addition, the retailer must affix to each article covered by the order and which is on open display a tag or sticker described above. The tag or sticker must contain the retail ceiling price established by this special order for the article to which it is affixed.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must within 30 days after the effective date of the amendment, as to each such article, send an insertion stating the required addition or change for the price book described above. After 60 days from the effective date of the amendment, no retailer may offer or sell the article, unless he has received the insertion described above and inserted it in the price book. Prior to the expiration of the 60-day period, unless the retailer has received and placed the insertion in the price book, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered by paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
\$..... per.....	{unit. Terms {net. {dozen. etc. {percent EOM. {etc. etc. {etc.
	\$-----

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the percentage of total sales which each article covered by this special order bears to the total sales of all articles covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 16, 1951.

MICHAEL V. DiSALLE,
Director of Price Stabilization.

AUGUST 15, 1951.

[F. R. Doc. 51-9859; Filed, Aug. 15, 1951; 4:00 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 402]

MULTNOMAH TRUNK AND BAG CO.

CEILING PRICES AT RETAIL

Statement of considerations. This is an order establishing uniform retail prices issued upon the basis of an application filed by a supplier under section 43 of CPR 7. This section gives a manufacturer or wholesaler the right to apply for uniform retail ceiling prices for certain of his branded articles. This section requires that the articles must customarily have been sold at substantially uniform prices, and the ceiling prices applied for must not raise the general level of prices under CPR 7. The order may, of course, be amended or revoked if further review shows that the requirements of the regulation have not been fully met.

This special order requires each article to be tagged or marked with the retail ceiling price. The supplier must send to each retailer a copy of this special order, as well as a list of ceiling prices for each article or cost line and notice of all amendments. The order requires the supplier to file certain sales reports with OPA.

Retailers will be concerned with sections 1 through 6 of this special order which contain provisions applying to them. The rest of the order is of interest primarily to the applicant.

Order. For the reasons set forth in the Statement of Considerations and pursuant to section 43 of CPR 7, it is ordered that the following provisions be in effect:

Provisions for retailers—1. What this order does. Sections 1 through 6 apply

to you and establish uniform ceiling prices if you sell at retail the articles identified below:

Name and address of applicant: Multnomah Trunk and Bag Co., 522 North Thompson Street, Portland 12, Oregon.

Brand names: "Globe Trotter", "Globe Trotter, Jr." and "Chief Multnomah", "Paul Bunyan", "Hollywood", "E-Z Pak".

Articles: Luggage, hand trunks, foot lockers, zipper envelopes and brief cases, brief bags, ring binders, file cases, zipper toilet kits, wardrobe trunks and box trunks.

2. *Retail ceiling prices for listed articles.* Your ceiling prices for sales at retail of the articles identified above are the retail ceiling prices listed in your supplier's application filed with OPS. These prices will be included in a list which will be annexed to the copy of this order which you will receive from your supplier. The list of ceiling prices will be filed with the Federal Register as an appendix to this special order as soon as practicable. These ceiling prices are effective 10 days after you receive this order and the ceiling price list but in no event later than 60 days after the date this order is issued. You shall not sell above these ceiling prices. You may, of course, sell below these prices.

3. *Retail ceiling prices for unlisted items.* Some or all of the retail ceiling prices in this order are fixed in terms of the cost of the article to you. Whenever you receive one of applicant's branded articles which is in the same category and which has the same net cost as one covered by the list, the ceiling price for such article shall be the same as the ceiling price for the article having that same net cost.

4. *Retail ceiling prices affected by amendment to this order.* This order may be amended from time to time or it may be revoked. If so, the applicant is required to send you a copy of the revocation or amendment, together with any list of changes or additions in retail ceiling prices. The ceiling prices contained in any such amendment become your ceiling prices.

5. *Marking and tagging.* This order requires your supplier to preticket his articles by an early date. The label, tag or ticket must be in the following form:

OPS—Sec. 43—CPR 7
Price \$-----

After 60 days from the effective date of this order, unless you receive articles marked or tagged in this form, you must so mark or tag them yourself. Before that date you must mark, tag or post your prices in the manner required by the regulation which applies in the absence of this special order.

With respect to articles the ceiling prices of which are affected by any amendment to this order, the same rules apply except that you must mark or tag such articles as stated above not later than 60 days after the effective date of the amendment.

6. *Applicability.* This special order establishes your ceiling prices for the articles covered by it regardless of whether you would otherwise price the articles under CPR 7 or any other regulation.

It applies to sales in the 48 States and the District of Columbia.

Provisions for the applicant. 7. *Notification to retailers.* As the manufacturer or wholesaler to whom this special order is issued, you shall do the following:

(a) *Sending order and list to old customers.* Within 15 days after the effective date of this special order, you shall send a copy of this order, together with a copy of the list referred to in section 8 below to each purchaser for resale to whom, within 2 months immediately prior to the effective date, you had delivered any article covered by this order.

(b) *Notification to new customers.* A copy of this special order and the list shall be sent to all other purchasers for resale on or before the date of the first delivery of any article covered by this order.

(c) *Notification with respect to amendments.* Within 15 days after the effective date of any subsequent amendment to this order, you shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, you had delivered any article included in such amendment. Within 15 days after any amendment, the amendment shall also be included with the notification to new customers.

(d) *Notification to OPS.* Within 15 days of the effective date of this order, you shall send a copy of the list of prices referred to in Section 8 below to the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

8. *Ceiling price list.* The ceiling price list must be annexed to a copy of the order and shall contain the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling prices fixed by the order. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
\$..... per.....	Terms {net. percent EOM. etc.}
{unit. dozen. etc.}	\$.....

9. *Preticketing requirements.* As the applicant to whom this special order is issued, you must, within 60 days after the effective date of this order (or in the case of an amendment within 60 days after the effective date of that amendment), mark each article covered by this order with a statement in the following form:

OPS—Sec. 43—CPR 7
Price \$-----

Instead of marking the article you may attach a label, tag or ticket containing the same information.

10. *Sales volume reports.* Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, you shall file with the Distribution Branch, Office of Price Stabilization, Washington 25, D. C.,

a report setting forth the number of units of each article covered by this special order which you have delivered in that 6-month period.

This special order may be amended or revoked at any time.

Effective date. This special order shall become effective on August 16, 1951.

MICHAEL V. DiSALLE,
Director of Price Stabilization.

AUGUST 15, 1951.

[F. R. Doc. 51-9860; Filed, Aug. 15, 1951; 4:00 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 403]

WESTINGHOUSE ELECTRIC CORP.,
TELEVISION-RADIO DIVISION

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Westinghouse Electric Corporation, Television-Radio Division, 1354 Susquehanna Avenue, Sunbury, Pennsylvania, has applied to the Office of Price Stabilization for maximum retail prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the article a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of television and radio home receivers sold through wholesalers and retailers and having the brand name(s) "Westinghouse" shall be the proposed retail ceiling prices listed by Westinghouse Electric Corporation, Television-Radio Division, 1354 Susque-

hanna Avenue, Sunbury, Pennsylvania, hereinafter referred to as the "applicant" in its application dated June 29, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 15, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. Marking and tagging. On and after October 15, 1951, Westinghouse Electric Corporation, must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price \$-----

On and after November 14, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 14, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. Notification to resellers.—(a) Notices to be given by applicant. (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within 15 days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within 2 months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
-----	\$-----

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within 2 months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. Reports. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. Other regulations affected. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. Revocation. This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. Applicability. The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 16, 1951.

MICHAEL V. DiSALLE,
Director of Price Stabilization.

AUGUST 15, 1951.

[F. R. Doc. 51-9861; Filed, Aug. 15, 1951; 4:01 p. m.]

[Ceiling Price Regulation 7, Section 43,
Special Order 404]

HARDMAN, PECK & CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with Section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Hardman, Peck & Company, 33 West Fifty-seventh Street, New York 19, New York, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other state requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of pianos and benches manufactured by Hardman, Peck & Company, 33 West 57th Street, New York 19, N. Y. having the brand name(s) "Hardman Pianos", "Harrington Pianos", "Minipianos", "Ministools", shall be the proposed retail ceiling prices listed by Hardman, Peck &

Company in its application dated April 17, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 15, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 15, 1951, Hardman, Peck & Company must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price \$-----

On and after November 14, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 14, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within 2 months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order,

and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
\$..... per.....	Terms {net. percent EOM. etc.}
{unit. dozen. etc.}	{net. percent EOM. etc.}
	\$-----

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6-month period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 16, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 15, 1951.

[F. R. Doc. 51-9862; Filed, Aug. 15, 1951; 4:01 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 405]

COFFEY-HOYT PRODUCTS, INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in

the accompanying special order, Coffey-Hoyt Products, Inc., 1136 West One-hundred-thirty-fifth Street, Gardena, California, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. **Ceiling prices.** The ceiling prices for sales at retail of plastic rain boots sold through wholesalers and retailers and having the brand name(s) "Drizzle Boots" shall be the proposed retail ceiling prices listed by Coffey-Hoyt Products, Inc., 1136 West One Hundred and Thirty-fifth Street, Gardena, California, hereinafter referred to as the "applicant" in its application dated April 18, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 15, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. **Marking and tagging.** On and after October 15, 1951, Coffey-Hoyt Products, Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling

price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price \$-----

On and after November 14, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 14, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the pre-ticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers.*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within 15 days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within 2 months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
-----	\$-----

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within 2 months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 16, 1951.

MICHAEL V. DiSALLE,
Director of Price Stabilization.

AUGUST 15, 1951.

[F. R. Doc. 51-9863; Filed, Aug. 15, 1951; 4:01 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 406]

SURPRISE BRASSIERE CO., INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the

accompanying special order, Surprise Brassiere Co., Inc., 102 Madison Avenue, New York 16, New York, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of brassieres manufactured by Surprise Brassiere Co., Inc. 102 Madison Avenue, New York 16, New York having the brand name(s) "Surprise Bra" shall be the proposed retail ceiling prices listed by Surprise Brassiere Co. Inc. in its application dated June 28, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 15, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 15, 1951, Surprise Brassiere Co., Inc., must mark each article for which a ceiling price

has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price \$-----

On and after November 14, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 14, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
\$..... per.....	Terms { net. percent EOM. etc. } { unit. dozen. etc. }
	\$.....

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manu-

facturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6-month period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 16, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 15, 1951.

[F. R. Doc. 51-9864; Filed, Aug. 15, 1951; 4:02 p. m.]

[Ceiling Price Regulation 7, Section 43,
Special Order 407]

LENTZ NOVELTY CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Lentz Novelty Company, 1629 North Sixty-first Street, Philadelphia 31, Pennsylvania, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in speci-

fied cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of covered metal shoe racks, hatracks, and tieracks manufactured by Lentz Novelty Company, 1629 North Sixty-first Street, Philadelphia 31, Pennsylvania, having the brand name(s) "Back O'Door Racks" shall be the proposed retail ceiling prices listed by Lentz Novelty Company in its application dated June 25, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice or prices annexed, but in no event later than September 15, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 15, 1951, Lentz Novelty Company must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price \$-----

On and after November 14, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 14, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing require-

ments of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within 2 months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
\$..... per.....	unit. net. dozen. Terms percent EOM. etc. etc.
	\$.....

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or

amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 16, 1951.

MICHAEL V. DiSALLE,
Director of Price Stabilization.

AUGUST 15, 1951.

[F. R. Doc. 51-9865; Filed, Aug. 15, 1951;
4:02 p. m.]

[Ceiling Price Regulation 7, Section 43,
Special Order 408]

REGAL WARE, INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Regal Ware, Inc., Kewaskum, Wisconsin, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the article a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of sauce pots, pan sets, roasters, combination cookers, food blanchers, kettles, sauce pans, salad bowls, ovens, coffee makers, cookers, snack bowl sets, popcorn plates, poppers, fryers, colanders, canners, egg poachers, food presses sold through wholesalers and retailers and having the brand name(s) "Regal" shall be the proposed retail ceiling prices listed by Regal Ware,

Inc., Kewaskum, Wisconsin, hereinafter referred to as the "applicant" in its application dated July 17, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 15, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 15, 1951, Regal Ware, Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price \$-----

On and after November 14, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 14, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the pre-ticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers.*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within fifteen days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within two months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner,

annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
-----	\$-----

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers.)* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within two months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 16, 1951.

MICHAEL V. DiSALLE,
Director of Price Stabilization.

AUGUST 15, 1951.

[F. R. Doc. 51-9866; Filed, Aug. 15, 1951; 4:02 p. m.]

[Ceiling Price Regulation 7, Section 43,
Special Order 409]

THE NATIONAL-ROSE CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, The National-Rose Company, 80-82 West Virginia Avenue, Memphis, Tennessee, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of mattresses and box springs manufactured by The National-Rose Company, 80-82 West Virginia Avenue, Memphis, Tennessee, having the brand name(s) "Southern Belle Quilted", "Serta Serta Foam", "Serta Perfect Sleeper Orthopedic", "Serta Restal Knight Deluxe",

"Serta Serta-Rest", "Serta Sertaflex", "Serta Smoothrest Deluxe", "Serta Perfect Sleeper Imperial", "Serta Perfect Sleeper Deluxe", "Serta Perfect Sleeper", "Southern Beauty", "Southern Textlite", "Southern Orthopedic", "Southern Cushion Flex", "Southern Maid" and "Southern Queen" shall be the proposed retail ceiling prices listed by The National-Rose Company in its application dated May 28, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 15, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation having the same selling price and terms of sale to the retailer, same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 15, 1951, The National-Rose Company must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price \$-----

On and after November 14, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 14, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufac-

turer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
\$..... per..... {unit. dozen. Terms {net. etc. percent EOM. {etc.	\$.....

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 16, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 15, 1951.

[F. R. Doc. 51-9867; Filed, Aug. 15, 1951; 4:03 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 410]

A. WEIGELL & SON, INC.
CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, A. Weigell & Son, Inc., 836 East Bay Street, Milwaukee 7, Wisconsin, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of mattresses and box springs manufactured by A. Weigell & Son, Inc., 836 East Bay Street, Milwaukee 7, Wisconsin, having the brand name(s) "Spring-Air", "Queen O'Sleep" shall be the proposed retail ceiling prices listed by A. Weigell & Son, Inc. in its application dated May 25, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 15, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having

the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 15, 1951, A. Weigell & Son, Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price \$-----

On and after November 14, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 14, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within 2 months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
\$..... per..... {unit. dozen. Terms {net. etc. percent EOM. {etc.	\$.....

Within 15 days after the effective date of this special order, two copies of this

notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 16, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 15, 1951.

[F. R. Doc. 51-9868; Filed, Aug. 15, 1951; 4:03 p. m.]

[Ceiling Price Regulation 7, Section 43,
Special Order 411]

RICHARD PAUL, INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Richard Paul, Inc., 832 North Walnut Street, Wilmington 8, Delaware, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of women's shoe-hi foot and toe coverings manufactured by Richard Paul, Inc., 832 North Walnut Street, Wilmington 8, Delaware, having the brand name(s) "Peds" shall be the proposed retail ceiling prices listed by Richard Paul, Inc., in its application dated June 29, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 15, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 15, 1951, Richard Paul, Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CFR 7
Price \$-----

On and after November 14, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 14, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)											
Price to retailers	Retailer's ceilings for articles of cost listed in column 1											
\$..... per.....	<table border="0"> <tr> <td rowspan="2"> <table border="0"> <tr> <td>{unit.</td> <td rowspan="2">Terms</td> <td>{net.</td> </tr> <tr> <td>{dozen.</td> <td>{percent EOM.</td> </tr> <tr> <td>{etc.</td> <td></td> <td>{etc.</td> </tr> </table> </td> <td></td> <td>\$....</td> </tr> </table>	<table border="0"> <tr> <td>{unit.</td> <td rowspan="2">Terms</td> <td>{net.</td> </tr> <tr> <td>{dozen.</td> <td>{percent EOM.</td> </tr> <tr> <td>{etc.</td> <td></td> <td>{etc.</td> </tr> </table>	{unit.	Terms	{net.	{dozen.	{percent EOM.	{etc.		{etc.		\$....
<table border="0"> <tr> <td>{unit.</td> <td rowspan="2">Terms</td> <td>{net.</td> </tr> <tr> <td>{dozen.</td> <td>{percent EOM.</td> </tr> <tr> <td>{etc.</td> <td></td> <td>{etc.</td> </tr> </table>	{unit.		Terms		{net.	{dozen.	{percent EOM.	{etc.		{etc.		\$....
	{unit.	Terms		{net.								
{dozen.	{percent EOM.											
{etc.		{etc.										

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 16, 1951.

MICHAEL V. DiSALLE,
Director of Price Stabilization.

AUGUST 15, 1951.

[F. R. Doc. 51-9869; Filed, Aug. 15, 1951;
4:04 p. m.]

[Ceiling Price Regulation 7, Section 43,
Special Order 413]

UNITED STATES SPRING BED CO.

CEILING PRICES AT RETAIL

Statement of considerations. This is an order establishing uniform retail prices issued upon the basis of an application filed by a supplier under section 43 of CPR 7. This section gives a manufacturer or wholesaler the right to apply for uniform retail ceiling prices for certain of his branded articles. This section requires that the articles must customarily have been sold at substantially uniform prices, and the ceiling prices applied for must not raise the general level of prices under CPR 7. The order may, of course, be amended or revoked if further review shows that the requirements of the regulation have not been fully met.

This special order requires each article to be tagged or marked with the retail ceiling price. The supplier must send to each retailer a copy of this special order, as well as a list of ceiling prices for each article or cost line and notice of all amendments. The order requires the supplier to file certain sales reports with OPS.

Retailers will be concerned with Sections 1 through 6 of this special order which contain provisions applying to them. The rest of the order is of interest primarily to the applicant.

Order. For the reasons set forth in the Statement of Considerations and pursuant to section 43 of CPR 7, it is ordered that the following provisions be in effect:

Provisions for Retailers—1. What this order does. Sections 1 through 6 apply to you and establish uniform ceiling prices if you sell at retail the articles identified below:

Name and address of applicant: United States Spring Bed Co., 228 Birnie Avenue, Springfield 1, Mass.

Brand names: "Spring Air", "Spring Air Extra Firm", "Spring Air Hair Top", "Spring Air Back Supporter", and "Spring Air Extra Long".

Articles: mattresses and box springs.

2. **Retail ceiling prices for listed articles.** Your ceiling prices for sales at

retail of the articles identified above are the retail prices listed in your supplier's application filed with OPS. These prices will be included in a list which will be annexed to the copy of this order which you will receive from your supplier. The list of ceiling prices will be filed with the Federal Register as an appendix to this special order as soon as practicable. These ceiling prices are effective 10 days after you receive this order and the ceiling price list but in no event later than 60 days after the date this order is issued. You shall not sell above these ceiling prices. You may, of course, sell below these prices.

3. **Retail ceiling prices for unlisted items.** Some or all of the retail ceiling prices in this order are fixed in terms of the cost of the article to you. Whenever you receive one of applicant's branded articles which is in the same category and which has the same net cost as one covered by the list, the ceiling price for such article shall be the same as the ceiling price for the article having that same net cost.

4. **Retail ceiling prices affected by amendment to this order.** This order may be amended from time to time or it may be revoked. If so, the applicant is required to send you a copy of the revocation or amendment, together with any list of changes or additions in retail ceiling prices. The ceiling prices contained in any such amendment become your ceiling prices.

5. **Marking and tagging.** This order requires your supplier to pre-ticket his articles by an early date. The label, tag or ticket must be in the following form:

OPS—Sec. 43—CPR 7
Price \$-----

After 60 days from the effective date of this order, unless you receive articles marked or tagged in this form, you must so mark or tag them yourself. Before that date you must mark, tag or post your prices in the manner required by the regulation which applies in the absence of this special order.

With respect to articles the ceiling prices of which are affected by any amendment to this order, the same rules apply except that you must mark or tag such articles as stated above not later than 60 days after the effective date of the amendment.

6. **Applicability.** This special order establishes your ceiling prices for the articles covered by it regardless of whether you would otherwise price the articles under CPR 7 or any other regulation. It applies to sales in the 48 states and the District of Columbia.

Provisions for the applicant. 7. **Notification to retailers.** As the manufacturer or wholesaler to whom this special order is issued, you shall do the following:

(a) **Sending order and list to old customers.** Within 15 days after the effective date of this special order, you shall send a copy of this order, together with a copy of the list referred to in section 8 below to each purchaser for resale to whom, within two months immediately prior to the effective date, you had delivered any article covered by this order.

(b) **Notification to new customers.** A copy of this special order and the list shall be sent to all other purchasers for resale on or before the date of the first delivery of any article covered by this order.

(c) **Notification with respect to amendments.** Within 15 days after the effective date of any subsequent amendment to this order, you shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, you had delivered any article included in such amendment. Within 15 days after any amendment, the amendment shall also be included with the notification to new customers.

(d) **Notification to OPS.** Within 15 days of the effective date of this order, you shall send a copy of the list of prices referred to in section 8 below to the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

8. **Ceiling price list.** The ceiling price list must be annexed to a copy of the order and shall contain the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling prices fixed by the order. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
\$----- per.....	{unit. dozen. etc. Terms {net. percent EOM. etc. \$-----

9. **Preticketing requirements.** As the applicant to whom this special order is issued, you must, within 60 days after the effective date of this order (or in the case of an amendment within 60 days after the effective date of that amendment), mark each article covered by this order with a statement in the following form:

OPS—Sec. 43—CPR 7
Price \$-----

Instead of marking the article you may attach a label, tag or ticket containing the same information.

10. **Sales volume reports.** Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, you shall file with the Distribution Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which you have delivered in that 6-month period.

This special order may be amended or revoked at any time.

Effective date. This special order shall become effective on August 16, 1951.

MICHAEL V. DiSALLE,
Director of Price Stabilization.

AUGUST 15, 1951.

[F. R. Doc. 51-9871; Filed, Aug. 15, 1951;
4:04 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 414]

VAN RAALTE CO., INC.

CEILING PRICES AT RETAIL

Statement of consideration. This is an order establishing uniform retail prices issued upon the basis of an application filed by a supplier under section 43 of CPR 7. This section gives a manufacturer or wholesaler the right to apply for uniform retail ceiling prices for certain of his branded articles. This section requires that the articles must customarily have been sold at substantially uniform prices, and the ceiling prices applied for must not raise the general level of prices under CPR 7. The order may, of course, be amended or revoked if further review shows that the requirements of the regulation have not been fully met.

This special order requires each article to be tagged or marked with the retail ceiling price. The supplier must send to each retailer a copy of this special order, as well as a list of ceiling prices for each article or cost line and notice of all amendments. The order requires the supplier to file certain sales reports with OPS.

Retailers will be concerned with Sections 1 through 6 of this special order which contain provisions applying to them. The rest of the order is of interest primarily to the applicant.

Order. For the reasons set forth in the Statement of Considerations and pursuant to Section 43 of CPR, it is ordered that the following provisions be in effect:

Provisions for retailers—1. What this order does. Sections 1 through 6 apply to you and establish uniform ceiling prices if you sell at retail the articles identified below:

Name and address of applicant: Van Raalte Company, Inc., 417 Fifth Avenue, New York 16, N. Y.

Brand name: "Van Raalte".

Articles: Women's nylon hosiery, underwear, and gloves.

2. Retail ceiling prices for listed articles. Your ceiling prices for sales at retail of the articles identified above are the retail prices listed in your supplier's application filed with OPS. These prices will be included in a list which will be annexed to the copy of this order which you will receive from your supplier. The list of ceiling prices will be filed with the Federal Register as an appendix to this special order as soon as practicable. These ceiling prices are effective 10 days after you receive this order and the ceiling price list but in no event later than 60 days after the date this order is issued. You shall not sell above these ceiling prices. You may, of course, sell below these prices.

3. Retail ceiling prices for unlisted items. Some or all of the retail ceiling prices in this order are fixed in terms of the cost of the article to you. Whenever you receive one of applicant's branded articles which is in the same category and which has the same net cost as one covered by the list, the ceiling price for such article shall be the same as the ceiling price for the article having that same net cost.

4. Retail ceiling prices affected by amendment to this order. This order may be amended from time to time or it may be revoked. If so, the applicant is required to send you a copy of the revocation or amendment, together with any list of changes or additions in retail ceiling prices. The ceiling prices contained in any such amendment become your ceiling prices.

5. Marking and tagging. This order requires your supplier to pre-ticket his articles by an early date. The label, tag or ticket must be in the following form:

OPS—Sec. 43—CPR 7
Price \$-----

After 60 days from the effective date of this order, unless you receive articles marked or tagged in this form, you must so mark or tag them yourself. Before that date you must mark, tag or post your prices in the manner required by the regulation which applies in the absence of this special order.

With respect to articles the ceiling prices of which are affected by any amendment to this order, the same rules apply except that you must mark or tag such articles as stated above not later than 60 days after the effective date of the amendment.

6. Applicability. This special order establishes your ceiling prices for the articles covered by it regardless of whether you would otherwise price the articles under CPR 7 or any other regulation. It applies to sales in the 48 states and the District of Columbia.

Provisions for the applicant. 7. Notification to retailers. As the manufacturer or wholesaler to whom this special order is issued, you shall do the following:

(a) **Sending order and list to old customers.** Within 15 days after the effective date of this special order, you shall send a copy of this order, together with a copy of the list referred to in Section 8 below to each purchaser for resale to whom, within two months immediately prior to the effective date, you had delivered any article covered by this order.

(b) **Notification to new customers.** A copy of this special order and the list shall be sent to all other purchasers for resale on or before the date of the first delivery of any article covered by this order.

(c) **Notification with respect to amendments.** Within 15 days after the effective date of any subsequent amendment to this order, you shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, you had delivered any article included in such amendment. Within 15 days after any amendment, the amendment shall also be included with the notification to new customers.

(d) **Notification to OPS.** Within 15 days of the effective date of this order, you shall send a copy of the list of prices referred to in Section 8 below to the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

8. Ceiling price list. The ceiling price list must be annexed to a copy of the

order and shall contain the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling prices fixed by the order. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
\$..... per.....	Terms {net. percent EOM. {dozen. etc. {unit. etc.
	\$-----

9. Pre-ticketing requirements. As the applicant to whom this special order is issued, you must, within 60 days after the effective date of this order (or in the case of an amendment within 60 days after the effective date of that amendment) mark each article covered by this order with a statement in the following form:

OPS—Sec. 43—CPR 7
Price \$-----

Instead of marking the article you may attach a label, tag or ticket containing the same information.

10. Sales volume reports. Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, you shall file with the Distribution Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which you have delivered in that 6-month period.

This special order may be amended or revoked at any time.

Effective date. This special order shall become effective on August 16, 1951.

MICHAEL V. DiSALLE,
Director of Price Stabilization.

AUGUST 15, 1951.

[F. R. Doc. 51-9872; Filed, Aug. 15, 1951; 4:05 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 415]

BERKSHIRE KNITTING MILLS

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Berkshire Knitting Mills, Reading, Pennsylvania, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special

order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the article a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. Ceiling prices. The ceiling prices for sales at retail of women's full fashioned stockings sold through wholesalers and retailers and having the brand name(s) "Berkshire" and "As You Like It" shall be the proposed retail ceiling prices listed by Berkshire Knitting Mills, Reading, Pennsylvania hereinafter referred to as the "applicant" in its application dated May 18, 1951 and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 15, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. Marking and tagging. On and after October 15, 1951, Berkshire Knitting Mills must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price \$-----

On and after November 14, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 14, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling

price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. Notification to resellers.—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within 15 days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within 2 months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
-----	\$-----

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within 2 months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. Reports. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. Other regulations affected. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. Revocation. This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. Applicability. The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 16, 1951.

MICHAEL V. DiSALLE,
Director of Price Stabilization.

AUGUST 15, 1951.

[F. R. Doc. 51-9373; Filed, Aug. 15, 1951; 4:05 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 416]

APINLES DIAPER PANTIE CO.

CEILING PRICES AT RETAIL

Statement of considerations. This is an order establishing uniform retail prices issued upon the basis of an application filed by a supplier under section 43 of CPR 7. This section gives a manufacturer or wholesaler the right to apply for uniform retail ceiling prices for certain of his branded articles. This section requires that the articles must customarily have been sold at substantially uniform prices, and the ceiling prices applied for must not raise the general level of prices under CPR 7. The order may, of course, be amended or revoked if further review shows that the requirements of the regulation have not been fully met.

This special order requires each article to be tagged or marked with the retail ceiling price. The supplier must send to each retailer a copy of this special order, as well as a list of ceiling prices for each

article or cost line and notice of all amendments. The order requires the supplier to file certain sales reports with OPS.

Retailers will be concerned with sections 1 through 6 of this special order which contain provisions applying to them. The rest of the order is of interest primarily to the applicant.

Order. For the reasons set forth in the Statement of Considerations and pursuant to section 43 of CPR 7, it is ordered that the following provisions be in effect:

Provisions for retailers—1. What this order does. Sections 1 through 6 apply to you and establish uniform ceiling prices if you sell at retail the articles identified below:

Name and address of applicant: Apinles Diaper Pantie Co., 844 West Adams Street, Chicago 7, Illinois.

Brand names: "Apinles".

Articles: diaper panties.

2. Retail ceiling prices for listed articles. Your ceiling prices for sales at retail of the articles identified above are the retail prices listed in your supplier's application filed with OPS. These prices will be included in a list which will be annexed to the copy of this order which you will receive from your supplier. The list of ceiling prices will be filed with the Federal Register as an appendix to this special order as soon as practicable. These ceiling prices are effective 10 days after you receive this order and the ceiling price list but in no event later than 60 days after the date this order is issued. You shall not sell above these ceiling prices. You may, of course, sell below these prices.

3. Retail ceiling prices for unlisted items. Some or all of the retail ceiling prices in this order are fixed in terms of the cost of the article to you. Whenever you receive one of applicant's branded articles which is in the same category and which has the same net cost as one covered by the list, the ceiling price for such article shall be the same as the ceiling price for the article having that same net cost.

4. Retail ceiling prices affected by amendment to this order. This order may be amended from time to time or it may be revoked. If so, the applicant is required to send you a copy of the revocation or amendment, together with any list of changes or additions in retail ceiling prices. The ceiling prices contained in any such amendment become your ceiling prices.

5. Marking and tagging. This order requires your supplier to pre-ticket his articles by an early date. The label, tag or ticket must be in the following form:

OPS—Sec. 43—CPR 7
Price \$-----

After 60 days from the effective date of this order, unless you receive articles marked or tagged in this form, you must so mark or tag them yourself. Before that date you must mark, tag or post your prices in the manner required by the regulation which applies in the absence of this special order.

With respect to articles the ceiling prices of which are affected by any amendment to this order, the same rules

apply except that you must mark or tag such articles as stated above not later than 60 days after the effective date of the amendment.

6. Applicability. This special order establishes your ceiling prices for the articles covered by it regardless of whether you would otherwise price the articles under CPR 7 or any other regulation. It applies to sales in the 48 states and the District of Columbia.

Provisions for the applicant.—7. Notification to retailers. As the manufacturer or wholesaler to whom this special order is issued, you shall do the following:

(a) **Sending order and list to old customers.** Within 15 days after the effective date of this special order, you shall send a copy of this order, together with a copy of the list referred to in section 8 below to each purchaser for resale to whom, within two months immediately prior to the effective date, you had delivered any article covered by this order.

(b) **Notification to new customers.** A copy of this special order and the list shall be sent to all other purchasers for resale on or before the date of the first delivery of any article covered by this order.

(c) **Notification with respect to amendments.** Within 15 days after the effective date of any subsequent amendment to this order, you shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, you had delivered any article included in such amendment. Within 15 days after any amendment, the amendment shall also be included with the notification to new customers.

(d) **Notification to OPS.** Within 15 days of the effective date of this order, you shall send a copy of the list of prices referred to in section 8 below to the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

8. Ceiling price list. The ceiling price list must be annexed to a copy of the order and shall contain the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling prices fixed by the order. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
\$..... per.....	Terms
{unit. dozen. etc.	{net. percent EOM. etc.
	\$.....

9. Preticketing requirements. As the applicant to whom this special order is issued, you must, within 60 days after the effective date of this order (or in the case of an amendment within 60 days after the effective date of that amendment), mark each article covered by this order with a statement in the following form:

OPS—Sec. 43—CPR 7
Price \$-----

Instead of marking the article you may attach a label, tag or ticket containing the same information.

10. Sales volume reports. Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, you shall file with the Distribution Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which you have delivered in that 6-month period.

This special order may be amended or revoked at any time.

Effective date. This special order shall become effective on August 16, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 15, 1951.

[F. R. Doc. 51-9874; Filed, Aug. 15, 1951; 4:05 p. m.]

[Ceiling Price Regulation 7, Section 43,
Special Order 417]

W. B. FOUNDATIONS, INC.

CEILING PRICES AT RETAIL

Statement of considerations. This is an order establishing uniform retail prices issued upon the basis of an application filed by a supplier under section 43 of CPR 7. This section gives a manufacturer or wholesaler the right to apply for uniform retail ceiling prices for certain of his branded articles. This section requires that the articles must customarily have been sold at substantially uniform prices, and the ceiling prices applied for must not raise the general level of prices under CPR 7. The order may, of course, be amended or revoked if further review shows that the requirements of the regulation have not been fully met.

This special order requires each article to be tagged or marked with the retail ceiling price. The supplier must send to each retailer a copy of this special order, as well as a list of ceiling prices for each article or cost line and notice of all amendments. The order requires the supplier to file certain sales reports with OPS.

Retailers will be concerned with sections 1 through 6 of this special order which contain provisions applying to them. The rest of the order is of interest primarily to the applicant.

Order. For the reasons set forth in the Statement of Considerations and pursuant to section 43 of CPR 7, it is ordered that the following provisions be in effect:

Provisions for retailers—1. What this order does. Sections 1 through 6 apply to you and establish uniform ceiling prices if you sell at retail the articles identified below:

Name and address of applicant: W. B. Foundations, Inc., 46 Warren Street, Newark 2, New Jersey.

Brand name: "Youthline".

Articles: women's corsettes, girdles, brassieres.

2. *Retail ceiling prices for listed articles.* Your ceiling prices for sales at retail of the articles identified above are the retail prices listed in your supplier's application filed with OPS. These prices will be included in a list which will be annexed to the copy of this order which you will receive from your supplier. The list of ceiling prices will be filed with the Federal Register as an appendix to this special order as soon as practicable. These ceiling prices are effective 10 days after you receive this order and the ceiling price list but in no event later than 60 days after the date this order is issued. You shall not sell above these ceiling prices. You may, of course, sell below these prices.

3. *Retail ceiling prices for unlisted items.* Some or all of the retail ceiling prices in this order are fixed in terms of the cost of the article to you. Whenever you receive one of applicant's branded articles which is in the same category and which has the same net cost as one covered by the list, the ceiling price for such article shall be the same as the ceiling price for the article having that same net cost.

4. *Retail ceiling prices affected by amendment to this order.* This order may be amended from time to time or it may be revoked. If so, the applicant is required to send you a copy of the revocation or amendment, together with any list of changes or additions in retail ceiling prices. The ceiling prices contained in any such amendment become your ceiling prices.

5. *Marking and tagging.* This order requires your supplier to pre-ticket his articles by an early date. The label, tag or ticket must be in the following form:

OPS—Sec. 43—CPR 7
Price \$-----

After 60 days from the effective date of this order, unless you receive articles marked or tagged in this form, you must so mark or tag them yourself. Before that date you must mark, tag or post your prices in the manner required by the regulation which applies in the absence of this special order.

With respect to articles the ceiling prices of which are affected by any amendment to this order, the same rules apply except that you must mark or tag such articles as stated above not later than 60 days after the effective date of the amendment.

6. *Applicability.* This special order establishes your ceiling prices for the articles covered by it regardless of whether you would otherwise price the articles under CPR 7 or any other regulation. It applies to sales in the 48 states and the District of Columbia.

Provisions for the Applicant—7. Notification to retailers. As the manufacturer or wholesaler to whom this special order is issued, you shall do the following:

(a) *Sending order and list to old customers.* Within 15 days after the effective date of this special order, you shall send a copy of this order, together with a copy of the list referred to in Section 8 below to each purchaser for resale to whom, within two months immediately prior to the effective date, you had delivered any article covered by this order.

(b) *Notification to new customers.* A copy of this special order and the list shall be sent to all other purchasers for resale on or before the date of the first delivery of any article covered by this order.

(c) *Notification with respect to amendments.* Within 15 days after the effective date of any subsequent amendment to this order, you shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, you had delivered any article included in such amendment. Within 15 days after any amendment, the amendment shall also be included with the notification to new customers.

(d) *Notification to OPS.* Within 15 days of the effective date of this order, you shall send a copy of the list of prices referred to in section 8 below to the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

8. *Ceiling price list.* The ceiling price list must be annexed to a copy of the order, and shall contain the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling prices fixed by the order. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
\$..... per.....	{unit. {net. dozen. Terms {percent EOM. etc. etc.
	\$-----

9. *Pre-ticketing requirements.* As the applicant to whom this special order is issued, you must, within 60 days after the effective date of this order (or in the case of an amendment within 60 days after the effective date of that amendment), mark each article covered by this order with a statement in the following form:

OPS—Sec. 43—CPR 7
Price \$-----

Instead of marking the article you may attach a label, tag or ticket containing the same information.

10. *Sales volume reports.* Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, you shall file with the Distribution Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which you have delivered in that 6-month period.

This special order may be amended or revoked at any time.

Effective date. This special order shall become effective on August 16, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 15, 1951.

[F. R. Doc. 51-9875; Filed, Aug. 15, 1951; 4:06 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 418]

LOV-É BRASSIERE CO.

CEILING PRICES AT RETAIL

Statement of considerations. This is an order establishing uniform retail prices issued upon the basis of an application filed by a supplier under section 43 of CPR 7. This section gives a manufacturer or wholesaler the right to apply for uniform retail ceiling prices for certain of his branded articles. This section requires that the articles must customarily have been sold at substantially uniform prices, and the ceiling prices applied for must not raise the general level of prices under CPR 7. The order may, of course, be amended or revoked if further review shows that the requirements of the regulation have not been fully met.

This special order requires each article to be tagged or marked with the retail ceiling price. The supplier must send to each retailer a copy of this special order, as well as a list of ceiling prices for each article or cost line and notice to all amendments. The order requires the supplier to file certain sales reports with OPS.

Retailers will be concerned with sections 1 through 6 of this special order which contain provisions applying to them. The rest of the order is of interest primarily to the applicant.

Order. For the reasons set forth in the Statement of Considerations and pursuant to section 43 of CPR 7, it is ordered that the following provisions be in effect:

Provisions for retailers—1. What this order does. Sections 1 through 6 apply to you and establish uniform ceiling prices if you sell at retail the articles identified below:

Name and address of applicant: Lov-É Brassiere Company, 7494 Santa Monica Boulevard, Hollywood 46, California.

Brand name: "Lov-É".

Article: brassieres.

2. *Retail ceiling prices for listed articles.* Your ceiling prices for sales at retail of the articles identified above are the retail prices listed in your supplier's application filed with OPS. These prices will be included in a list which will be annexed to the copy of this order which you will receive from your supplier. The list of ceiling prices will be filed with the Federal Register as an appendix to this special order as soon as practicable. These ceiling prices are effective 10 days after you receive this order and the ceiling price list but in no event later than 60 days after the date this order is issued. You shall not sell above these ceiling prices. You may, of course, sell below these prices.

3. *Retail ceiling prices for unlisted items.* Some or all of the retail ceiling prices in this order are fixed in terms of the cost of the article to you. Whenever you receive one of applicant's branded articles which is in the same category and which has the same net cost as one covered by the list, the ceiling price for such article shall be the same as the ceiling price for the article having that same net cost.

4. *Retail ceiling prices affected by amendment to this order.* This order may be amended from time to time or it may be revoked. If so, the applicant is required to send you a copy of the revocation or amendment, together with any list of changes or additions in retail ceiling prices. The ceiling prices contained in any such amendment become your ceiling prices.

5. *Marking and tagging.* This order requires your supplier to pre-ticket his articles by an early date. The label, tag or ticket must be in the following form:

OPS—Sec. 43—CPR 7
Price \$-----

After 60 days from the effective date of this order, unless you receive articles marked or tagged in this form, you must so mark or tag them yourself. Before that date you must mark, tag or post your prices in the manner required by the regulation which applies in the absence of this special order.

With respect to articles the ceiling prices of which are affected by any amendment to this order, the same rules apply except that you must mark or tag such articles as stated above not later than 60 days after the effective date of the amendment.

6. *Applicability.* This special order establishes your ceiling prices for the articles covered by it regardless of whether you would otherwise price the articles under CPR 7 or any other regulation. It applies to sales in the 48 States and the District of Columbia.

Provisions for the applicant—7. Notification to retailers. As the manufacturer or wholesaler to whom this special order is issued, you shall do the following:

(a) *Sending order and list to old customers.* Within 15 days after the effective date of this special order, you shall send a copy of this order, together with a copy of the list referred to in section 8 below to each purchaser for resale to whom, within two months immediately prior to the effective date, you had delivered any article covered by this order.

(b) *Notification to new customers.* A copy of this special order and the list shall be sent to all other purchasers for resale on or before the date of the first delivery of any article covered by this order.

(c) *Notification with respect to amendments.* Within 15 days after the effective date of any subsequent amendment to this order, you shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, you had delivered any article included in such amendment. Within 15 days after any amendment, the amendment shall also be included with the notification to new customers.

(d) *Notification to OPS.* Within 15 days of the effective date of this order, you shall send a copy of the list of prices referred to in section 8 below to the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

8. *Ceiling Price list.* The ceiling price list must be annexed to a copy of the order and shall contain the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling prices fixed by the order. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
\$..... per.....	Terms {net. percent EOM. etc.
{unit. dozen. etc.	\$.....

9. *Pre-ticketing requirements.* As the applicant to whom this special order is issued, you must, within 60 days after the effective date of this order (or in the case of an amendment within 60 days after the effective date of that amendment), mark each article covered by this order with a statement in the following form:

OPS—Sec. 43—CPR 7
Price \$-----

Instead of marking the article you may attach a label, tag or ticket containing the same information.

10. *Sales volume reports.* Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, you shall file with the Distribution Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which you have delivered in that 6-month period.

This special order may be amended or revoked at any time.

Effective date. This special order shall become effective on August 16, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 15, 1951.

[F. R. Doc. 51-9876; Filed, Aug. 15, 1951;
4:06 p. m.]

[Ceiling Price Regulation 7, Section 43,
Special Order 419]

THE DRYBAK CORP.

CEILING PRICES AT WHOLESALE AND RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, The Drybak Corporation, Binghamton, New York, has applied to the Office of Price Stabilization for maximum resale prices for certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclu-

sions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of men's and women's coats, jackets, pants, parka, vests, caps, shirts sold through wholesalers and retailers and having the brand name(s) "Drybak", "The Feather by Drybak", "Chinook by Drybak", "Woodfield by Drybak" shall be the proposed retail ceiling prices listed by The Drybak Corporation, Binghamton, New York, hereinafter referred to as the "applicant" in its application dated June 4, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 15, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 15, 1951, The Drybak Corporation must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price \$-----

On and after November 14, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 14, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the pre-ticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. Notification to resellers—(a) Notices to be given by applicant. (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within 15 days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale, to whom within 2 months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
-----	\$-----

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before

the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within 2 months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. Reports. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. Other regulations affected. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. Revocation. This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. Applicability. The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 16, 1951.

MICHAEL V. DiSALLE,
Director of Price Stabilization.

AUGUST 15, 1951.

[F. R. Doc. 51-9877; Filed, Aug. 15, 1951;
4:06 p. m.]

[Ceiling Price Regulation 7, Section 43,
Special Order 420]

FELDT MFG. CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Feldt Manufacturing Company, Temple, Texas, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of

ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of western shirts manufactured by Feldt Manufacturing Company, Temple, Texas, having the brand name(s) "Tem-Tex Western Shirts" shall be the proposed retail ceiling prices listed by Feldt Manufacturing Company in its application dated July 7, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 15, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 15, 1951, Feldt Manufacturing Co. must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price \$-----

On and after November 14, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 14, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
\$..... per..... unit. dozen. etc.	Terms: net. percent EOM. etc.
	\$.....

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6-month period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 16, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 15, 1951.

[F. R. Doc. 51-9878; Filed, Aug. 15, 1951; 4:07 p. m.]

[Ceiling Price Regulation 7, Section 43,
Special Order 421]

LINCOLN METAL PRODUCTS CORP.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Lincoln Metal Products Corporation, 136 Clifton Place, Brooklyn 5, New York, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of step-on garbage cans, bread boxes, canister sets sold

through wholesalers and retailers and having the brand name(s) "Beautyware" shall be the proposed retail ceiling prices listed by Lincoln Metal Products Corporation, 136 Clifton Place, Brooklyn 5, New York, hereinafter referred to as the "applicant" in its application dated June 25, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 15, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 15, 1951, Lincoln Metal Products Corporation must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price \$.....

On and after November 14, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 14, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within 15 days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within 2

months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
-----	\$.-----

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) a copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within 2 months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the

articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 16, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 15, 1951.

[F. R. Doc. 51-9879; Filed, Aug. 15, 1951; 4:07 p. m.]

[Ceiling Price Regulation 7, Section 43,
Special Order 422]

SEALY MATTRESS CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Sealy Mattress Company, 2106-10 Penn Avenue, Pittsburgh 22, Pennsylvania, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of mattresses and box springs manufactured by Sealy Mattress Company, 2106-10 Penn Avenue, Pittsburgh 22, Pennsylvania, having the brand name(s)

"Sealy Sleep Ensemble," "Sealy Firm-O-Rest," "Sealy Sunspun," "Sealy Sleep Form," "Sealy Supreme," "Sealy Luxel," "Sealy Rest," "Sealy Cotton Boll," "Sealy Natural Rest," "Sealy Enchanted Night," "Sealy Good Homekeeper," "Sealy Dreamer," "Sealy Sleep Charm," "Sealy Tuxedo" and "Sealy Sealcrest" shall be the proposed retail ceiling prices listed by Sealy Mattress Company in its application dated June 25, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 15, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 15, 1951, Sealy Mattress Company must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price \$-----

On and after November 14, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 14, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manu-

facturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
\$..... per.....	Terms
{unit. dozen. etc.	{net. percent EOM. etc.
	\$.....

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 16, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 15, 1951.

[F. R. Doc. 51-9880; Filed, Aug. 15, 1951; 4:07 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 423]

IRWIN-WILLERT CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Irwin-Willert Company, 817 Trendley Avenue, East St. Louis, Illinois, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the article a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. **Ceiling prices.** The ceiling prices for sales at retail of moth crystals, nuggets, and dispensers sold through wholesalers and retailers and having the brand name(s) "Mothmaster" shall be the proposed retail ceiling prices listed by Irwin-Willert Co., 817 Trendley Avenue, East St. Louis, Illinois, hereinafter referred to as the "applicant" in its application dated May 15, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 15, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. **Marking and tagging.** On and after October 15, 1951, Irwin-Willert

Company must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7

Price \$.....

On and after November 14, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 14, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the ticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. **Notification to resellers—(a) Notices to be given by applicant.** (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within fifteen days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within two months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
.....	\$.....

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within two months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 16, 1951.

MICHAEL V. DiSALLE,
Director of Price Stabilization.

AUGUST 15, 1951.

[F. R. Doc. 51-9881; Filed, Aug. 15, 1951;
4:07 p. m.]

[Ceiling Price Regulation 7, Section 43,
Special Order 424]

LIBBEY GLASS, DIVISION OF OWENS-ILLINOIS GLASS CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Libbey Glass, Division of Owens-Illinois Glass Company, P. O. Box 1035, Toledo, Ohio, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the article a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of glass tableware sold through wholesalers and retailers and having the brand name(s) "Libbey" and "L" shall be the proposed retail ceiling prices listed by Libbey Glass, Division of Owens-Illinois Glass Company, P. O. Box 1035, Toledo 1, Ohio, hereinafter referred to as the "applicant" in its application dated May 17, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. (and supplemented and amended in the manufacturer's application dated June 27, 1951).

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 15, 1951, no seller at retail may offer or sell any article covered

by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 15, 1951, Libbey Glass, Division of Owens-Illinois Glass Company must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price \$-----

On and after November 14, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 14, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the pre-ticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers—(a) Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within 15 days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within 2 months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
-----	\$-----

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within 2 months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 16, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 15, 1951.

[F. R. Doc. 51-9882; Filed, Aug. 15, 1951; 4:08 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 425]

BOYLE LEATHER GOODS CO., INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Boyle Leather Goods Co., Inc., 36 East Thirty-first Street, New York 16, New York, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the article a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of leather and heavy duck luggage, luggage covers, fitted and unfitted kits, book marks, bag tags, and brief cases sold through wholesalers and retailers and having the brand name(s) "Boyle" shall be the proposed retail ceiling prices listed by Boyle Leather Goods Co., Inc., 36 East Thirty-first Street, New York 16, New York, hereinafter referred to as the "applicant" in its application dated May 10, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 15, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 15, 1951, Boyle Leather Goods Co., Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price \$-----

On and after November 14, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 14, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the pre-ticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers—(a) Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within 15 days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within 2 months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
-----	\$-----

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within 2 months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 16, 1951.

MICHAEL V. DiSALLE,
Director of Price Stabilization.

AUGUST 15, 1951.

[F. R. Doc. 51-9883; Filed, Aug. 15, 1951;
4:08 p. m.]

[Ceiling Price Regulation 7, Section 43,
Special Order 426]

KORDITE CORP.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Kordite Corporation, Victor, New York, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of clotheslines, brooms, clothespins, freezer bags and boxes sold through wholesalers and retailers and having the brand name(s) "Kordite" shall be the proposed retail ceiling prices listed by Kordite Corporation, Victor, New York, hereinafter referred to as the "applicant" in its application dated May 9, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization

with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 15, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 15, 1951, Kordite Corporation must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price \$-----

On and after November 14, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 14, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the pre-ticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers—(a) Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within 15 days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within 2 months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price.

The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
-----	\$-----

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within 2 months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 16, 1951.

MICHAEL V. DiSALLE,
Director of Price Stabilization.

AUGUST 15, 1951.

[F. R. Doc. 51-9884; Filed, Aug. 15, 1951; 4:09 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 427]

ONEIDA LTD.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order Oneida Ltd., Oneida, New York, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of sterling and plated silver flatware and holloware sold through wholesalers and retailers and having the brand name(s) "Heirloom Sterling", "Community", "Tudor Plate", "1881 (R) Rogers (R)" "(O.) (C.) Oneida Community, Ltd." shall be the proposed retail ceiling prices listed by Oneida Ltd., Oneida, New York, hereinafter referred to as the "applicant" in its application dated April 24, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 15, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 15, 1951, Oneida Ltd. must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7

Price \$-----

On and after November 14, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 14, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the pre-ticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60 day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers.*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within fifteen days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within two months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner,

annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
-----	-----
	\$-----

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within two months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked,

suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 16, 1951.

MICHAEL V. DiSALLE,
Director of Price Stabilization.

AUGUST 15, 1951.

[F. R. Doc. 51-9885; Filed, Aug. 15, 1951; 4:09 p. m.]

[Ceiling Price Regulation 7, Section 43,
Special Order 428]

PERSONAL PRODUCTS CORP.

CEILING PRICES AT WHOLESALE AND RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Personal Products Corporation, Milltown, New Jersey, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of toilet tissues, plastic cleaning mop handles and disposable pads sold through wholesalers and retailers and having the brand name(s) "Jonny Mop" and "Yes" shall be the proposed retail ceiling prices listed by Personal Products Corporation, Milltown, New Jersey, hereinafter referred to as the "applicant" in its application

dated April 18, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. (and supplemented and amended in the manufacturer's applications dated April 23, 1951, May 12, 1951, and July 10, 1951).

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 15, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 15, 1951, Personal Products Corporation must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OFS—Sec. 43—CPR 7
Price \$-----

On and after November 14, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 14, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the pre-ticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers—(a) Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within 15 days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within 2 months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment

to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
.....	\$.....

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within two months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 16, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 15, 1951.

[F. R. Doc. 51-9886; Filed, Aug. 15, 1951; 4:10 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 429]

GOLDEN FLEECE TISSUE MILLS, INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Golden Fleece Tissue Mills, Inc., 347 Fifth Avenue, New York 16, New York, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the article a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of handkerchief tissue sold through wholesalers and retailers and having the brand name(s) "Golden Fleece" shall be the proposed retail ceiling prices listed by Golden

Fleece Tissue Mills, Inc., 347 Fifth Avenue, New York 16, New York, hereinafter referred to as the "applicant" in its application dated April 9, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. (and supplemented and amended in the manufacturer's applications dated May 16, 1951 and June 14, 1951).

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 15, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 15, 1951, Golden Fleece Tissue Mills, Inc. must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price \$.....

On and after November 14, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 14, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the pre-ticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60 day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers—(a) Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within fifteen days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within two months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
-----	\$-----

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within two months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 16, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 15, 1951.

[F. R. Doc. 51-9987; Filed, Aug. 15, 1951;
4:10 p. m.]

[Ceiling Price Regulation 7, Section 43,
Special Order 430]

MARIE-DESIGNER, INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Marie-Designer, Inc., 8512 Sunset Boulevard, Hollywood 46, California (hereafter called wholesaler), has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of contour chairs sold at wholesale by Marie-Designer, Inc., 8512 Sunset Blvd., Hollywood 46, California, having the brand name(s) "Contour Chair Lounge" shall be the proposed retail ceiling prices listed by Marie-Designer, Inc., in its application dated June 20, 1951, and filed

with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 15, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the wholesaler after the effective date of this special order.

3. On and after October 15, 1951, Marie-Designer, Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CFR 7
Price \$-----

On and after November 14, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 14, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the wholesaler's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the wholesaler shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the wholesaler had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by

copies of each amendment thereto (if any) issued prior to the date of the delivery. The wholesaler shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
\$..... per.....	Terms
{unit. dozen. etc.	{net. percent EOM. etc.
	\$.....

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the wholesaler with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the wholesaler shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the wholesaler had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, the wholesaler shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6-month period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 16, 1951.

MICHAEL V. DiSALLE,
Director of Price Stabilization.

AUGUST 15, 1951.

[F. R. Doc. 51-9888; Filed, Aug. 15, 1951; 4:10 p. m.]

[Ceiling Price Regulation 7, Section 43,
Special Order 431]

KINDEL FURNITURE CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Kindel

Furniture Company, Grand Rapids 2, Michigan, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of household furniture manufactured by Kindel Furniture Company, Grand Rapids 2, Michigan, having the brand name(s) "Kindel" shall be the proposed retail ceiling prices listed by Kindel Furniture Company in its application dated June 7, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 15, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 15, 1951, Kindel Furniture Company must mark each article for which a ceiling price has been established in paragraph 1 of this special

order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price \$.....

On an after November 14, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 14, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
\$..... per.....	Terms
{unit. dozen. etc.	{net. percent EOM. etc.
	\$.....

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within 2

months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6-month period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 16, 1951.

MICHAEL V. DiSALLE,
Director of Price Stabilization.

AUGUST 15, 1951.

[F. R. Doc. 51-9889; Filed, Aug. 15, 1951;
4:11 p. m.]

[Ceiling Price Regulation 7, Section 43,
Special Order 432]

GOLD SEAL RUBBER CO.
CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Gold Seal Rubber Company, 174 Lincoln Street, Boston, Massachusetts (hereafter called wholesaler) has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of children's rubber boots sold at wholesale by Gold Seal Rubber Company, 174 Lincoln Street, Boston, Massachusetts, having the brand name(s) "Hopalong Cassidy" shall be the proposed retail ceiling prices listed by Gold Seal Rubber Company in its application dated May 3, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 15, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the wholesaler after the effective date of this special order.

3. On and after October 15, 1951, Gold Seal Rubber Company must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price \$-----

On and after November 14, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 14, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the wholesaler's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After

60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the wholesaler shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the wholesaler had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The wholesaler shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
\$..... per.....	unit. net. dozen. percent EOM., etc. etc.
	Terms \$.....

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the wholesaler with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the wholesaler shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the wholesaler had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the wholesaler shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 16, 1951.

MICHAEL V. DiSALLE,
Director of Price Stabilization.

AUGUST 15, 1951.

[F. R. Doc. 51-9890; Filed, Aug. 15, 1951; 4:11 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 433]

THE CASHMERE CORP. OF AMERICA

CEILING PRICES AT RETAIL AND WHOLESALE

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, The Cashmere Corporation of America, 2765 East Fifty-fifth Street, Cleveland 4, Ohio, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of women's 100% cashmere sweaters manufactured by The Cashmere Corporation of America, 2765 East 55th Street, Cleveland 4, Ohio, having the brand name(s) "Hadley" shall be the proposed retail ceiling prices listed by The Cashmere Corporation of America in its application dated July 3, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal

Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 15, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 15, 1951, The Cashmere Corporation of America must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price \$-----

On and after November 14, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 14, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in Paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and dis-

count terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
\$----- per-----	Terms {net. percent EOM. etc. etc.
	\$-----

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer* with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 16, 1951.

MICHAEL V. DiSALLE,
Director of Price Stabilization.

AUGUST 15, 1951.

[F. R. Doc. 51-9891; Filed, Aug. 15, 1951; 4:11 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 434]

HI-LO TV ANTENNA CORP.

CEILING PRICES AT WHOLESALE AND RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, HI-Lo TV Antenna Corporation, 3540 North Ravenswood, Chicago 13, Illinois, has applied to the Office of Price Stabilization for maximum resale prices for re-

tail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the article a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of TV antennas sold through wholesalers and retailers and having the brand name(s) "Hi-Lo" shall be the proposed retail ceiling prices listed by Hi-Lo TV Antenna Corporation, 3540 North Ravenswood, Chicago 13, Illinois, hereinafter referred to as the "applicant" in its application dated June 25, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 15, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 15, 1951, Hi-Lo TV Antenna Corporation must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price \$.....

On and after November 14, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated

above. Prior to November 14, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the pre-ticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers—(a) Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within sixteen days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within two months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
.....	\$.....

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within 2 months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 16, 1951.

MICHAEL V. DiSALLE,
Director of Price Stabilization.

AUGUST 15, 1951.

[F. R. Doc. 51-9892; Filed, Aug. 15, 1951; 4:12 p. m.]

FEDERAL POWER COMMISSION

[Project No. 481]

CALIFORNIA ELECTRIC POWER CO.

NOTICE OF ORDER FURTHER AMENDING LICENSE

AUGUST 16, 1951.

Notice is hereby given, that on June 15, 1951, the Federal Power Commission issued its order entered June 12, 1951, further amending license (transmission line) in the above-entitled matter.

[SEAL]

J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 51-9933; Filed, Aug. 21, 1951; 8:50 a. m.]

[Project No. 1934]

**SOUTHERN CALIFORNIA EDISON CO.
NOTICE OF ORDER FURTHER AMENDING
LICENSE**

AUGUST 16, 1951.

Notice is hereby given that, on June 29, 1951, the Federal Power Commission issued its order entered June 26, 1951, further amending license (major) in the above-entitled matter.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 51-9984; Filed, Aug. 21, 1951;
8:50 a. m.]

**SECURITIES AND EXCHANGE
COMMISSION**

[File No. 70-2665]

CONSOLIDATED NATURAL GAS CO. ET AL.

**ORDER GRANTING AND PERMITTING TO BECOME
EFFECTIVE JOINT APPLICATION-DECLARA-
TION WITH RESPECT TO PROPOSED SALE AND
ACQUISITION OF GAS STORAGE AND OTHER
FACILITIES**

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 16th day of August A. D. 1951.

In the matter of Consolidated Natural Gas Company, Peoples Natural Gas Company, New York State Natural Gas Corporation; File No. 70-2665.

Consolidated Natural Gas Company ("Consolidated"), a registered holding company, and its subsidiaries, The Peoples Natural Gas Company ("Peoples"), and New York State Natural Gas Corporation ("New York Natural") having filed a joint application-declaration pursuant to the provisions of sections 9 (a), 10, 12 (d) and 12 (f) of the Public Utility Holding Company Act of 1935 ("act") and Rules U-43 and U-44 promulgated thereunder, with respect to the following proposed transaction:

Peoples proposes to sell to New York Natural certain oil and gas leases and other interests in land, together with gas wells, pipelines and other appurtenant facilities, located in an area called the "South Bend Storage Area" in Indiana and Armstrong Counties, Pennsylvania for a cash consideration estimated in the amount of \$335,181, determined in accordance with the terms of a transfer agreement between Peoples and New York Natural. The South Bend Storage Area is located in the vicinity of the Oakford Storage Area now owned by New York Natural and will be operated in conjunction with such properties.

The application-declaration states that the transfer of the properties by Peoples to New York Natural is subject to the jurisdiction of the Public Utility Commission of Pennsylvania, which Commission by order dated July 16, 1951, issued its certificate of public convenience evidencing its approval thereof. The acquisition of such properties by New York Natural is also subject to the jurisdiction of the Federal Power Commission, which Commission, by order

dated May 31, 1951, issued its certificate of public convenience and necessity authorizing, among other things, the proposed acquisition.

Said application-declaration having been filed on July 6, 1951, and the last amendment thereto having been filed on August 10, 1951, and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said act, and the Commission not having received a request for hearing with respect to said application-declaration within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding with respect to said application-declaration that the requirements of the applicable provisions of the act and rules thereunder are satisfied, and deeming it appropriate in the public interest and in the interest of investors and consumers that the said application-declaration be granted and permitted to become effective;

It is ordered, Pursuant to Rule U-23 and the applicable provisions of said act, that the said application-declaration be, and hereby is, granted and permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 51-9981; Filed, Aug. 21, 1951;
8:49 a. m.]

[File Nos. 70-2681, 54-196, 59-97]

ALBERT R. JONES ET AL.

**NOTICE OF FILING OF APPLICATION FOR
APPROVAL OF THE ACQUISITION OF COM-
MON STOCK OF SOUTHWESTERN DEVELOP-
MENT CO. AND ORDER CONSOLIDATING
PROCEEDINGS**

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 16th day of August A. D. 1951.

In the matter of Albert R. Jones, et al. File No. 70-2681; The Mission Oil Company, Southwestern Development Company and subsidiaries; File No. 54-196, File No. 59-97.

Notice is hereby given that an application has been filed with this Commission, pursuant to the Public Utility Holding Company Act of 1935 ("act"), by Albert R. Jones, Laurence R. Jones, Virginia Jones Mullin, Mabel M. Jones, A. R. Jones Oil and Operating Company and The Lotus Oil Company ("Jones and Associates"), requesting approval of the acquisition of an aggregate of 67,259 shares of common stock of Southwestern Development Company ("Southwestern"), a registered holding company and a subsidiary of The Mission Oil Company ("Mission"), a registered holding company. The application designates sections 9 (a) (2) and 10 of the act as applicable to the proposed transaction.

All interested persons are referred to said application which is on file in the office of this Commission for a statement

of the transactions as therein proposed, which may be summarized as follows:

Mission, Southwestern and their subsidiary companies have filed a plan pursuant to section 11 (e) of the act which, among other things, provides for the distribution by Mission of its holdings of 47.28 percent of the common stock of Southwestern and the liquidation and dissolution of Mission, with respect to which plan public hearings have been held and are to be reconvened on August 22, 1951. Jones and Associates who, by reason of their ownership of in excess of 5 percent of the common stock of Mission are affiliates of Mission and its subsidiaries, will, under the terms of the plan, be entitled to receive their pro rata share of the common stock of Southwestern to be distributed by Mission.

It is requested that contemporaneous with the issuance of an order by this Commission approving the plan that an order be issued granting the application of Jones and Associates for approval of their acquisition of 67,259 shares of the common stock of Southwestern.

The application states that no fees, commissions or expenses are to be incurred or paid in connection with the proposed acquisition except the legal fees and expenses of counsel for applicant.

It appearing to the Commission that the application involves questions of law and fact closely related to, if not common with, those involved in the pending proceedings with respect to the plan of Mission and Southwestern filed pursuant to section 11 (e) of the act (File Nos. 54-196 and 59-97) and that said proceedings should be consolidated and heard together.

It is hereby ordered, That the proceeding with respect to the application be, and it hereby is consolidated with the pending proceedings concerning The Mission Oil Company, Southwestern Development Company and Subsidiaries, File Nos. 54-196 and 59-97, subject, however, to a reservation of jurisdiction to separate, either in whole or in part, for hearing or disposition any issues or questions which may arise in the proceedings, and to take such further action as may appear conducive to an orderly, prompt and economical disposition of the matters involved. Any person desiring to be heard with respect to this application should promptly notify the Secretary of the Commission as provided by Rule XVII of the Commission's rules of practice.

It is further ordered, That the Secretary of this Commission shall serve a copy of this notice and order by registered mail on applicants and upon all participants of record in the pending proceeding concerning The Mission Oil Company, Southwestern Development Company and subsidiaries, File Nos. 54-196 and 59-97; that notice of the action taken by this order shall be given to all other persons by publication of this notice and order in the FEDERAL REGISTER; and that a general release of this Commission with respect to this notice and order be distributed to the press and mailed to the mailing list for releases is-

sued under the Public Utility Holding Company Act of 1935.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 51-9980; Filed, Aug. 21, 1951;
8:48 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 8 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

LOUIS SOBRINO GUARDIOLA

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property located in Washington, D. C., including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., and Property

Louis Sobrino Guardiola, Brussels, Belgium; Claim No. 37318; property described in Vesting Order No. 675 (8 F. R. 5029, April 17, 1948) relating to United States Letters Patent No. 2,283,056.

Executed at Washington, D. C., on August 15, 1951.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 51-10030; Filed, Aug. 21, 1951;
8:54 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 26334]

LINSEED OIL FROM THE SOUTHWEST TO FLORIDA

APPLICATION FOR RELIEF

AUGUST 17, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: D. Q. Marsh, Agent, for carriers parties to his tariff I. C. C. No. 3947.

Commodities involved: Linseed oil, carloads.

From: Points in Arkansas, Colorado, Kansas, Louisiana, Missouri, New Mexico, Oklahoma, and Texas.

To: Stations in Florida.

Grounds for relief: Circuitous routes and competition with rail carriers.

Schedules filed containing proposed rates: D. Q. Marsh's tariff I. C. C. No. 3947, Supp. 29.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 51-9990; Filed, Aug. 21, 1951;
8:52 a. m.]