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Rules, Regulations, Orders

TITLE 5—ADMINISTRATIVE PERSONNEL

CHAPTER I—CIVIL SERVICE COMMISSION

PART 17—REGULATIONS OF THE BOARD OF LEGAL EXAMINERS

Paragraph (c) (1) of § 17.2 of the regulations issued on August 6, 1941 (6 F.R. 4091) is amended to read as follows:

§ 17.2 *Procedure prior to the establishment of registers.*

(c) The following qualifications shall be required:

(1) *For appointment to Grade CAF-4.* Graduation from a recognized law school as defined by the Commission, to wit, a law school authorized to confer the Bachelor or higher degree in law, which requires residence work. No person shall be eligible for appointment to this position since his graduation from law school and who has not subsequently passed such an examination, or who has, except for good cause shown, failed to take a bar examination within one year of graduation from law school.

By the United States Civil Service Commission.

H. B. MITCHELL,
President.

DECEMBER 20, 1941.

[F. R. Doc. 42-1041; Filed February 4, 1942; 11:05 a. m.]

**TITLE 10—ARMY: WAR DEPARTMENT
CHAPTER VI—ORGANIZED RESERVES**

PART 61—OFFICERS' RESERVE CORPS¹

§ 61.81 *Signal Corps Reserve*—(a) *Special limitations relative to appointment and promotion.* Appointment and

¹ § 61.81 is superseded.

promotion subject to the age restrictions in § 61.1 and to the limitations contained in these and other pertinent regulations, will be made in all grades from second lieutenant to colonel, inclusive.

(b) *Classification and reclassification of Reserve officers in the Signal Corps*—
(1) *Basis for classification.* The classification of officers will be based upon their actual fitness to perform the duties pertaining to the particular classification as determined by their training and civilian experience qualifications.

(2) *Classification.* Reserve officers in the Signal Corps will be classified as—

(i) *Combat.* Officers qualified for assignment to tactical Signal Corps organizations or for detail as staff officers on the staffs of tactical organization commanders and who do not come within the provisions of subdivisions (ii), (iii), (iv), (v), or (vi) of this subparagraph.

(ii) *Cryptographic.* Officers qualified for assignment to cryptographic duties.

(iii) *Photographic.* Officers qualified for assignment to the photographic service, photographic laboratories, and photographic companies.

(iv) *Pigeon.* Officers qualified for assignment to the pigeon service and pigeon companies.

(v) *Supply.* Officers qualified for assignment to procurement or supply activities.

(vi) *Technical.* Officers qualified for assignment as technical experts to laboratories, research organizations, commissions, etc.

(3) *Reclassification.* Transfer between classifications will be made only in the interests of the service.

(c) *Subjects for military knowledge qualification requirements.* The subjects included in the military knowledge qualification requirements for appointment in the lowest grade and for promotion to higher grades will correspond to those contained in the current Annual Announcement of Army Extension Courses. Evidence of qualification in the listed subjects is determined by the satisfactory completion of the required series of the Army Extension Courses, or by prescribed waivers and exemptions.

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FEDERAL REGISTER

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(d) *Second lieutenant, appointment to grade of—*(1) *Military knowledge qualifications.* See paragraph (c) of this section.

(2) *Ability qualifications.* The applicant will be required either to submit satisfactory evidence of having had practical military training approximately equivalent to that acquired by a graduate of the C. M. T. C. Blue Course, or to demonstrate an equivalent knowledge. See paragraph (f) of this section.

(3) *Nonmilitary educational qualifications.* The satisfactory completion of not less than 4 years of studies at a college, university, or professional school of recognized standing.

(4) *Civilian experience qualifications.* (i) Three years' experience in appropriate specialty will be required of all applicants seeking appointment in the pigeon classification.

(ii) In addition to a college education, each applicant seeking appointment in any classification may be required to have 3 years' experience in appropriate specialty when that applicant does not have a college education in studies appropriate to his contemplated classification. For appointment of officers in other than the pigeon classification, the type of experience required will be of a planning, supervisory, or executive nature.

(e) *Thesis.* The thesis will consist of not less than 2,000 words on some phase of the duties of a Signal Corps officer. The subject for the thesis will be designated by the Chief Signal Officer upon request forwarded by the corps area commander to The Adjutant General. If the thesis is a requirement for appointment, it will be marked by and will accompany

the report of the examining board. If the thesis is a requirement for a certificate of capacity, it will be marked by the examiner or examining board and sent to the interested corps area commander who will forward it with his comments, if any, to The Adjutant General for transmission to the Chief Signal Officer for file.

(f) *Ability qualifications.* (1) A practical demonstration of such of the principles acquired by a study of the military knowledge qualifications for appointment or promotion to the grade as may be considered by the examining board appropriate to the applicant's classification and assignment.

(2) A practical test drawn up by the examining board to determine the applicant's ability to perform the duties of the grade to which he seeks promotion. (39 Stat. 189, 41 Stat. 775, 42 Stat. 1033, 48 Stat. 154, 939; 10 U.S.C. 352, 353) [Pars. 2, 3, 4, 5, 11, and 13, AR 140-33, January 17, 1942]

[SEAL]

E. S. ADAMS,
Major General,
The Adjutant General.

[F. R. Doc. 42-1049; Filed, February 4, 1942; 11:43 a. m.]

PART 64—ENLISTED RESERVE CORPS

SUSPENSION OF ENLISTMENTS AND REENLISTMENTS IN THE ENLISTED RESERVE CORPS WITH CERTAIN EXCEPTIONS¹

§ 64.5 *Enlistments.* Enlistment and reenlistments in the Enlisted Reserve Corps are suspended with the following exceptions:

(d) The enlistment in the Enlisted Reserve Corps of junior and senior students of approved colleges who are pursuing electrical engineering or other communication engineering courses is authorized under the following conditions:

(1) The Chief Signal Officer is responsible for making the necessary contacts with such individuals at the proper time through the school authorities or other appropriate channels.

(2) Applications will be submitted direct to the Chief Signal Officer and where approved the appropriate Corps Area Commander will be directed to accomplish the enlistment, with assignment to Enlisted Section, Electronics Training Group, Office of Chief Signal Officer.

(3) Students so enlisted will be deferred from active duty until the date for completion of their academic courses. The Chief Signal Officer may recommend the discharge of a student for any reason or when it is apparent that he will not satisfactorily complete his academic course.

(4) Upon satisfactory completion of engineering training and the recommendation of the Chief Signal Officer, these students will be tendered appointments in the Army of the United States and discharged from their enlisted status. (39 Stat. 195, 41 Stat. 780, 44 Stat. 705; 10

¹ 6 F.R. 5165, 7 F.R. 213.

U.S.C. 421, 423-427) [Cir. 204, W.D., Sept. 30, 1941, and letter AGO dated Jan. 31, 1942, AG 210.1 (1-27-42) RP-A]

[SEAL] E. S. ADAMS,
Major General,
The Adjutant General.

[F. R. Doc. 42-1047; Filed, February 4, 1942; 11:43 a. m.]

CHAPTER VII—PERSONNEL

PART 73—APPOINTMENT OF COMMISSIONED OFFICERS AND CHAPLAINS¹

OFFICERS APPOINTED IN THE ARMY OF THE UNITED STATES UNDER THE PROVISIONS OF THE ACT OF SEPTEMBER 22, 1941

§ 73.203 *Procurement objective.* (a) Initial appointments in the Army of the United States will be made in such numbers and in such grades as may be specifically authorized from time to time by the War Department for the several arms and services and War Department agencies. These allotments will serve as procurement objectives for all appointments and promotions, and will not be exceeded without special authority from the War Department.

(b) The prescribed student training capacity of an officer candidate school constitutes an approved procurement objective for the appointment of all successful graduates of such school.

(c) Procurement objectives for appointments other than graduates of officer candidate schools will normally be approved only for those arms and services and other War Department agencies which require officers for overhead duties that can be performed by persons without general military training.

(d) Procurement objectives will not be approved solely to permit the appointment of a named individual.* [Par. 5]

* §§ 73.203, 73.204, 73.205, 73.207 and 73.208, as amended, issued under authority contained in the act of Sept. 22, 1941, Public Law 252, 77th Congress.

§ 73.204 *Age and citizenship requirements.* (a) An officer of the Army of the United States must at the time of appointment be a citizen of the United States or of the Philippine Islands between the ages of 18 and 60 years.* [Par. 6a]

§ 73.205 *Appointments not made from certain classes.* No person will be initially appointed in the Army of the United States from the following classes:

(a) Cadets, United States Military Academy.

(b) Persons qualified and eligible for appointment in the Officers' Reserve Corps as graduate aviation cadets or as graduates of the senior division, Reserve Officers' Training Corps. All such quali-

¹ §§ 73.203, 73.204 (a), 73.205, 73.207 and 73.208 (a) are amended. The regulations contained in these sections are also contained in AR 605-10, Oct. 27, 1941, as amended by Cir. 27, W. D., Jan. 29, 1942, the particular paragraphs being shown in brackets at the end of sections.

fied and eligible graduates will continue to be appointed in the Officers' Reserve Corps.

(c) Persons on either the active or reserve list of the Navy, Marine Corps, Coast Guard, Public Health Service, and Coast and Geodetic Survey.

(d) Civilian officers or employees of the United States or of the District of Columbia, without the consent of the head of the department or service concerned.

(e) Any person subject to induction under the Selective Training and Service Act of 1940, as amended whose induction has been ordered.

(f) Any person who is not a graduate of a school or resident course of instruction recognized by the War Department as qualifying him for a commission, unless the recommendation is accompanied by satisfactory evidence that the individual has special qualifications for duty as a commissioned officer in the particular assignment for which the appointment is recommended. Any person who has not attained his thirtieth birthday, unless the recommendation is accompanied by satisfactory evidence that the individual has extraordinary professional or technical qualifications for duty as a commissioned officer in the particular assignment for which the appointment is recommended.

(g) Any person whose proposed duty is being or can be adequately performed by him in a civilian capacity.

(h) Former commissioned officers of any component of the Army of the United States, whose appointment is prohibited by the provisions of (e) above, or whose commissions were terminated because of inefficiency or under other than honorable conditions. See § 73.206.

(i) Any person whose services will not be immediately available to the War Department upon acceptance of a commission.

(j) See also § 203.207.* [Par. 7]

§ 73.207 *Qualifications for initial appointments.* (a) Normally, applicants for initial appointment will be required to qualify, as to military and nonmilitary education, under the standards established for appointment to corresponding grade in the Officers' Reserve Corps (AR 140-22 to 140-39,² incl.), except that military and nonmilitary educational requirements may be waived in whole or in part, upon the recommendation of the chief of arm or service concerned.

(b) In the case of persons recommended for appointment from civil life as commissioned officers in the Army of the United States the recommendation must include satisfactory evidence that the recommended individual possesses special qualifications, and that these special qualifications are required in the position to which he is to be assigned if commissioned.

(c) Appointments for Tables of Organization positions in approved authorized affiliated units of the Medical

² Administrative regulations of the War Department relative to the Officers' Reserve Corps.

Department, Corps of Engineers, or Signal Corps, and appointments for the electronics training group, Signal Corps, that formerly would have been made in the Officers' Reserve Corps, will be made in the Army of the United States without regard to the restrictions enumerated herein, provided the individuals so appointed meet the requirements and regulations for such appointments formerly applicable to the Officers' Reserve Corps.

(d) When a commander of United States forces in an active theater outside the continental United States is granted special authority by the War Department to appoint or to recommend the appointment of officers, Army of the United States, the qualifications for appointment will be as indicated in the special War Department instructions authorizing the appointments.* [Par. 9]

§ 73.208 *Applications for appointment.* (a) Except for graduates of officer candidate schools, applications for initial appointment in the Army of the United States will be submitted and processed as follows:

(2) *Accompanying papers.* Each application for appointment will be accompanied by—

(i) Three copies of W.D., A.G.O. Form No. 178 (and 178-2, where applicable) (Classification Questionnaire of Reserve Officers).

(ii) Report of physical examination (W.D., A.G.O. Form No. 63 or 64, as applicable). See §§ 73.216 to 73.218.

(iii) A statement that the recommended appointee is or is not a selective service registrant.

(iv) If a selective service registrant, a certificate from the appointee's local board giving his selective service classification, and certifying that his induction has or has not been ordered.

(v) If an enlisted man, the evidence required by paragraph 9b (2), AR 605-10³ and a certificate from the recommending authority stating the date on which the recommended individual entered his current continuous period of active Federal service.

(vi) A statement by the recommending authority as to the specific assignment or duty for which the appointment is desired, and indicating the approved procurement objective under which appointment is authorized.

(3) *How forwarded.* Applications, with accompanying papers, will be forwarded through military channels to The Adjutant General, Washington, D. C.* [Par. 10]

[SEAL] E. S. ADAMS,
Major General,
The Adjutant General.

[F. R. Doc. 42-1048; Filed, February 4, 1942; 11:43 a. m.]

³ Administrative regulations of the War Department relative to appointment of Commissioned officers in the Army of the United States.

TITLE 14—CIVIL AVIATION

CHAPTER I—CIVIL AERONAUTICS BOARD

[Amendment 20-33, Civil Air Regulations]

PART 20—PILOT CERTIFICATES

PROVIDING FOR THE LOGGING OF PILOT FLIGHT TIME

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 3rd day of February, 1942.

Acting pursuant to the authority vested in it by the Civil Aeronautics Act of 1938, as amended, particularly sections 205 (a) and 601 of said Act, and finding that its action is desirable in the public interest and is necessary to carry out the provisions of, and to exercise and perform its powers and duties under, said Act, the Civil Aeronautics Board amends the Civil Air Regulations as follows:

Effective February 3, 1942, Part 20 of the Civil Air Regulations is amended as follows:

1. By changing the number of the present § 20.673, relating to the logging of instrument flight time, to § 20.674.

2. By adding a new § 20.673 to read as follows:

§ 20.673 *Logging of pilot flight time—*
(a) *Student pilot.* The holder of a student pilot certificate may log as solo flight time only that time during which he is the sole occupant of an aircraft in flight.

(b) *Pilots of private grade or higher.* The holder of a pilot certificate, other than a student pilot certificate, may log as solo flight time that portion of any flight during which he is the sole manipulator of the controls: *Provided*, That he may log as solo flight time only 50 percent of any flight time during which a certificated instructor or a certificated airline transport pilot is in the aircraft serving as an instructor for the purpose of reviewing or increasing such pilot's skill; *And provided further*, That the holder of a commercial pilot certificate while serving in scheduled air transportation shall log his flight time as provided in Part 61.

(c) *Flight instructor.* A certificated instructor may log as solo flight time all that flight time during which he is serving as an instructor for the purpose of reviewing or increasing another pilot's skill.

By the Civil Aeronautics Board.

[SEAL] DARWIN CHARLES BROWN,
Secretary.

[F. R. Doc. 42-1040; Filed, February 4, 1942;
10:33 a. m.]

[Amendment 21-4, Civil Air Regulations]

PART 21—AIRLINE TRANSPORT PILOT RATING

PROVIDING FOR THE LOGGING OF AIRLINE TRANSPORT PILOT FLIGHT TIME

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 3d day of February 1942.

Acting pursuant to the authority vested in it by the Civil Aeronautics Act of 1938, as amended, particularly sections 205 (a)

and 601 of said Act, and finding that its action is desirable in the public interest and is necessary to carry out the provisions of, and to exercise and perform its powers and duties under, said Act, the Civil Aeronautics Board amends the Civil Air Regulations as follows:

Effective February 3, 1942, Part 21 of the Civil Air Regulations is amended as follows:

1. By changing the number of the present § 21.442, relating to the logging of instrument flight time, to § 21.443.

2. By adding a new § 21.442 to read as follows:

§ 21.442 *Logging of pilot flight time.* The holder of an airline transport pilot certificate may log as solo flight time that portion of any flight during which he is the sole manipulator of the controls or during which he is serving as an instructor in accordance with § 21.222: *Provided*, That he may log only 50 percent of any flight time during which a certificated instructor or a certificated airline transport pilot is in the aircraft serving as an instructor for the purpose of reviewing or increasing such pilot's skill: *And provided further*, That the holder of an airline transport pilot certificate while serving in scheduled air transportation shall log his flight time as provided in Part 61.

By the Civil Aeronautics Board.

[SEAL] DARWIN CHARLES BROWN,
Secretary.

[F. R. Doc. 42-1039; Filed, February 4, 1942;
10:32 a. m.]

[Amendment 26-0, Civil Air Regulations]

PART 26—AIR-TRAFFIC CONTROL-TOWER OPERATOR CERTIFICATES

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 3d day of February 1942.

Acting pursuant to the authority vested in it by the Civil Aeronautics Act of 1938, as amended, particularly sections 205, 601 (a), and 602 of said Act, and finding that its action is desirable in the public interest and is necessary to carry out the provisions of, and to exercise and perform its powers and duties under, said Act, the Civil Aeronautics Board amends the Civil Air Regulations as follows:

Effective February 3, 1942, the Civil Air Regulations are amended as follows:

Part 26 is amended to read as follows:

PART 26—AIR-TRAFFIC CONTROL-TOWER OPERATOR CERTIFICATES

QUALIFICATIONS FOR CERTIFICATE

- Sec.
26.1 General.
26.10 Physical.
26.11 Knowledge.

QUALIFICATIONS FOR RATINGS

- 26.2 Character of ratings.
26.20 Qualifications for junior rating.
26.21 Qualifications for senior rating.
26.210 Knowledge.
26.211 Experience.
26.212 Other requirements.

EXAMINATIONS

- 26.3 General.
26.30 Physical examinations.
26.31 Reexamination.

ISSUANCE AND EXPIRATION OF CERTIFICATES

- Sec.
26.4 Duration.
26.40 Periodic endorsement.
26.41 Special issuance of certificate and rating.
26.42 Transfer.
26.43 Revocation.

REGULATIONS

- 26.5 Rating record.
26.50 Exercise of authority.
26.51 Control airports.
26.52 Relaying information.
26.53 Maximum hours.
26.54 Display of certificate.
26.55 Performance standards.
26.56 Equipment standards.
26.57 Inspection.
26.58 Surrender of certificate.

QUALIFICATIONS FOR CERTIFICATE

§ 26.1 *General.* An applicant must be a citizen of the United States, temperamentally fit, and not less than 21 years of age. He must be able to read, write, and understand the English language and to speak the English language without any accent or impediment of speech which would interfere with two-way radio conversation.

§ 26.10 *Physical—*(a) *Eye.* An applicant must have:

(1) A visual acuity of at least 20/20 in each eye separately, without correction, and an average depth perception of 30 millimeters or less, with or without glasses: *Provided*, That if the vision in either or both eyes is not poorer than 20/50 and is brought up to 20/20 or better in each eye by glasses, or if the depth perception is greater than 30 millimeters and can be corrected to at least 30 millimeters by glasses, an applicant may be qualified in either event on condition that the correcting glasses be worn while he is on duty;

(2) No diplopia;

(3) Not more than one diopter of hyperphoria;

(4) Properly balanced eye muscles with a divergence (abduction) of 3 prism diopters, minimum; and a convergence (adduction) of 6 prism diopters, minimum; independently of each other.

(5) Sufficient accommodation to pass a prescribed test based primarily upon ability to read official aeronautical maps;

(6) Normal fields of vision; and

(7) No pathology of the eye.

(b) *Ear, nose, throat, and equilibrium.* An applicant must be able to hear the whispered voice at 8 feet with each ear separately; must have no acute or chronic disease of the middle or internal ear; no disease of the mastoid; no unhealed perforations of the ear drum; no disease or malformation of the nose or throat which would interfere with or be aggravated by the performance of his duties; and no disturbance of equilibrium.

(c) *General physical condition.* An applicant must have no organic or functional disease, nor structural defect or limitation, which would interfere with his duties as an air-traffic control-tower operator.

(d) *Nervous system.* An applicant must have no disease of the mental or

nervous system and no abnormality of the personality.

(e) *Exceptions.* The failure by an applicant to comply with any of the above physical requirements will not disqualify him if, in the opinion of the Administrator, his experience in aeronautics gained prior to his disability offsets such physical deficiency.

§ 26.11 *Knowledge.* An applicant must pass an examination in the following subjects:¹

- (a) Air traffic rules set forth in Part 60 of the Civil Air Regulations;
- (b) Airport traffic control procedures, and Part 26 of the Civil Air Regulations;
- (c) Airway traffic control procedures;
- (d) Radio frequencies and procedures used for airport traffic control;
- (e) Use of radio aids to air navigation;
- (f) The making of weather observations;
- (g) Pertinent Rules and Regulations of the Federal Communications Commission. An applicant who presents satisfactory evidence that he possesses a restricted radiotelephone operator's permit or higher grade of radiotelephone operator's license issued by the Federal Communications Commission will not be required to take the examination prescribed in this subsection.*

*§§ 26.1 to 26.5, inclusive, issued under the authority contained in secs. 205, 601 (a), 602 of the Civil Aeronautics Act, as amended.

QUALIFICATIONS FOR RATINGS

§ 26.2 *Character of ratings.* The holder of an air-traffic control-tower operator certificate (hereafter referred to as "certificate") may receive a junior or senior rating, depending upon his qualifications to perform the duties of an air-traffic control-tower operator (hereafter referred to as "operator") at a particular airport.

§ 26.20 *Qualifications for junior rating.* An applicant must pass an examination on the following subjects:

- (a) Local airport rules of the airport for which the rating is sought;
- (b) Local aircraft operations and such other aircraft operations as may affect conditions at the airport for which the rating is sought;
- (c) Teletype symbols and weather sequences of the airways converging on the airport for which the rating is sought;
- (d) Any other subject or subjects in which the Administrator may deem an examination necessary.²

§ 26.21 *Qualifications for senior rating.*

§ 26.210 *Knowledge.* An applicant must pass an examination in the subjects required for a junior rating and, in addition, the following subjects:

- (a) Air-navigation facilities within a radius of 200 miles of the airport for which the rating is sought;

¹Lists of source material covering the subject matter of these examinations can be obtained from any Regional Manager of the Civil Aeronautics Administration.

²The applicant will be given adequate notice of the subject of the examination.

(b) Airway traffic control procedures in the area in which the airport for which the rating is sought is located;

(c) Instrument approach and departure procedures at the airport for which the rating is sought;

(d) Any other subject or subjects in which the Administrator may deem an examination necessary.³

§ 26.211 *Experience.* An applicant must have performed satisfactory service:

- (a) As an operator with a senior rating for at least 6 months; or
- (b) As an operator with a junior rating at the airport for which the rating is sought for the 6 months immediately preceding application; or
- (c) As an air-traffic control trainee in Federal service for at least 6 months; or
- (d) For 1 year of the 2 years immediately preceding application as:

(1) An operator with a junior rating at an airport other than that at which the rating is sought; or

(2) An operator at a landing area under military or naval jurisdiction.

§ 26.212 *Other requirements.* The applicant must demonstrate his ability to supervise and manage all activities of the airport control tower or airport control station, which shall at least include the preparation of such reports as may be required from time to time by the airport manager or the Administrator.*

EXAMINATIONS

§ 26.3 *General.* The prescribed examinations will be conducted by representatives of the Administrator at a designated time and place. The passing grade in any subject shall be at least 70 percent.

§ 26.30 *Physical examinations.* (a) The prescribed physical requirements must be met before any practical or theoretical examination will be given and must be completed within the 60 days immediately preceding application for a certificate.

(b) A statement by a Medical Officer on active duty with the United States Army, Navy, Marine Corps, or Coast Guard, who is authorized to conduct physical examinations for flying, that an active member of his service met the physical requirements within the preceding 60 days prescribed in § 26.10 will be accepted in lieu of the report of the physical examination required herein. Such statement shall be on the form prescribed and furnished by the Administrator.

§ 26.31 *Reexamination.* An applicant who has failed to pass any examination may apply for reexamination after the expiration of 30 days from the date of his failure.*

ISSUANCE AND EXPIRATION OF CERTIFICATES

§ 26.4 *Duration.* A certificate will be issued for an initial period of 60 days but, if the holder is not notified to the contrary by the Administrator within

*The applicant will be given adequate notice of the subject of the examination.

that period, it will continue in effect indefinitely, expiring only in the event that:

(a) The holder of the certificate fails to secure an endorsement⁴ thereof by an inspector of the Administrator within the last 45 days of each 12 months' period⁵ after the date of issuance; or

(b) An inspector of the Administrator shall refuse to endorse the certificate after inspection or examination.

§ 26.40 *Periodic endorsement.* (a) A certificate will not receive a periodic endorsement unless the holder—

(1) Has met the physical requirements prescribed for the original issuance of his certificate within the 60 days immediately preceding the expiration of the endorsement period; and

(2) Has served satisfactorily as a rated operator at some time during the 12 months immediately preceding the date of application for endorsement.

(b) A certificate will not receive a periodic endorsement with respect to any rating unless the holder has served satisfactorily as an operator at the airport to which the rating applies at some time during the 6 months immediately preceding the expiration of the endorsement period.

§ 26.41 *Special issuance of certificate and rating.* If a certificate and rating expires, a new certificate and rating will be issued if the applicant complies with the requirements for periodic endorsement. In applying this section, the time during which the applicant must serve as a rated operator in order to comply with the periodic endorsement requirements shall be computed from the date of the application for special issuance rather than the date of expiration of the endorsement period.

§ 26.42 *Transfer of a certificate is prohibited.*

§ 26.43 *Revocation.* No person whose air-traffic control-tower operator certificate has been revoked shall apply for or be issued an air-traffic control-tower operator certificate of any rating for a period of one year after the revocation, except as the order of revocation may otherwise provide.*

REGULATIONS

§ 26.5 *Rating record.* A certificated operator shall not serve as such unless there is attached to his certificate the appropriate rating record prescribed and issued by the Administrator, nor serve otherwise than in accordance with the limitations prescribed by the Administrator in his certificate or rating record.⁶

§ 26.50 *Exercise of authority.* An operator on duty at a control airport within an airway traffic control area or a

⁴This endorsement will be referred to hereafter as a "periodic endorsement".

⁵This 12 months' period will be referred to hereafter as the "endorsement period".

⁶The rating record is a sheet which will be attached to all certificates when they are issued and will prescribe the airports at which the holder is authorized to serve and the class of rating held.

control zone of intersection shall not authorize contact flight rule operations below contact flight rule weather minimums in accordance with the authority vested in such operators by Part 60 of the Civil Air Regulations,⁷ unless the operator previously notifies either the airway traffic control center if the airport is located in an airway traffic control area or airway communication station if the airport is located in a control zone of intersection of the action to be taken: *Provided*, That an operator with a junior rating shall not exercise this authority unless such action is taken with the consent of an operator with a senior rating for the particular airport, who is on duty and is present in the control tower at the time the authorization is given.

§ 26.51 *Control airports*. An operator with a junior rating shall not control air traffic at a control airport except under the supervision of an operator with a senior rating for such airport: *Provided*, That in an emergency the person in charge of the tower may authorize an operator with a junior rating for the airport to control air traffic during the period of such emergency, if such person immediately notifies the regional manager of the Administrator, for the region in which the airport is located, of the existence of the emergency and the facts and circumstances surrounding it: *Provided further*, That whenever the Administrator finds, in the interest of safety, that this authority should not be exercised, it shall terminate upon notification by the Administrator.

§ 26.52 *Relaying information*. An operator shall not relay information or instructions received from airway traffic control personnel, airway communications, or United States Weather Bureau airport stations, otherwise than in the manner approved by the Administrator.

§ 26.53 *Maximum hours*. Except in case of an emergency, a certificated operator shall be relieved of all duty for not less than 24 consecutive hours at least once during each 7 consecutive days, and shall not serve, nor be required to serve, as such:

- (a) In excess of 10 consecutive hours;
- (b) In excess of 10 hours during a period of 24 consecutive hours unless the operator is given a rest period of not less than 8 hours at or before the termination of such 10 hours of duty.

§ 26.54 *Display of certificate*. An operator shall keep his certificate readily available when he is on duty and shall present it for inspection upon request of any officer or employee of the Administrator or Board and of any State or municipal official charged with the duty of enforcing local laws or regulations involving Federal compliance.

§ 26.55 *Performance standards*. A certificated air-traffic control-tower operator shall control air traffic in accordance with practices and procedures pre-

⁷Part 60 of the Civil Air Regulations empowers an operator on duty in a radio-equipped airport control tower in operation at a control airport to authorize flying in a control zone when the ceiling or visibility is below the minimums which prevail in the absence of any such special authorization.

scribed by the Administrator as being best calculated, among other things, to avoid collisions and to establish uniformity in air traffic control.

§ 26.56 *Equipment standards*. A certificated air-traffic control-tower operator shall not control air traffic with facilities which the Administrator has determined to be inadequate.

§ 26.57 *Inspection*. An applicant or a holder of a certificate or rating, upon reasonable request by any representative of the Administrator, shall cooperate fully in any examination which may be made of him.

§ 26.58 *Surrender of certificate*. Upon the suspension, revocation, or expiration of a certificate, the holder shall, upon request, surrender such certificate to a representative or employee of the Administrator.*

By the Civil Aeronautics Board.

[SEAL] DARWIN CHARLES BROWN,
Secretary.

[F. R. Doc. 42-1038; Filed, February 4, 1942;
10:32 a. m.]

[Amendment 60-54, Civil Air Regulations]

PART 60—AIR TRAFFIC RULES

AIRSPACE RESERVATIONS

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 3d day of February 1942.

Acting pursuant to the authority vested in it by the Civil Aeronautics Act of 1938, as amended, particularly sections 205 (a) and 601 of said Act, and finding that its action is desirable in the public interest and is necessary to carry out the provisions of, and to exercise and perform its powers and duties under, said Act, the Civil Aeronautics Board amends the Civil Air Regulations as follows:

Effective February 13, 1942, Part 60 of the Civil Air Regulations is amended as follows:

By amending section 60.348 to read as follows:

§ 60.348 *Airspace reservations*. No flight of aircraft shall be made within any airspace reservation set aside by order of the President of the United States.

By the Civil Aeronautics Board.

[SEAL] DARWIN CHARLES BROWN,
Secretary.

[F. R. Doc. 42-1037; Filed, February 4, 1942;
10:31 a. m.]

[Amendment 98-1, Civil Air Regulations]

PART 98—DEFINITIONS

ELIMINATION OF DEFINITION OF SOLO FLIGHT

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 3d day of February 1942.

Acting pursuant to the authority vested in it by the Civil Aeronautics Act of 1938, as amended, particularly sections 205 (a) and 601 of said Act, and finding that its action is desirable in the public interest and is necessary to carry out the provisions of, and to exercise

and perform its powers and duties under, said Act, the Civil Aeronautics Board amends the Civil Air Regulations as follows:

Effective February 3, 1942, Part 98 of the Civil Air Regulations is amended as follows:

1. By striking § 98.117, relating to solo flight.

2. By striking from the table of contents of Part 98 the following:

98.117 Solo flight.

By the Civil Aeronautics Board.

[SEAL] DARWIN CHARLES BROWN,
Secretary.

[F. R. Doc. 42-1036; Filed, February 4, 1942;
10:31 a. m.]

TITLE 26—INTERNAL REVENUE

CHAPTER I—BUREAU OF INTERNAL REVENUE

[T. D. 5111]

PART 171—MISCELLANEOUS REGULATIONS RELATING TO LIQUOR

SUBPART G—PRODUCTION, WITHDRAWAL, ETC., OF DISTILLED SPIRITS

The Act of January 24, 1942 (Public Law 412—77th Congress) provides as follows:

That section 2883 of the Internal Revenue Code (relating to transfer of spirits at registered distilleries) is amended by adding at the end thereof the following:

"(c) *Transfer of spirits for industrial uses*. Distilled spirits of one hundred and sixty degrees of proof or greater may be withdrawn from registered distilleries (including registered fruit distilleries), and stored in and withdrawn from internal-revenue bonded warehouses, pursuant to the applicable provisions of subsection (a): *Provided*, That such distilled spirits may also be withdrawn without payment of tax from registered distilleries (including registered fruit distilleries) and internal-revenue bonded warehouses for all the tax-free purposes authorized by part II of subchapter C of this chapter, and when so withdrawn shall be subject to all applicable provisions of such part. Under such regulations as the Commissioner may prescribe, the manufacture, warehousing, withdrawal, and shipment of distilled spirits of one hundred and sixty degrees of proof or greater may be exempted from the provisions of section 2836 and section 2870. This subsection shall cease to be in effect upon the termination of the unlimited national emergency proclaimed by the President on May 27, 1941."

Pursuant to the above provisions of law and sections 2883 (a), 3102, 3105, 3114 (a), and 3176, Internal Revenue Code, the following regulations are hereby prescribed:

§ 171.20 *Withdrawal; storage*. Distilled spirits of 160 degrees or more of proof may be withdrawn from registered distilleries and fruit distilleries, and may be stored in and withdrawn from internal revenue bonded warehouses, in accordance with the provisions of Regulations 4, 5, and 10, relative to the withdrawal of spirits produced at a proof in excess of 159 degrees and reduced in the receiving cisterns to not more than 159 and not less than 100 degrees of proof,

pursuant to section 2883 (a), I.R.C. Such spirits, when tax-paid, may be used for beverage purposes only.

§ 171.21 *Tax-free withdrawals.* Distilled spirits of 160 degrees or more of proof may also be withdrawn without payment of tax from registered distilleries, fruit distilleries and internal revenue bonded warehouses for the tax-free purposes specified in section 3108, I.R.C., pursuant to withdrawal permits issued to permittees whose basic permits authorize the procurement of alcohol free of tax. Withdrawals shall be in accordance with the provisions of Regulations 4, 5, and 10, relative to the withdrawal of spirits produced at a proof in excess of 159 degrees and reduced in the receiving cisterns to not more than 159 and not less than 100 degrees of proof, pursuant to section 2883 (a), I.R.C., and with the provisions of Regulation 3 relative to the withdrawal of alcohol for such purposes.

§ 171.22 *Permits; bond.* Permittees whose basic permits (Forms 1433, 1444, and 1447) authorize the procurement of alcohol free of tax and who desire to procure distilled spirits of 160 degrees or more of proof from registered distilleries, fruit distilleries, and internal revenue bonded warehouses, should file application on Form 1431, 1444 or 1447 with the district supervisor for amendment of their basic permits to authorize the procurement of such distilled spirits. The permittee must also file consent of surety, Form 1533, on his bond, Form 1432-A, 1462, or 1448 (if any), extending the terms thereof to cover such distilled spirits. The consent of surety shall be in substantially the following form.

To extend the terms of said bond to be liable for distilled spirits of 160 degrees or more of proof withdrawn free of tax by the principal from registered distilleries, fruit distilleries, and internal revenue bonded warehouses, pursuant to section 2883 (c), I.R.C., and regulations, to the same extent as alcohol withdrawn free of tax from industrial alcohol plants and bonded warehouses.

§ 171.23 *Modification of forms.* Such permittees, when filing applications on Form 1444, 1449, or 1463, for withdrawal permits to procure such distilled spirits, shall modify such forms to specify distilled spirits, in addition to alcohol, and withdrawal from a registered distillery, fruit distillery, or internal revenue bonded warehouse, as the case may be, in addition to an industrial alcohol plant, bonded warehouse, or denaturing plant. District supervisors will modify Forms 1444, 1450, 1464, and 1465 likewise when issuing withdrawal permits on such forms to procure such distilled spirits. Such application shall be filed, and withdrawal permits will be issued, in accordance with the provisions of Regulations 3 relative thereto.

§ 171.24 *Transportation.* Carriers desiring to transport distilled spirits of 160 degrees or more of proof withdrawn free of tax under these regulations, must procure permit so to do, in accordance with section 3114, I.R.C., and Regulations 3. Where bond, Form 49, is required to support such permit, the bond shall be modified to cover such tax-free distilled spirits, in addition to tax-free alcohol.

Carriers, who hold permit to transport tax-free alcohol and who desire to transport such tax-free distilled spirits, must file application on Form 144 for amendment of their permits, Form 145, to authorize the transportation of such tax-free distilled spirits and where such permits are supported by bond, Form 49, the carrier must file consent of surety, Form 1533, on his bond, extending the terms thereof to cover such tax-free distilled spirits. The consent of surety shall be in substantially the following form:

To extend the terms of said bond to be liable for tax-free distilled spirits of 160 degrees or more of proof transported by him, to the same extent as tax-free alcohol transported by him.

§ 171.25 *Markings.* Such distilled spirits of 160 degrees or more of proof shall be marked "Distilled Spirits" as to kind, followed by the name of the material from which produced, as "Distilled Spirits—Grain," "Distilled Spirits—Fruit," or "Distilled Spirits—Cane." Spirits of 160 degrees or more of proof produced at fruit distilleries and marked as to kind in accordance with the Gauging Manual at the time of production, may be withdrawn free of tax as specified herein, provided the spirits have not been colored with caramel, by storage in wooden containers, use of oak chips, or otherwise, and the kind of spirits marked on the containers is effaced and the containers remarked "Distilled Spirits—Fruit" prior to removal. The containers of such distilled spirits shall otherwise be marked in accordance with the Gauging Manual and Regulations 4, 5, and 10. When withdrawn free of tax, the purpose of withdrawal shall be marked on the containers in accordance with Regulations 3.

§ 171.26 *Production; denaturation; accounting.* The production, withdrawal, accounting, etc., of such distilled spirits at registered distilleries, fruit distilleries and internal revenue bonded warehouses shall be in accordance with Regulations 4, 5, and 10, and the transportation, use, denaturation, accounting, etc., of such distilled spirits after withdrawal for tax-free purposes shall be in accordance with Regulations 3. Upon denaturation such spirits will be designated as "Completely Denatured Alcohol" or "Specially Denatured Alcohol," as the case may be, and withdrawn as such from the denaturing plant. When withdrawn tax-paid, the spirits shall be accounted for by the consignee the same as other tax-paid spirits.

§ 171.27 *Exemptions.* The law provides that the manufacture, warehousing, withdrawal, and shipment of such distilled spirits of 160 degrees or more of proof may, for any of the authorized purposes, be exempted from the provisions of sections 2836 and 2870, I.R.C. When it is desired to mash or distill such spirits between 11:00 p. m. Saturday and 1:00 a. m. Monday, or to warehouse, withdraw, or ship (in packages containing more than 10 wine gallons) such spirits between sundown and sunrise, or on Sunday, the proprietor shall make application, in duplicate, to the district supervisor for permission so to do. The

application shall specify the dates and hours on which it is desired to conduct such operations, the nature of the operations and the necessity for such production, warehousing, withdrawal, or shipment. The application shall be filed in sufficient time in advance of the time of operation specified in the application to enable the district supervisor to determine the necessity for such operations, and, if he approves the application, to assign an officer to supervise the operations where deemed necessary. District supervisors will approve such applications where necessity therefor is shown and Government officers are available for necessary supervision. Where it is desired to conduct such operations during such hours regularly, the application may be made, and the permission granted, accordingly.

§ 171.28 *Limitations.* No distilled spirits of less than 160 degrees of proof may be mashed or distilled between 11:00 p. m. Saturday and 1:00 a. m. Monday, or warehoused, withdrawn, or shipped (in packages containing more than 10 wine gallons) at a registered distillery, fruit distillery or internal revenue bonded warehouse, between sundown and sunrise, or on Sunday, pursuant to such permission.

§ 171.29 *Denaturing plants.* Proprietors of registered distilleries, fruit distilleries, or internal revenue bonded warehouses, from which distilled spirits of 160 degrees or more of proof are withdrawn under Section 2883 (c), I.R.C., and these regulations, may establish denaturing plants in accordance with Regulations 3.

§ 171.30 *Period effective.* These regulations shall cease to be effective upon the termination of the unlimited national emergency proclaimed by the President on May 27, 1941.

[SEAL] NORMAN D. CANN,
Acting Commissioner of
Internal Revenue.

Approved: January 24, 1942.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 42-1064; Filed, January 27, 1942;
11:44 a. m.]

TITLE 30—MINERAL RESOURCES
CHAPTER III—BITUMINOUS COAL
DIVISION

[Docket No. A-1258]

PART 333—MINIMUM PRICE SCHEDULE,
DISTRICT NO. 13

ORDER GRANTING TEMPORARY RELIEF AND
CONDITIONALLY PROVIDING FOR FINAL RELIEF
IN THE MATTER OF THE PETITION OF
DISTRICT BOARD 13 FOR THE ESTABLISHMENT
OF PRICE CLASSIFICATIONS AND MINIMUM
PRICES FOR THE COALS OF CERTAIN
MINES IN DISTRICT NO. 13

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 13; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 333.6 (*General prices*) is amended by adding thereto Supplement R-I, § 333.7 (*Special prices—(a) Prices for shipment to all railroads and for exclusive use of railroads*) is amended by adding thereto Supplement R-II, § 333.7 (*Special prices—(c) Prices for shipment by railroad, applicable to all coal sold for steamship vessel fuel*) is amended by adding thereto Supplement R-III, § 333.34 (*General prices in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T-I, and § 333.43 (*General prices in cents per net ton for shipment into all market areas*) is amended by adding thereto, Supplement T-II, which supplements are hereinafter set forth and hereby made a part hereof.

The price established herein for the coals of Mine Index No. 1434 of Cumberland Mt. Coal Company in Size Group 3 as shown in Supplement T, annexed hereto, is higher than that prayed for by the petitioner. The increase was effected in order to relate these coals properly to analogous and comparable coals produced in District No. 13.¹

No relief is granted herein as to the coals of the Wilson #1 Mine (Mine Index No. 1410) and Wilson #2 Mine (Mine Index No. 1411) of Wilson and Huddleston (E. S. Wilson), such coals having been heretofore classified and priced in Docket No. A-1203; the coals of the Scratch Out Mine (Mine Index No. 196) of Gladden Ballard, heretofore classified and priced in Docket No. A-1049; the coals of the Nyota #9 Mine (Mine Index No. 1360) of Willie Martin, heretofore classified and priced in Docket No. A-1203; the coals of Inland #4 Mine (Mine Index No. 223) of Nelson & McGowen (J. L. Nelson), heretofore classified and priced in General Docket No. 15; the coals of Whaley Black Creek Mine (Mine Index No. 1287) of Hill & Wood (T. J. Wood), heretofore classified and priced in Docket No. A-1089; the coals of the Beltona #6 Mine (Mine Index No. 1128) of T. J. Jay, heretofore classified and priced in Docket No. A-343; the coals of the Keef Bros. Mine (Mine Index No. 754) of James E. Keef, heretofore classified and priced in General Docket No. 15; the coals of the Mary Frances Mine (Mine Index No. 331) of Joseph Munkus, heretofore classified and priced in General Docket No. 15; the coals of Hollis #8 Mine (Mine Index No. 126) of E. L. Conner, heretofore classified and priced in Docket No. A-894; the coals of Avery Coal Co. Mine (Mine Index No. 552) of

Mrs. Pearl Avery, heretofore classified and priced in General Docket No. 15; the coals of Big Ridge Mine (Mine Index No. 142) of the Big Ridge Coal Co. (Foster Deason) heretofore classified and priced in Docket No. 946; the coals of the Tucker #15 Mine (Mine Index No. 1295) of R. L. Newton, heretofore classified and priced in Docket No. A-1089; the coals of the Witherspoon Mine (Mine Index No. 669) of A. L. Prescott, heretofore classified and priced in General Docket No. 15; or the coals of the Martin Mine (Mine Index No. 902) of Arthur Musgrove, heretofore classified and priced in Docket No. A-205.

Price classifications and minimum prices are established herein for the coals of the Wideman #1 Mine of Wideman & Sons under Mine Index No. 1350, the Mine Index number shown for this mine in Docket No. A-1203, and not un-

der Mine Index No. 1365, as shown in error in the original petition.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

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

Dated: January 21, 1942.

[SEAL] DAN H. WHEELER, Acting Director.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 13

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

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 333.6 General prices—Supplement R-I

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

Mine index No.	Code member	Mine	Sub-district	Seam	Freight origin group
BIBB COUNTY, ALA.					
1420	Roden Coal Co.....	Marvel #3 ¹	1	Clark.....	160
BLOUNT COUNTY, ALA.					
1403	Calvert, Millard & Essel Young.....	Calvert.....	1	Black Creek.....	31
1362	Skinner, Willie.....	Scratch out #2 ¹	1	Black Creek.....	31
JEFFERSON COUNTY, ALA.					
751	Cardwell, W. M.....	Cardwell ³	1	Harkness.....	10
1419	Center Coal Co.....	Eulamo #1 Pratt ⁴	1	Pratt.....	50
1418	Center Coal Co.....	Eulamo #1 Nickel Plate ⁴	1	Nickel Plate.....	50
303	Jordan & Fields (A. M. Jordan).....	Cook ⁴	1	Mary Lee.....	50
SHELBY COUNTY, ALA.					
424	Pen Coal Co.....	Pen's Wadsworth #2 ⁶	1	Wadsworth.....	29
TUSCALOOSA COUNTY, ALA.					
1426	Wade, H. F.....	Wade #2 ⁷	1	Milldale.....	44
557	Watson, W. L. (Watson Coal Co.).....	Watson ⁷	1	Milldale.....	44

¹ Shipping Point: Marvel, Ala. Railroad: Sou. and L&N. This mine shall have the same prices in size groups 1, 2, 4, 6, 10, 15, 16, 17, 18 and 26 on all price tables as listed for mine with Index Number 7.

² This mine shall have the same price in size group 12 on all price tables as listed in size group 13 for mine with Index Number 9.

³ Shipping Point: Hayden, Ala. Railroad: L&N. These mines shall have a price in size group 13 on all price tables, 10¢ under the price listed in size group 12 for mine with Index Number 76.

⁴ Shipping Point: McComb, Ala. Railroad: C of Ga. This mine shall have the same prices in size groups 12 and 13 on all price tables as listed for mine with Index Number 71.

⁵ This mine shall have the same prices in size groups 17, 18 and 26 on all price tables as listed for mine with Index Number 69.

⁶ Shipping Point: Brookside, Ala. Railroad: Southern. These mines shall have the same prices in size groups 1, 2, 13 and 23 on all price tables as listed for mine with Index Number 71.

⁷ These mines shall have a price in size groups 7 and 22 on all price tables, 10¢ under the prices listed in size groups 6 and 17, respectively, for mine with Index Number 71.

⁸ Shipping Point: Coalburg, Ala. Railroad: Southern. This mine shall have a price in size groups 13 and 22 on all price tables, 10¢ under the prices listed in size groups 12 and 17, respectively, for mine with Index Number 31.

⁹ Shipping Point: Birmingham, Ala. Railroad: Sou. and L&N (Team tracks). This mine shall have the same prices in size groups 1, 4 and 7 on all price tables as listed for mine with Index Number 20.

¹⁰ This mine shall have a price in size group 9 on all price tables, 20¢ under the price listed for mine with Index Number 20.

¹¹ This mine shall have the same price in size group 10 on all price tables as listed for mine with Index Number 9.

¹² This mine shall have a price in size group 13 on all price tables, 10¢ higher than the price listed for mine with Index Number 9.

¹³ This mine shall have the same prices in size groups 17 and 18 on all price tables as listed for mine with Index Number 7.

¹⁴ This mine shall have a price in size groups 22 and 23 on all price tables, 10¢ under the prices listed for mine with Index Number 20.

¹⁵ Shipping Point: Brookwood, Ala. Railroad: L&N. These mines shall have the same price in size group 13 on all price tables as listed for mine with Index Number 14.

¹⁶ These mines shall have the same prices in size groups 22 and 23 on all price tables as listed in size groups 17 and 18, respectively, for mine with Index Number 17.

¹ By a communication of January 14, 1942, the original petitioner indicated that it concurred in this departure from the relief sought in its petition.

§ 333.7 Special prices—(a) Prices for shipment to all railroads and for exclusive use of railroads—Supplement R-II

[Prices f. o. b. mines for shipment to all railroads and for the exclusive use of railroads]

Mine index No.	Code member	Mine	Sub-district	Seam	Freight origin group
1420	BIBB COUNTY, ALA. Roden Coal Co.	Marvel #1	1	Clark	160
JEFFERSON COUNTY, ALA.					
761	Cardwell, W. M.	Cardwell	1	Harkness	90
1419	Center Coal Co.	Eulamo #1 Pratt	1	Pratt	50
1418	Jordan & Fields (A. M. Jordan)	Eulamo #1 Nickel Plate	1	Nickel Plate	50
303		Cook #	1	Mary Lee	50
TUSCALOOSA COUNTY, ALA.					
557	Watson, W. L. (Watson Coal Co.)	Watson	1	Milldale	44
WALKER COUNTY, ALA.					
1407	Ensor Coal Co. (J. H. Ensor)	Ensor	1	Mary Lee	101
1417	Mammoth Coal Mining Co. (Amos Reid)	Mammoth	1	Mary Lee	110
1413	Guthrie & Ellis (Burvin Guthrie)	Guthrie & Ellis	1	Mary Lee	101
681	McBride, John F.	Cooley #4	1	Black Creek	80
902	Musgrove, Arthur	Martin	1	Black Creek	110
81	New Hope Coal Co. (B. F. Key)	New Hope	1	Pratt	120
1278	Styles, B. F.	Styles	1	Corona	120
1437	Tucker Coal Co. (S. C. Tucker)	Gas Light #3	1	Corona	120
1573	Wilson & Huddleston (E. S. Wilson)	Wilson #1	1	Mary Lee	80
1431	Wilson & Huddleston (E. S. Wilson)	Wilson #3	1	Mary Lee	60
TUSCALOOSA COUNTY, ALA.					
1425	Twin Seam Mining Co.	Kellerman	1	Brookwood	180
1445	Twin Seam Mining Co.	Kellerman	1	Milldale	180

¹ This mine shall have the same prices for all sizes customarily furnished railroads for Locomotive Fuel on price tables as listed for mine with Index Number 7. (See § 333.7 (a) in Minimum Price Schedule.)
² This mine shall have the same prices for all sizes customarily furnished railroads for Locomotive Fuel on price tables as listed for mines with Index Numbers 41 and 57. (See § 333.7 (a) in Minimum Price Schedule.)
³ These mines shall have the same prices for all sizes customarily furnished railroads for Locomotive Fuel on price tables as listed for mines with Index Numbers 1, 2, 3, etc. (See § 333.7 (a) in Minimum Price Schedule.)
⁴ All of the above mines shall have the same prices for all sizes customarily furnished railroads for Locomotive Fuel on price tables as listed for mines with Index Numbers 1, 2, 3, etc. (See § 333.7 (a) in Minimum Price Schedule No. 1.)
⁵ These mines shall have the same prices for all sizes customarily furnished railroads for Locomotive Fuel on price tables as listed for mine with Index Number 40. (See § 333.7 (a) in Minimum Price Schedule.)

§ 333.7 Special prices—(c) Prices for shipment by railroad, applicable to all coal sold for steamship vessel fuel subject to price instructions and exceptions]

[Prices f. o. b. mines for shipment by railroad, applicable to all coal sold for steamship vessel fuel subject to price instructions and exceptions]

Mine index No.	Code member	Mine	Sub-district	Seam	Freight origin group
1420	BIBB COUNTY, ALA. Roden Coal Co.	Marvel #3	1	Clark	160
JEFFERSON COUNTY, ALA.					
1419	Center Coal Co.	Eulamo #1 Pratt	1	Pratt	50
1418	Center Coal Co.	Eulamo #1 Nickel Plate	1	Nickel Plate	50

¹ This mine shall have the same prices on price table as set forth in § 333.7 (c) in Minimum Price Schedule for District No. 13 as shown for mine with Index Number 7.
² These mines shall have the same prices on price table as set forth in § 333.7 (c) in Minimum Price Schedule for District No. 13 as shown for mine with Index Number 7.

§ 333.6 General prices—Supplement R-I—Continued

Mine index No.	Code member	Mine	Sub-district	Seam	Freight origin group
TUSCALOOSA COUNTY, ALA.—CON.					
1425	Twin Seam Mining Co.	Kellerman	1	Brookwood	180
1445	Twin Seam Mining Co.	Kellerman	1	Milldale	180
WALKER COUNTY, ALA.					
1407	Ensor Coal Co. (J. H. Ensor)	Ensor	1	Mary Lee	101
1001	Ganey, S. A.	Empty Pocket	1	Black Creek	101
1413	Guthrie & Ellis (Burvin Guthrie)	Guthrie & Ellis	1	Mary Lee	101
1417	Mammoth Coal Mining Co. (Amos Reid)	Mammoth	1	Mary Lee	110
581	McBride, John F.	Cooley #4	1	Black Creek	80
902	Musgrove, Arthur	Martin	1	Black Creek	110
1278	Styles, B. F.	Styles	1	Corona	120
1437	Tucker Coal Co. (S. C. Tucker)	Gas Light #3	1	Corona	120
1350	Wildeman & Sons	Wildeman #1	1	Black Creek	101
1431	Wilson & Huddleston (E. S. Wilson)	Wilson #3	1	Mary Lee	50

¹ Shipping Point: Fox, Ala. Railroad: GM&O.
 This mine shall have the same prices in size groups 13, 19, 20, 21 and 22 on all price tables as listed for mine with Index Number 40.

This mine shall have the same price in size group 23 on all price tables as listed in size group 18 for mine with Index Number 31.

² Shipping Point: Fox, Ala. Railroad: GM&O.

This mine shall have the same price in size group 13 on all price tables as listed for mine with Index Number 9.

This mine shall have the same price in size group 19 on all price tables as listed in size group 15 for mine with Index Number 17.

This mine shall have the same prices in size groups 20, 21, 22 and 23 on all price tables as listed in size groups 15, 16, 17 and 18, respectively, for mine with Index Number 17.

³ Shipping Point: Cordova, Ala. Railroad: SL&SF.
 This mine shall have a price in size group 13 on all price tables, 10¢ under the price listed in size group 12 for mine with Index Number 31.

⁴ Shipping Point: Carbon Hill, Ala. Railroad: SL&SF.
 This mine shall have the same prices in size groups 1 and 13 on all price tables as listed for mine with Index Number 14.

This mine shall have the same prices in size groups 22 and 23 on all price tables, 10¢ under the price listed in size groups 17 and 18, respectively, for mine with Index Number 14.

⁵ Shipping Point: Hilliard, Ala. Railroad: SL&SF.
 This mine shall have a price in size group 13 on all price tables, 10¢ under the price listed in size group 12 for mine with Index Number 31.

⁶ Shipping Point: Mammoth, Ala. Railroad: Southern.
 This mine shall have the same prices in size groups 1, 2 and 24 on all price tables as listed for mine with Index Number 31.

This mine shall have a price in size groups 7, 13, 19, 20, 21, 22 and 23 on all price tables, 10¢ under the prices listed in size groups 6, 12, 14, 15, 16, 17 and 18, respectively, for mine with Index Number 31.

⁷ Shipping Point: Rosemary Switch, Ala. Railroad: SL&SF.
 This mine shall have the same prices in size groups 1, 2, 4, 6, 17, 18 and 28 on all price tables as listed for mine with Index Number 22.

This mine shall have a price in size group 7 on all price tables, 10¢ under the price listed in size group 6 for mine with Index Number 22.

This mine shall have a price in size, group 12 on all price tables, 20¢ higher than the price listed in size group 13 for mine with Index Number 14.

This mine shall have a price in size group 13 on all price tables, 10¢ higher than the price listed for mine with Index Number 14.

This mine shall have a price in size group 15 on all price tables, 10¢ higher than the price listed in size group 13 for mine with Index Number 14.

⁸ Shipping Point: Nauvoo, Ala. Railroad: Southern.
 This mine shall have the same price in size group 20 on all price tables as listed in size group 13 for mine with Index Number 14.

This mine shall have the same prices in size groups 1, 2, 4 and 13 on all price tables as listed for mine with Index Number 14.

This mine shall have a price in size groups 22 and 23 on all price tables, 10¢ under the prices listed in size groups 17 and 18, respectively, for mine with Index Number 14.

⁹ Shipping Point: Oakman, Ala. Railroad: Southern.
 These mines shall have the same prices in size groups 1 and 2 on all price tables as listed for mine with Index Number 56.

These mines shall have a price in size group 7 on all price tables, 10¢ under the price listed in size group 6 for mine with Index Number 56.

These mines shall have a price in size groups 13, 22 and 23 on all price tables, 10¢ under the prices listed in size groups 12, 17 and 18, respectively, for mine with Index Number 56.

¹⁰ Shipping Point: Carbon Hill, Ala. Railroad: SL&SF.
 This mine shall have the same price in size group 13 on all price tables as listed for mine with Index Number 14.

¹¹ Shipping Point: Burwell, Ala. Railroad: Southern.
 This mine shall have a price in size groups 13, 19 and 23 on all price tables, 10¢ under the prices listed in size groups 12, 14 and 18, respectively, for mine with Index Number 31.

§ 333.34 General prices in cents per net ton for shipment into all market areas—Supplement T-I—Continued

Code member index	Mine	Sub-district	Mine Index No.	Seam	Lump: Over 2' egg; top size over 6'	Egg: Top size 6' and under	Lump: 2' and under	Nut: Top size 3' and bottom size over 1/2"		Chestnut: Top size 3' and bottom size 1/2" and under		Chestnut: Top size 1 1/2" and bottom size 1/2" and under		Run of mine; modified R/M	Results: 3' and under		Screens: 1 1/2" and under		Industrial coal	
								Wash	Raw	Wash	Raw	Wash	Raw		Wash	Raw	Wash	Raw		
																				6
ALABAMA—Continued																				
TUSCALOOSA COUNTY																				
Northport Coal Co. (W. M. Holt)	Durie	2	1285	Riverview	355	340	340	345	325	310	300	285	285	285	275	265	265	265	290	285
Twin Seam Mining Co.	Kellerman	2	1425	Milldale	355	340	340	345	325	310	300	285	285	285	275	265	265	265	290	285
Wade, H. F.	Wade #2	2	1426	Milldale	355	340	340	345	325	310	300	285	285	285	275	265	265	265	290	285
WALKER COUNTY																				
Dill, A.	Aycock #3	2	1427	Black Creek	385	360	360	365	315	315	306	310	300	290	275	265	265	265	290	285
Drummond, Henry	Henry	2	1399	Black Creek	385	360	360	365	315	315	306	310	300	290	275	265	265	265	290	285
Mammoth Coal Mining Co. (Amos Reid)	Mammoth	2	1417	Mary Lee	275	275	275	295	290	290	270	270	260	260	235	235	235	235	260	225
Tucker Coal Co. (S. C. Tucker)	Gas Light #3	2	1437	Corona	325	325	325	325	310	310	305	305	290	290	270	265	265	265	290	285
Wilson & Huddleston (E. S. Wilson)	Wilson #2	2	1431	Mary Lee	275	275	275	295	290	290	270	270	260	260	235	235	235	235	260	225
Guthrie & Ellis (Burvin Guthrie)	Guthrie & Ellis	2	1413	Mary Lee	275	275	275	295	290	290	270	270	260	260	235	235	235	235	260	225
WINSTON COUNTY																				
Thomas, W. L.	Dodd #4	2	1416	Black Creek	385	360	360	365	315	315	306	310	300	290	275	265	265	265	290	285

§ 333.43 General prices in cents per net ton for shipment into all market areas—Supplement T-II

Code member index	Mine	Sub-district	Mine Index No.	Seam	Lump: over 2' egg; top size over 6'	Egg: top size 6' and under	Lump: 2' and under	Nut: top size 2' and under, bottom size 1' and under	Stoker: top size 1 1/2" and under, bottom size 1/2" and under	Stoker: top size 3/4" and under, bottom size 3/4" and under	Straight and modified M/R	Results: 6" and under	Results: 4" and under	Screens: 2" and under	Screens: 1 1/2" and under	Screens: 3/4" and under	Screens: 3/4" and under	Screens: 3/4" and under	Industrial coal															
																				1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
TENNESSEE—GEORGIA																																		
MARION COUNTY, TENN.																																		
Wallace, C. M.	C. M. W. #2	4	1430	Etna	315	305	305	290	280	245	235	235	235	235	225	215	206	175	260															
Piney Creek Collieries (W. E. Brinkerhoff)	Piney Creek Collieries	4	1370	Nelson #2	325	315	315	270	260	255	235	235	235	235	205	195	190	155	270															
Sequatichie Coal Co.	Sequatichie	4	731	Sowance	315	315	315	260	250	245	235	235	235	235	205	205	200	165	265															
WARREN COUNTY, TENN.																																		
Cumberland Mt. Coal Co.	Cumberland Mt. Coal Co.	4	1494	Bon Air	315	315	315	260	250	245	235	235	235	235	200	195	190	155	265															

*For sizes included see Size Group Table, § 333.42.
 **Indicates previously classified these size groups.

[F. R. Doc. 42-091, Filed, February 3, 1942; 11:13 a. m.]

[Docket No. A-1288]

PART 342—MINIMUM PRICE SCHEDULE,
DISTRICT NO. 22

ORDER GRANTING TEMPORARY RELIEF AND CONDITIONALLY PROVIDING FOR FINAL RELIEF IN THE MATTER OF THE PETITION OF DISTRICT BOARD NO. 22 FOR THE ESTABLISHMENT OF PRICE CLASSIFICATIONS AND MINIMUM PRICES FOR THE COALS, FOR SHIPMENT BY TRUCK, PRODUCED AT THE BOSTON COULEE MINE IN SUBDISTRICT 7 AND FOR THE ESTABLISHMENT OF A MINIMUM PRICE OF \$1.00 PER TON FOR THE COALS IN SIZE GROUP 10, FOR SHIPMENT BY TRUCK, PRODUCED AT ALL OF THE MINES OF CODE MEMBERS LOCATED IN SUBDISTRICT 3 IN DISTRICT NO. 22

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals, for shipment by truck, produced at the Boston Coulee Mine of code member Pribyl & Cirbus in Subdistrict 7 and of a

Size group-----	1	2	3	4	5	6	7	8	9	11	12
Prices-----	400	375	375	350	350	325	300	225	150	100	80

and (2) for the coals in Size Group 10, for shipment by truck, produced at all of the mines of code members located in Subdistrict 3 in District No. 22 the minimum price of \$1.00 per net ton f. o. b. the transportation facilities at the mines.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

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

Dated: February 3, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-1062; Filed, February 4, 1942; 11:59 a. m.]

[Docket No. A-1287]

PART 343—MINIMUM PRICE SCHEDULE,
DISTRICT NO. 23

ORDER GRANTING TEMPORARY RELIEF AND CONDITIONALLY PROVIDING FOR FINAL RELIEF IN THE MATTER OF THE PETITION OF DISTRICT BOARD NO. 23 FOR THE ESTABLISHMENT OF PRICE CLASSIFICATIONS AND MINIMUM PRICES FOR THE COALS OF THE

minimum price of \$1.00 per ton for the coals in Size Group 10, for shipment by truck, produced at all of the mines of code members located in Subdistrict 3 in District No. 22.

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith § 342.21 (General prices) in the Schedule of Effective Minimum Prices for District No. 22 for Truck Shipment is supplemented to include (1) for the coals, for shipment by truck, produced at the Boston Coulee Mine (Mine Index No. 304) of code member Pribyl & Cirbus located in Cascade County, Montana in Subdistrict 7 in District No. 22, the following minimum prices f. o. b. the mine in cents per net ton:

FRANKLIN GEM MINE OPERATED BY CODE MEMBER FRANKLIN GEM COAL CO. AND LOCATED IN SUBDISTRICT G IN DISTRICT NO. 23

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals produced at the Franklin Gem Mine op-

erated by code member Franklin Gem Coal Co. and located in Subdistrict G in District No. 23.

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith § 343.5 (General prices; minimum prices for shipment via rail transportation) and § 343.21 (General prices) in the Schedule of Effective Minimum Prices for District No. 23 For All Shipments Except Truck and For Truck Shipments are supplemented to include, for the coals produced at the Franklin Gem Mine (Mine Index No. 162) of code member Franklin Gem Coal Co., located in King County, Washington, with rail shipping point at Black Diamond, Washington, on the Pacific Coast Railroad in Freight Origin Group No. 12 in Subdistrict Price Group G in District No. 23, minimum prices in cents per net ton f. o. b. the transportation facilities at the mine, as follows:

For Shipment Via Rail Transportation

§ 343.5 General prices; minimum prices for shipment via rail transportation. The minimum prices set forth in § 343.5 (General prices; minimum prices for shipment via rail transportation) in the Schedule, as amended, for all mines in Subdistrict "G" Cumberland except for the Durham Mine and the Hyde Mine for shipments into all market areas.

For Truck Shipments

§ 343.21 General prices.

Size group-----	2	3	4	5	8	9	10	11	12	14	16	19	21	23	24
Price-----	490	490	450	450	450	450	400	400	375	360	350	375	325	315	200

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

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

Dated: February 3, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-1061; Filed, February 4, 1942; 12:00 m.]

TITLE 32—NATIONAL DEFENSE

CHAPTER IX—WAR PRODUCTION BOARD

SUBCHAPTER B—DIVISION OF INDUSTRY OPERATIONS

PART 949—CHROMIUM

Amendment No. 2 to General Preference Order M-18-a¹ to Conserve the Supply and Direct the Distribution of Chromium

Section 949.2 (General Preference Order M-18-a), issued November 28, 1941, as heretofore amended on January 13, 1942, is hereby further amended to read as follows:

16 F.R. 6142; 7 F.R. 251.

Whereas it is found that the increasing national defense requirements, including the need for adequate reserves occasioned by the uncertainty of future shipments from abroad, of chromium (as hereinafter defined) have created a shortage in the supply of chromium for defense, for private account, and for export, and it is necessary in the public interest and to promote the defense of the United States to supplement by further measures the action heretofore taken to conserve the supply and direct the distribution thereof;

Now, therefore, it is hereby ordered, That:

§ 949.2 *General Preference Order M-18-a*—(a) *Definitions*. For the purposes of this order:

(1) "Chromium" means and includes:

(i) Chromium ores or concentrates;

(ii) The element chromium in pure form, ferrochromium, chrom-x, chrome briquettes, and other combinations of the element chromium with other elements in semi-manufactured or manufactured form, commercially suitable for use in the manufacture of steel or for other metallurgical purposes;

(iii) All chemical combinations having chromium as an essential and recognizable component;

(iv) Those products containing chromium known commercially as refractories or refractory materials;

(v) All scrap or secondary material containing chromium as defined in (i), (ii), and (iii) above.

(2) "Producer" means any person who mines or otherwise produces natural materials containing recoverable quantities of chromium.

(3) "Processor" means any person who uses ores or concentrates for the manufacture of, or converts them into chromium chemicals, chromium refractories, or metallurgical forms of chromium.

(4) "Dealer" means any person who procures chromium either by importing or from domestic sources for sale without change in form, whether or not such person receives title to or physical delivery of the material, and includes selling agents, warehousemen, and brokers.

(b) *Applicability of Priorities Regulation No. 1*. This order and all transactions affected thereby are subject to the provisions of Priorities Regulation No. 1, (Part 944), as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(c) *Limitation on use of ore in chromium chemicals*. Unless otherwise ordered by the Director of Industry Operations, the aggregate chromium oxide content of ore which may be used by any processor in the manufacture of chromium chemicals during any calendar month shall be limited to 1/12 of the aggregate weight of such oxide content used in the manufacture of the total quantity of chromium chemicals deliv-

ered by such processor during the period from July 1, 1940 through June 30, 1941.

(d) *Restrictions on melting and directions for deliveries*. Hereafter no person shall melt any chromium except as specifically authorized by the Director of Industry Operations. The Director will from time to time specifically direct the quantities in which chromium may be melted for particular purposes by any person, and the manner and quantities in which deliveries shall be made to particular persons or for particular uses. Such directions will be made to insure the satisfaction of all defense requirements of the United States, both direct and indirect, and they may be made in the discretion of the Director of Industry Operations without regard to any preference ratings assigned to particular contracts or purchase orders. The Director of Industry Operations may also take into consideration the possible dislocation of labor, and the necessity of keeping a plant in operation so that it may be able to fulfill defense orders and essential civilian requirements. In making any deliveries of chromium with respect to which no specific directions have been issued by the Director of Industry Operations, each producer, processor, and dealer must give preference to defense orders as required by the provisions of Priorities Regulation No. 1, as amended from time to time, and must be governed by any preference ratings assigned to particular contracts or purchase orders.

(e) *Application for chromium*. Unless otherwise ordered by the Director of Industry Operations, no processor or dealer shall make delivery of chromium, and no person shall accept such delivery unless, not later than the 20th day of the month next preceding the month in which delivery is to be made, or at such other time as the War Production Board may determine, the person seeking such delivery shall have filed with the processor or dealer an application in the form prescribed by the Chromium Branch of the War Production Board, and shall have filed at the same time with the War Production Board a copy of such application. If the chromium for which application is made is in any of the forms specified in paragraph (a) (1) (ii) above, the person seeking delivery shall also file with the War Production Board, together with the copy of such application, a report on Form PD-53a or such other form as may be from time to time prescribed by the War Production Board. The Director of Industry Operations, in his discretion, from time to time, may issue specific directions exempting particular customers or classes of customers from the provisions of this paragraph (e) on the basis of the limited character of their requirements for chromium.

(f) *Violations or false statements*. Any person who wilfully violates any provision of this order, or who by any act or omission falsifies records to be kept or information to be furnished pursuant to this order, may be prohibited

from receiving further deliveries of any material subject to allocation, and such further action may be taken as is deemed appropriate, including a recommendation for prosecution under section 35 (A) of the Criminal Code (18 U.S.C. 80).

(g) *Communications to War Production Board*. All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to the Chromium Branch, War Production Board, Social Security Building, Washington, D. C., Reference: M-18-a.

(h) *General Preference Order M-18 revoked*. General Preference Order M-18, issued by the Director of Priorities July 7, 1941, as amended August 22, 1941, is hereby revoked.

(i) *Effective dates*. This order shall take effect immediately upon its issuance, and unless sooner terminated by direction of the Director of Industry Operations, shall expire on the 30th day of June 1942. (P.D. Reg. 1, amended Dec. 23, 1941, 6 F.R. 6680; W.P.B. Reg. 1, Jan. 26, 1942, 7 F.R. 561; E.O. 9024, Jan. 16, 1942, 7 F.R. 329; E.O. 9040, Jan. 24, 1942, 7 F.R. 527; sec. 2 (a), Public, No. 671, 76th Congress, Third Session, as amended by Public No. 89, 77th Congress, First Session)

Issued this 4th day of February 1942.

J. S. KNOWLSON,

Director of Industry Operations.

[F. R. Doc. 42-1032; Filed, February 4, 1942; 10:23 a. m.]

PART 981—PASSENGER AUTOMOBILES

Supplementary General Limitation Order L-2-h Authorizing the Production of Ambulance Chassis by General Motors Corporation, Cadillac Motor Car Division, during January 1942

§ 981.9 *Supplementary General Limitation Order L-2-h*. Notwithstanding the provisions of § 981.6 (*Supplementary General Limitation Order L-2-e*) [Amendment No. 1] General Motors Corporation, Cadillac Motor Car Division, may produce during the period ending January 31, 1942, seven hundred nineteen (719) commercial long-wheel base ambulance chassis for distribution to builders of ambulance bodies, by them to be mounted with ambulance bodies only.

This Order shall take effect immediately. (P.D. Reg. 1, amended December 23, 1941, 6 F.R. 6680; W.P.B. Reg. 1, Jan. 26, 1942, 7 F.R. 561, E.O. 9024, Jan. 16, 1942, 7 F.R. 329; E.O. 9040, Jan. 24, 1942, 7 F.R. 527; sec. 2 (a), Public, No. 671, 76th Congress, Third Session, as amended by Public, No. 89, 77th Congress, First Session.)

Issued this 31st day of January 1942.

J. S. KNOWLSON,

Director of Industry Operations.

[F. R. Doc. 42-1028; Filed, February 3, 1942; 3:39 p. m.]

PART 1010—SUSPENSION ORDERS

Suspension Order No. S-10

Acme Aluminum Foundry Company of Canton, Ohio, is a foundry and fabricator of primary, secondary, and scrap aluminum, and is subject to the provisions of General Preference Order M-1, and Supplementary Order M-1-a. During the months of September and October, the company delivered 78,000 pounds of aluminum castings on non-defense orders which were not approved by the Director of Priorities and some of which were specifically disapproved. The company also violated the provisions of the Aluminum Orders in failing to require all of its customers to file with it a sworn statement covering their inventories and orders placed with other producers.

Because of the scarcity and critical importance of aluminum, these violations of General Preference Order M-1 and Supplementary Order M-1-a have resulted in the diversion of secondary aluminum from primary defense needs to non-essential uses. In view of the foregoing facts,

It is hereby ordered:

§ 1010.10 *Suspension order S-10.* (a) During the period in which this Order shall be in effect, Acme Aluminum Foundry Company of Canton, Ohio, its successors and assigns, shall accept no deliveries, from any source, of primary aluminum, secondary aluminum, aluminum scrap or alloys of which aluminum constitutes the major part, except as the Director of Industry Operations shall specifically direct.

(b) During the period in which this Order shall be in effect, Acme Aluminum Foundry Company of Canton, Ohio, its successors and assigns, shall accept no purchase orders, and enter into no contracts or commitments, for delivery by it of primary aluminum, secondary aluminum, aluminum scrap, alloys of which aluminum constitutes the major part, or aluminum products, except as the Director of Industry Operations shall specifically direct.

(c) During the period in which this Order shall be in effect, Acme Aluminum Foundry Company of Canton, Ohio, its successors and assigns, shall make no deliveries of primary aluminum, secondary aluminum, aluminum scrap, alloys of which aluminum constitutes the major part, or aluminum products, except as the Director of Industry Operations shall specifically direct.

(d) During the period in which this Order shall be in effect, no person shall deliver to or receive from Acme Aluminum Foundry Company any primary aluminum, secondary aluminum, aluminum scrap or alloys of which aluminum constitutes the major part or any aluminum product, except as specifically authorized by the Director of Industry Operations.

(e) This Order shall take effect immediately and, unless sooner terminated by the Director of Industry Operations, shall expire at midnight of April 3, 1942. (P.D. Reg. 1, amended December 23, 1941, 6 F.R. 6680; W.P.B. Reg. 1, Jan. 26, 1942,

7 F.R. 561; E.O. 9024, Jan. 16, 1942, 7 F.R. 329; E.O. 9040, Jan. 24, 1942, 7 F.R. 527; sec. 2 (a), Public, No. 671, 76th Congress, Third Session, as amended by Public, No. 89, 77th Congress, First Session)

Issued this 3d day of February 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42-1027; Filed, February 3, 1942;
3:39 p. m.]

PART 1024—PIGS' AND HOGS' BRISTLES

Amendment to General Preference Order M-51¹ To Conserve the Supply and Direct the Distribution of Pigs' and Hogs' Bristles

Section 1024.1 (*General Preference Order M-51*) is hereby amended as follows:

Paragraph (b) is amended to read as follows:

(b) *Additional definitions.* (1) "Bristles" shall mean pigs' or hogs' bristles of the lengths of three inches and longer, whether new or reclaimed, and whether imported or not.

(2) "Dealer" shall mean any person engaged in the business of purchasing and reselling bristles without changing the condition thereof.

(3) "Dresser" or "Reclaimer" shall mean any person grading, sorting, dressing or reclaiming bristles and reselling to a Dealer or to other Dressers or Reclaimers.

Paragraph (c) is amended to read as follows:

(c) *Restrictions of deliveries to defense orders.* No person shall hereafter sell, deliver, or transfer title to any person other than the Defense Supplies Corporation, and no person, other than the Defense Supplies Corporation, shall buy, take title to, or accept delivery of bristles except upon defense orders, unless specifically authorized by the Director of Industry Operations: *Provided, however,* That sales, deliveries, and transfers of title to bristles may be made to the person importing the same, either directly or through an agent, if each person participating in the transaction shall report to the War Production Board on or before the close of the next business day following such participation, the amount, origin, size, color, number of cases, and identifying case number of any bristles so sold, delivered, or to which title has been so transferred, and the extent of such person's participation in such transaction: *Provided, further,* That nothing contained in this paragraph shall prevent purchases or sales, deliveries or acceptance of deliveries, or transfers of title to fill orders in accordance with the provisions of paragraphs (d) (3) (i), (d), (3) (ii), (d) (3) (iv).

Paragraph (d) is amended by adding thereto the following subparagraphs:

(d) *Restrictions on use of bristles.*

(3) Notwithstanding the foregoing, nothing in this Order shall prevent:

¹ 6 F.R. 6425.

(i) Dressers or reclaimers from removing bristles from cases, performing their operations thereon, and reselling, delivering, or transferring title to them upon orders placed by dealers for inventory.

(ii) Dealers from placing orders for delivery of, buying, taking title to, or accepting delivery of bristles for inventory.

(iii) The opening of cases for inspection as to quality and condition, verification of sizes and weights, and removal of the bristles of less than three inches in length.

(iv) The opening of cases, removal of bristles, deliveries and transfers of title, upon orders for shoe bristles.

(v) The manufacture, subject to the limitations of paragraph (h), of the minimum commercially practicable amounts of finished products when the manufacture of additional amounts of such products is required in order to fill defense orders: *Provided, however,* Any excess so manufactured shall be sold only on defense orders.

(4) Notwithstanding the foregoing, nothing in this Order shall prevent the placing of orders by any manufacturer of products containing bristles for such amounts of bristles as may be necessary to enable him to manufacture, subject to the limitation in paragraph (h), for inventory, in the calendar month in which such bristles so ordered are to be delivered, an amount of his finished products not in excess of the amount of his finished products delivered by him upon defense orders in the preceding calendar month. Such finished products should be only of the kind and type suitable for delivery upon such defense orders. Each such order shall have endorsed thereon a certificate from such manufacturer, signed by a person authorized to sign for such manufacturer, and in substantially the following form:

The undersigned manufacturer hereby certifies to his vendor and to the War Production Board, subject to the provisions of section 35 (A) of the United States Criminal Code, that the bristles to be delivered on this purchase order are required by the undersigned to enable the undersigned to manufacture, for inventory, an amount of the undersigned's finished products in the calendar month in which such bristles are to be delivered not in excess of the amount of the undersigned's finished products delivered upon defense orders in the preceding calendar month.

(Company)
By -----
(Signature of Authorized Person)

(Title)

Date -----

The undersigned hereby certifies to the above vendor and to the War Production Board, subject to the provisions of section 35 (A) of the United States Criminal Code, that the above certificate was signed by the undersigned on behalf of and by authority of the said manufacturer.

(Individual)
Date -----

Said Order is amended by adding thereto the following paragraph (h):

(h) *Conservation of bristles.* No person shall after February 7, 1942, use any

bristles in the manufacture of any product, unless such Person shall use in the manufacture of such product a bristle mixture containing not less than 45% of material other than pigs' or hogs' bristles of any length whatever: *Provided, however,* That nothing herein contained shall prevent the use of an all bristle mixture in any product where such mixture is specifically required by specifications adopted by United States War or Navy Departments, and such product is specifically required by such Department to be made for it in accordance with such specifications.

Effective date. This Amendment shall take effect immediately. (P.D. Reg. 1, amended December 23, 1941, 6 F.R. 6680; W.P.B. Reg. 1, Jan. 26, 1942, 7 F.R. 561, E.O. 9024, Jan. 16, 1942, 7 F.R. 329; E.O. 9040, Jan. 24, 1942, 7 F.R. 527; sec. 2 (a), Public, No. 671, 76th Congress, Third Session, as amended by Public, No. 89, 77th Congress, First Session)

Issued this 4th day of February 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42-1033; Filed, February 4, 1942;
10:18 a. m.]

CHAPTER XI—OFFICE OF PRICE ADMINISTRATION

PART 1306—IRON AND STEEL

AMENDMENT NO. 1 TO PRICE SCHEDULE NO. 41—STEEL CASTINGS

Section 1306.106 is hereby revoked, §§ 1306.100, 1306.101, 1306.102, 1306.104, 1306.108 and 1306.109 are hereby amended and four new §§ 1306.111, 1306.112, 1306.113 and 1306.114 are added, as set forth below:

§ 1306.100 *Maximum prices for steel castings and railroad specialties.* (a) On and after December 1, 1941, regardless of the terms of any contract of sale or purchase, or other commitment and, except as provided in subdivision (b) of this section: (1) no producer shall sell, offer to sell, or deliver steel castings of any description whatever, and no person shall buy, offer to buy, or accept delivery of such steel castings, at prices higher than the maximum prices set forth in Appendix A hereof, incorporated herein as § 1306.112; (2) no producer shall sell, offer to sell, or deliver railroad specialties, and no person shall buy, offer to buy, or accept delivery of railroad specialties, at prices higher than the maximum prices set forth in Appendix B hereof, incorporated herein as § 1306.113.

(b) To the extent that a contract for the sale of steel castings or railroad specialties does not require that deliveries thereunder be made until six or more months after the date said contract was entered into, a producer may sell or offer to sell steel castings or railroad specialties at prices not in excess of the prices issued by the Office of Price Administration applicable and in effect at the time deliveries are made.

§ 1306.101 *Less than maximum prices.* Lower prices than those set forth in Appendix A and Appendix B may be charged, paid, or offered.

§ 1306.102 *Castings produced on and after February 5, 1942, for which no*

price has been filed by the producer. Any producer undertaking to make a steel casting, (1) which is part of an order totaling \$100 or more, and (2) for which steel castings, or a steel casting substantially similar in specification and design, no price has been filed by such producer pursuant to § 1306.104 of this Schedule, shall file with the Office of Price Administration a request for approval of the proposed selling price for such steel casting on Form 141:4: *Provided,* That where the selling price is not higher than the price listed in the Comprehensive Report under the head of "Schedule Reference" for such steel casting, or for a steel casting substantially similar in design and specification, such producer shall not be required to request approval thereof. Copies of Form 141:4 may be obtained at the Office of Price Administration.

§ 1306.104 *Filing of prices.* On or before December 1, 1941, every producer shall file with the Office of Price Administration the exact and complete price or prices, extras, terms, and conditions, classified by size and quantity, in accordance with which he sold or would have sold on July 15, 1941, steel castings subject to Appendix A: *Provided,* That where such price or prices coincide with the "Comprehensive Report" the producer need only signify that such prices do coincide with those listed in said Comprehensive Report: *And, provided further,* That filing as above is not necessary with respect to obsolete steel castings.

§ 1306.108 *Modification of the Schedule.* Persons complaining of hardship or inequity in the operation of this Schedule may apply to the Office of Price Administration for approval of any modification thereof or exception therefrom: *Provided,* That no application under this section will be considered unless the person making such application shall have, to the satisfaction of the Office of Price Administration, complied with this Schedule. A list of persons to whom exceptions have been granted pursuant to this Section appears in Appendix C.

§ 1306.109 *Definitions.* When used in this Schedule, the term:

(a) "Person" includes an individual, partnership, association, corporation, or other business entity, as well as executors, trustees in bankruptcy, receivers, and other court-appointed officers;

(b) "Producer" means a person engaged in the production of steel castings or railroad specialties;

(c) "Steel castings" means any cast steel object that has been initially cast into the desired shape of the finished product, and which contains less than 1.70% carbon and/or alloys totaling not more than 8%, and includes miscellaneous steel castings and steel castings produced for railroads other than the railroad specialties defined in subdivision (d) below;

(d) "Railroad specialties" means any or all side frames, bolsters, yokes and couplers of the types and sizes listed in Appendix B hereto;

(e) "Comprehensive Report" means the "Comprehensive Report of Price Lists of Miscellaneous Castings," published by the Steel Founders' Society of America,

for the third quarter of 1941, beginning July 1, 1941.

(f) "Base territory" means the States of New York, Pennsylvania, New Jersey, Delaware, Maryland, Virginia, West Virginia, Kentucky, Ohio, Indiana, Illinois, and Michigan (southern peninsula only) and also including Bettendorf, Iowa, and St. Charles and St. Louis, Missouri.

§ 1306.111 *Geographical application.* The provisions of this Schedule shall apply only to sales, offers to sell, or deliveries of steel castings and railroad specialties moving within, into, or out of one of the 48 states or the District of Columbia.

§ 1306.112 *Appendix A—(a) Maximum prices for steel castings made by a producer on or before July 15, 1941.* The maximum prices of a producer for steel castings made by such producer on or before July 15, 1941, or for steel castings substantially similar in design and specification to any steel castings made by such producer on or before July 15, 1941, shall be the prices, together with the extras, terms, and conditions, which were or would have been charged by such producer on July 15, 1941, and which are filed with the Office of Price Administration in accordance with § 1306.104.

(b) *Maximum prices for other steel castings.* The maximum price of a producer for a steel casting of any description whatever made by such producer on or after February 5, 1942, and for which steel castings, or a steel casting substantially similar in design and specification, such producer has not filed a price with the Office of Price Administration in accordance with § 1306.104, (1) shall be the price, together with the extras, terms and conditions, listed in the Comprehensive Report under the head of "Schedule Reference" for steel castings of the same design and specification, or substantially similar design and specification, or (2), if substantially different in design and specification from any steel casting listed in the Comprehensive Report, shall be the price for such producer which is approved in writing by the Office of Price Administration within six days after Form 141:4 for such steel casting is received by the Office of Price Administration pursuant to § 1306.102 of this Schedule: *Provided,* That if said selling price is neither approved or disapproved within six days from the date of receipt of Form 141:4 by the Office of Price Administration, the proposed selling price shall be deemed approved for such producer.

§ 1306.113 *Appendix B; maximum prices for railroad specialties.* The maximum prices, including extras, for railroad specialties delivered to the purchaser in base territory shall be as set forth hereinafter. The maximum prices for railroad specialties, including extras, delivered outside of base territory shall be as hereinafter set forth: *Provided,* That there may be added to such prices charges for freight at rates prevailing at time of delivery with the customary differential allowed to the purchaser, computed by methods used by the producer on October 1, 1941.

TABLE I—Side frames—Continued
FULL OUSHION PEDESTAL TYPE FRAMES

[Prices include the furnishing and application of pedestal and spring bar wear plates,

Size of journal	1 to 10 pieces	11 to 49 pieces	50 to 99 pieces	100 to 199 pieces	200 to 399 pieces	400 or more pieces
5" x 9"	\$97.15 ea.	\$91.60 ea.	\$88.80 ea.	\$86.05 ea.	\$83.50 ea.	\$75.15 ea.
5½" x 10"	101.70 ea.	96.00 ea.	93.15 ea.	90.30 ea.	87.65 ea.	79.10 ea.

STABILIZED PEDESTAL TYPE FRAMES

Size of journal	1 to 10 pieces	11 to 49 pieces	50 to 99 pieces	100 to 199 pieces	200 to 399 pieces	400 or more pieces
5½" x 10"	\$76.70	\$72.65 ea.	\$70.40 ea.	\$67.70	\$65.70 ea.	\$59.40 ea.

(2) Furnished in "High Tensile" Steel
INTEGRAL BOX FRAMES

[Arranged to take A. A. R. flat spring malleable iron lids or pressed steel lids, but not including the furnishing or application of such lids]

Size journal	Normal weight	1 to 10 pieces	11 to 49 pieces	50 to 99 pieces	100 to 199 pieces	200 to 399 pieces	400 or more pieces
4½" x 8"	410#	\$50.60 ea.	\$47.90 ea.	\$46.60 ea.	\$45.35 ea.	\$43.90 ea.	\$39.95 ea.
5" x 9"	450	54.70 ea.	51.85 ea.	50.40 ea.	48.95 ea.	47.35 ea.	43.00 ea.
5½" x 10"	510	60.30 ea.	57.05 ea.	55.25 ea.	53.65 ea.	52.00 ea.	47.00 ea.
6" x 11"	600	73.25 ea.	68.95 ea.	66.80 ea.	64.60 ea.	62.65 ea.	56.15 ea.

TABLE II—Bolsters

(1) Furnished in Grade "B" Steel

ELSEY TRUCK BOLSTERS

Size of journal	1 to 10 pieces	11 to 49 pieces	50 to 99 pieces	100 to 199 pieces	200 or more pieces
5½" x 10"	\$78.30 ea.	\$73.95 ea.	\$71.35 ea.	\$68.50 ea.	\$59.00 ea.
6" x 11"	109.95 ea.	102.95 ea.	99.15 ea.	92.35 ea.	81.50 ea.

BARRETT WHITEHEAD TRUCK BOLSTERS

Size of journal	1 to 10 pieces	11 to 49 pieces	50 to 99 pieces	100 to 199 pieces	200 or more pieces
5½" x 10"	\$90.15 ea.	\$84.60 ea.	\$81.60 ea.	\$76.05 ea.	\$67.50 ea.
6" x 11"	105.95 ea.	99.30 ea.	95.65 ea.	89.20 ea.	78.90 ea.
6½" x 12"	125.05 ea.	117.20 ea.	112.95 ea.	105.35 ea.	93.20 ea.

TABLE I—Side frames
(1) Furnished in Grade "B" Steel

ANDREWS FRAMES

Size of journal	Normal weight	1 to 10 pieces	11 to 49 pieces	50 to 99 pieces	100 to 199 pieces	200 to 399 pieces	400 or more pieces
4½" x 8"	375#	\$34.95 ea.	\$33.00 ea.	\$32.05 ea.	\$31.10 ea.	\$30.15 ea.	\$27.10 ea.
5" x 9"	435	37.50 ea.	35.45 ea.	34.45 ea.	33.50 ea.	32.20 ea.	29.00 ea.
5½" x 10"	500	41.35 ea.	38.85 ea.	37.55 ea.	36.55 ea.	35.10 ea.	31.00 ea.
6" x 11"	630	51.80 ea.	48.90 ea.	47.30 ea.	45.55 ea.	43.95 ea.	38.45 ea.
6½" x 12"	700	58.00 ea.	54.35 ea.	52.90 ea.	51.00 ea.	49.20 ea.	44.25 ea.

PEDESTAL FRAMES

Size of journal	Normal weight	1 to 10 pieces	11 to 49 pieces	50 to 99 pieces	100 to 199 pieces	200 to 399 pieces	400 or more pieces
4½" x 8"	410#	\$38.55 ea.	\$34.65 ea.	\$33.65 ea.	\$32.70 ea.	\$31.75 ea.	\$28.70 ea.
5" x 9"	470	39.60 ea.	37.50 ea.	36.55 ea.	35.25 ea.	34.30 ea.	31.10 ea.
5½" x 10"	540	53.75 ea.	41.35 ea.	40.25 ea.	38.95 ea.	37.50 ea.	34.00 ea.
6" x 11"	690	54.65 ea.	51.80 ea.	50.20 ea.	48.25 ea.	46.80 ea.	42.30 ea.
6½" x 12"	810	64.15 ea.	60.90 ea.	59.00 ea.	56.75 ea.	55.00 ea.	49.70 ea.

INTEGRAL BOX FRAMES

[Arranged to take A. A. R. Flat Spring Malleable Iron Lids or Pressed Steel Lids, but not including the furnishing or application of such lids]

Size of journal	Normal weight	1 to 10 pieces	11 to 49 pieces	50 to 99 pieces	100 to 199 pieces	200 to 399 pieces	400 or more pieces
4½" x 8"	475#	\$45.05 ea.	\$42.65 ea.	\$41.50 ea.	\$40.40 ea.	\$39.10 ea.	\$35.60 ea.
5" x 9"	530	48.75 ea.	46.15 ea.	44.90 ea.	43.60 ea.	42.15 ea.	38.30 ea.
5½" x 10"	610	53.70 ea.	50.80 ea.	49.20 ea.	47.75 ea.	46.35 ea.	41.85 ea.
6" x 11"	750	65.25 ea.	61.40 ea.	59.50 ea.	57.55 ea.	55.80 ea.	50.00 ea.
6½" x 12"	900	79.05 ea.	74.40 ea.	72.15 ea.	70.05 ea.	67.95 ea.	61.25 ea.

TENDERS

Size of journal	Andrews frames	Pedestal frames	Integral box frames
4½" x 8" and 5" x 9" journals	\$42.65 ea.	\$47.45 ea.	\$64.15 ea.
5" x 9" journals	57.05 ea.	61.90 ea.	86.55 ea.
6" x 11" journals	61.90 ea.	66.35 ea.	93.00 ea.
6½" x 12" journals	70.55 ea.	76.95 ea.	109.00 ea.

ELSEY INTEGRAL BOX FRAMES

Size of journal	1 to 10 pieces	11 to 49 pieces	50 to 99 pieces	100 to 199 pieces	200 to 399 pieces	400 or more pieces
5½" x 10"	\$89.20 ea.	\$84.10 ea.	\$81.35 ea.	\$79.00 ea.	\$76.65 ea.	\$69.00 ea.
6" x 11"	95.40 ea.	90.00 ea.	87.30 ea.	84.60 ea.	82.10 ea.	74.00 ea.

TABLE III—Couplers—Continued
MISCELLANEOUS REPAIR PARTS

Description	Price each	Description	Price each
Swivel Butt.....			
Swivel Butt Pin.....	\$8.10	—Clevis with Pin.....	\$0.30
Swivel Butt Pin Retaining Cotter.....	1.80	—Link for M. C. B. Chain.....	0.15
	0.15	—M. C. B. Chain, complete.....	0.70

FRACTIONAL SIZE COUPLERS AND REPAIR PARTS

3/4 Size Top Operating Freight or Tender Couplers without uncoupling chains, Price.....	\$19.50 each.
3/4 Size Bottom or Side Operating Freight or Tender Couplers, without uncoupling chains, Price.....	21.00 each.
3/4 Size Top, Side, or Bottom Operating Passenger Couplers, without uncoupling chains, Price.....	23.25 each.
3/4 Size Coupler Pockets, Price.....	\$.15 per lb.
3/4 Size Knuckles (8" face).....	\$4.25 each
3/4 Size Lifters.....	1.40 each
3/4 Size Locks.....	1.65 each—Type "A".....
3/4 Size Knuckle Pins.....	.50 each—Type "S" \$.90 each.
3/4 Size Slide Operating Levers.....	2.50 each—Type "S" .90 each.
3/4 Size Bottom Lifters.....	.75 each
3/4 Size Top Operating Freight or Tender Couplers, without uncoupling chains, Price.....	\$13.00 each.
3/4 Size Coupler Pockets, Price.....	\$3.75 each
3/4 Size Knuckles (5 1/2" face).....	.45 each—Type "S" \$1.05 each.
3/4 Size Lifters.....	1.50 each—Type "S" .80 each.
3/4 Size Locks.....	.50 each
3/4 Size Knuckle Pins.....	.55 each
3/4 Size Knuckle Opener.....	.55 each

(2) Furnished in High Tensile Steel

A. A. R. STANDARD AND ALTERNATE STANDARD COUPLERS AND ATTACHMENTS

A. A. R. Type "E" top or rotary operating couplers, 12" heads with shanks not more than 2 1/4" long, fitted with 1 1/2" knuckles.....	\$67.25 per pr.
6 1/2" x 8" shanks with 6 1/2" butt ends.....	\$67.25 per pr.
A. A. R. Alternate Standard Swivel Butts, complete with pins, pin retainers and cotters, when furnished for assembly with couplers having swiveling shanks:	
In lots of 1 to 99 pcs. incl.....	\$19.65 per pr.
In lots of 100 to 199 pcs. incl.....	\$18.40 per pr.
In lots of 200 pieces or more.....	\$17.15 per pr.
A. A. R. Alternate Standard Swivel Yokes, complete with pins and cotters, when furnished for assembly with couplers having swiveling shanks:	
In lots of 1 to 99 pcs. incl.....	\$42.15 per pr.
In lots of 100 to 199 pcs. incl.....	\$40.25 per pr.
In lots of 200 pieces or more.....	\$38.40 per pr.
A. A. R. STANDARD Tight Lock Coupler Complete—T-80.....	\$111.25 each.
Radial seat and pins.....	
A. A. R. STANDARD Light Lock Coupler Complete—L-80.....	\$112.50 each.
Radial seat and pins.....	
C. S. C.—1.....	\$62.30 each.
C. S. C.—2.....	\$62.30 each.
C. S. C.—3.....	\$64.80 each.
C. S. C.—4.....	\$71.05 each.
C. S. C.—5.....	\$78.05 each.

TABLE III—Couplers—Continued
For determining prices of various other combinations of incomplete Type "E" Couplers, the following amounts for missing parts should be deducted.

Description	Type "E" freight couplers	Type "E" locomotive couplers
Less Knuckles.....	\$8.72 per pair	\$4.36 each
Less Lifters.....	.92 per pair	.46 each
Less Knuckle Throwers.....	.98 per pair	.49 each
Less Locks.....	2.14 per pair	1.07 each
Less Knuckle Pins.....	.54 per pair	.27 each

MCB

MCB Coupler Bodies Only, without fittings:	
5 x 5 x 6 1/2".....	\$20.60 each
5 x 7 x 6 1/2".....	20.60 each

For determining prices of various other combinations of incomplete MCB Couplers, the following amounts for missing parts should be deducted.

Description	Price each
Less Knuckles.....	\$3.05 each
Less Lifters.....	.90 each
Less Locks.....	.68 each
Less Knuckle Pins.....	.27 each

A. A. R. TYPE "E" COUPLER REPAIR PARTS

Description	Price each	Description	Price each
—Knuckle, 11" face.....	\$6.70	—Rotary Lock Lift Assembly, Double.....	\$0.85
—Knuckle Lock.....	1.65	—Rotary Lock Lift Assembly, Pass. Type.....	0.95
—Knuckle Thrower.....	0.75	—Number 1.....	0.75
—Top Lock Lifter Assembly.....	0.70	—Rotary Lock Lift Assembly, Pass. Type.....	
—Top Lock Lifter Hole Cap.....	0.07	—Number 2.....	
—Rotary Lock Lift Assembly, Single.....	0.70		

A. A. R. TYPE "D" COUPLER REPAIR PARTS

Description	Price each	Description	Price each
—Knuckle, 11" face (Type "E").....	\$6.70	—Bottom Lock Lift Assembly.....	\$0.70
—Knuckle Lock.....	1.60	—Top Lock Lifter Hole Cap.....	0.07
—Knuckle Thrower.....	0.70	—Single Rotor.....	0.35
—Top Lock Lifter.....	0.45	—Double Rotor.....	0.35
—Bottom Lock Lift Toggle.....	0.20	—Rotary Lock Lifter Arm.....	0.30
—Bottom Lock Lift Lever.....	0.50	—Rotary Lock Lifter Toggle.....	0.17
—Bottom Lock Lifter Rivet.....	0.05		

M. C. B. COUPLER REPAIR PARTS

Description	Price each	Description	Price each
—Knuckle, 9" face.....	\$4.70	—Top Lifter.....	\$1.40
—Knuckle, 11" face.....	4.95	—Side Lift Knuckle Opener.....	1.05
—Lock, Top or Side Lift.....	1.05	—Side Lift Lever.....	2.00

TABLE IV—Yokes

(1) Furnished in grade "B" Steel

CAST STEEL DRAFT YOKES FOR FREIGHT CARS, LOCOMOTIVE TENDERS, AND PASSENGER EQUIPMENT

	1-99 pieces (per pr.)	100-199 pieces (per pr.)	200 pieces or more (per pr.)
Schedule A—Covering Standard and Conventional Yokes of A. A. R. Grade "B" Steel, Horizontal key type for Freight cars and Locomotive tenders, providing:			
Friction Draft Gear Pocket, 9 1/4" x 24 3/4" for use with 6" x 1 1/2" key, and standard 6" x 8" "D" and 6 1/4" x 8" "E" Couplers, and meeting A. A. R. test requirements.	\$32.20	\$29.70	\$26.00
Friction Draft Gear Pocket, 9 1/4" x 24 3/4" for use with 5" x 1 1/8" key, and 5" x 7" couplers (or 5" x 5")	29.80	27.60	24.10
Tandem Spring Draft Gear Pockets, with 8 1/4" or 8 3/4" between straps x 11", for use with 6" x 1 1/8" key or 5" x 1 1/8" key	32.90	30.30	26.20
Friction Draft Gear Pocket, 9 1/4" x 18 3/4", for use with 6" x 1 1/8" key, and standard 6" x 8" "D" and 6 1/4" x 8" "E" Couplers and meeting A. A. R. test requirements.	29.80	27.60	24.10
Friction Draft Gear Pocket, 9 1/4" x 18 3/4", for use with 5" x 1 1/8" key and 5" x 7" couplers (or 5" x 5")	26.60	24.60	21.40
Schedule "B"—Covering Non-Standard Vertical Key Type Freight Car Yokes of A. A. R. Grade "B" Steel including Vertical Keys and Retainers complete or keyless Type including locking castings, binders or other retainers complete, providing—			
Friction Draft Gear Pocket, 9 1/4" x 24 3/4", having 5" x 1" straps and designed with or without ties for any size coupler butt.	32.70	30.70	27.30
Friction Draft Gear Pocket, 9 1/4" x 18 3/4", having 5" x 1" straps and designed with or without ties for any size coupler butt.	29.10	26.30	25.50
Tandem Spring Draft Gear Pockets, 10 1/4" to 11 1/4" long separated by 5" to 5 1/2" filler blocks, having 5" x 1" straps and designed with or without ties for any size coupler butt.	36.00	33.80	30.10
Schedule C—Covering all other Freight Car Yokes of A. A. R. Grade "B" Steel, Horizontal Key Type; Vertical Key Type; with retainers but without Keys; or Keyless Type of Yoke without locking Castings, binders, or other retainers.	(per lb.) 9.10¢	(per lb.) 8.40¢	(per lb.) 7.35¢
NOTE: For Vertical Keys, not exceeding 25 lbs. each for use with vertical key yokes, or for locking castings, binders, or other retainers for use with Keyless type of Yokes, add to prices on Schedule C—\$4.00 per Pair.			
Schedule "D"—Covering all other Tender Yokes of A. A. R. Grade "B" Steel.	10.30¢	9.50¢	8.40¢

(2) Furnished in high tensile steel

Schedule "E"—Covering Yokes of A. A. R. Grade "B" Steel for Passenger Equipment.	10.30¢	9.50¢	8.40¢
Schedule "F"—Covering Standard and Conventional Light Weight Yokes of High Tensile Steel. Horizontal Key Type for Freight Cars and Locomotive Tenders providing Friction Draft Gear Pocket 9 1/4" x 24 3/4", for use with 6" x 1 1/2" key and standard 6" x 8" "D" and 6 1/4" x 8" "E" Couplers, and meeting A. A. R. test requirements for high tensile steel.	\$34.90	\$32.00	\$27.50

§ 1306.114 Appendix C; exceptions.

The following persons have been granted an exception under § 1306.108 of this Schedule.

Utility Electric Steel Foundry, 3334 East Slausen Avenue, Vernon, California, by letter dated December 10, 1941;

Oklahoma Steel Castings Co., Tulsa, Okla., by letter dated December 18, 1941;

Duncan Foundry & Machine Works, Inc., Alton, Ill., by letter dated December 23, 1941;

Gunite Foundries Corporation, Rockford, Ill., by letter dated January 8, 1942.

All action taken in reliance upon the terms of any exception shall be at the risk of the person acting until and unless official notification has been received by such person pursuant to such application. Persons interested may secure the terms of an exception on application to the Office of Price Administration.

(E.O. Nos. 8734, 8875, 6 F.R. 1917, 4483.)

This amendment No. 1 shall become effective February 3, 1942. Issued this 2d day of February 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-1017; Filed, February 3, 1942; 12:02 p. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

PRICE SCHEDULE NO. 87—SCRAP RUBBER

Correction

The third sentence of the second paragraph in the first column on page 658 of the issue for Tuesday, February 3, 1942 should read: "The Office of Price Administration has determined, after investigation and conference with both the producing and consuming elements of the industry, that price advances beyond the maximum prices set forth herein are not necessary to produce the maximum supply of scrap rubber."

The headnote of footnote 5 in the second column on page 659 should read: "No. 1A Truck Peelings."

The first sentence of § 1315.1260 (f) (2) in the first column on page 660 should read: "Group A consists of mixed or beadless passenger or truck tires as listed in Table I."

PART 1330—CONTAINERS

AMENDMENT NO. 1 TO PRICE SCHEDULE NO. 55—SECOND HAND BAGS¹

Sections 1330.51, 1330.54 and 1330.59 are hereby amended to read as follows:

¹ 6 F.R. 6456.

§ 1330.51 Maximum prices for second hand bags. (a) On and after February 16, 1942, regardless of the terms of any contract of sale or purchase, or other commitment, no person shall sell, offer to sell, deliver or transfer second hand bags at prices higher than the maximum prices established herein: *Provided*, That contracts entered into prior to February 16, 1942, at prices in compliance with this Schedule¹ (Sections 1330.51 to 1330.60, inclusive) prior to that date, may be carried out at the contract price: *Provided further*, That deliveries under any contracts executed between February 3, 1942, and February 15, 1942, inclusive, must be completed on or before March 30, 1942.

(b) (1) The maximum price shall be the highest price for which the seller sold, contracted to sell, or delivered during the period between October 1 and October 15, 1941, inclusive, second hand bags of the same type, size, weight, grade, and comparable quantity, to a purchaser of the same general class.

(2) If during the period between October 1, 1941 and October 15, 1941, inclusive, no such sale, contract to sell or delivery was made, the maximum price shall be a price in line with the maximum prices for related or similar types, sizes, weights, and grades of second hand bags determined in accordance with subparagraph (1) above, to purchasers of the same general class.

(c) Applications for permission to sell second hand bags at prices higher than the maximum prices determined in accordance with paragraphs (a) and (b) above, may be made by:

(1) Persons who made no sale, contract to sell, or delivery of second hand bags during the period between October 1, 1941 and October 15, 1941, inclusive; or

(2) Persons whose only transactions during the period between October 1, 1941 and October 15, 1941, were deliveries made pursuant to contracts entered into prior to October 1, 1941 at prices substantially below the market prices prevailing during said period:

Provided, That no such application shall be considered unless it contains a sworn statement setting forth:

(i) the facts upon which relief is sought;

(ii) a full description of each type, size, weight and grade of second hand bag which the applicant desires to sell;

(iii) a full statement of the relief sought; and

(iv) if such application is filed pursuant to subparagraph (2) above, a statement of the price or prices at which each such type, size, weight, and grade of second hand bags were last sold or delivered, prior to October 15, 1941, and the dates of such sales or deliveries.

§ 1330.54 Filing of prices. On or before March 10, 1942, every person who, during any single calendar month of 1941, sold more than one thousand second hand bags shall file with the Office of Price Administration, a list of all sales, contracts to sell, and deliveries made during the period between October 1, 1941

and October 15, 1941, inclusive, showing with respect to each sale, contract to sell, or delivery (a) the date thereof; (b) the name and address of the purchaser; (c) the quantity of each type, size, weight, and grade of second hand bags sold, contracted to sell, or delivered; and (d) the price contracted for or received for each type, size, weight and grade of second hand bag.

§ 1330.59 *Definitions.* When used in this Schedule, the term:

(a) "Person" means an individual, partnership, association, corporation, or other business entity.

(b) "Second hand bag" means a container composed of burlap, cotton cloth, jute, gunny cloth, sisal, or other textile material which has been used once or more to package any product and thereafter emptied, and sold for re-use as a container.

(c) "In line with" means having a justifiable price relationship to the prices contracted for, received or obtained during the base period with commensurate increases or decreases to take into account differences in type, size, weight and grade.

(E.O. Nos. 8734, 8875, 6 F.R. 1917, 4483)

This Amendment No. 1 shall become effective February 3, 1942. Issued this 3d day of February 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-1022; Filed, February 3, 1942;
12:58 p. m.]

PART 1336—RADIO, X-RAY, AND COMMUNICATION APPARATUS

PRICE SCHEDULE NO. 83—RADIO RECEIVERS AND PHONOGRAPHS

PRICE SCHEDULE NO. 84—RADIO, RECEIVER AND PHONOGRAPH PARTS

Corrections

The date in the first line of the second column on page 620 of the issue for Saturday, January 31, 1942, should read "February 9, 1942."

The headnote for § 1336.101 (a) should read "Parts sold or offered for sale between July 15, 1941, and October 15, 1941."

PART 1351—FOODS AND FOOD PRODUCTS
AMENDMENT NO. 2—PRICE SCHEDULE NO. 53¹—FATS AND OILS

The preamble and §§ 1351.151 to 1351.158, inclusive, are hereby amended, and renumbered, so that Price Schedule No. 53 shall read as follows:

The outbreak of war has disrupted trade in certain fats and oils with the result that normal price relationships are disturbed and inflationary price increases threaten to develop. Recent speculative activity has added to the danger of serious inflation and price spiral-

¹ 6 F.R. 6409; 7 F.R. 81.

ing and has made it necessary to issue immediately a Schedule establishing maximum prices. The general level of prices prevailing on October 1, 1941, is taken as the basis for the maximum prices established by this Schedule and adjustments upward have been made in order to achieve the normal relationships between fats and oils, and for other relevant factors. Certain fats and oils are covered in other Price Schedules and a few others are not covered.

Should unwarranted price rises occur with respect to these other fats and oils or at stages of distribution not covered by this Schedule, appropriate action will be taken by this office.

Accordingly, under the authority vested in me by Executive Order No. 8734, it is hereby directed that:

§ 1351.151 *Maximum prices for fats and oils.* (a) On and after December 13, 1941, no person shall sell, offer to sell, deliver, or transfer fats or oils at prices higher than the maximum prices, except that contracts entered into prior to December 13, 1941, providing for a higher price than the maximum prices may be carried out at the contract price. The maximum prices shall include commissions and all other charges.

(b) (1) For any kind, grade or quality of fat or oil the maximum price shall be the highest price at which the seller sold such kind of fat or oil of the same grade and quality in a similar amount to a similar purchaser on October 1, 1941, for delivery within sixty days: *Provided*, That in determining the maximum prices for lard the following amounts shall be added to such October 1, 1941, price as follows:

(i) cash lard.....	1.895 cents
(ii) loose lard.....	.675 cents
(iii) leaf lard.....	.49 cents
(iv) steam rendered pork fat....	.79 cents

(2) If the maximum price cannot be determined under paragraph (b) (1), the maximum price shall be the highest price at which the seller sold the same kind of fat or oil of a different grade or quality or in a different amount or to a different type of purchaser on October 1, 1941, for delivery within sixty days, making the necessary adjustments for differences in grade, quality, amount or type of purchaser in accordance with the seller's practice for determining price differentials existing on October 1, 1941: *Provided*, That in determining the maximum prices for lard the following amounts shall be added to such October 1, 1941, price as follows:

(i) cash lard.....	1.895 cents
(ii) loose lard.....	.675 cents
(iii) leaf lard.....	.49 cents
(iv) steam rendered pork fat....	.79 cents

(3) If the maximum price cannot be determined under either paragraph (b) (1) or (b) (2), the maximum price shall be the price at which such kind of fat or oil of the same grade and quality in a similar amount to a similar purchaser was sold in the locality of the seller's shipping point on October 1, 1941, for

delivery within sixty days: *Provided*, That in determining the maximum prices for lard the following amounts shall be added to such October 1, 1941, price as follows:

(i) cash lard.....	1.895 cents
(ii) loose lard.....	.675 cents
(iii) leaf lard.....	.49 cents
(iv) steam rendered pork fat....	.79 cents

(4) If the maximum price cannot be determined under paragraph (b) (1), (b) (2), or (b) (3), the maximum price shall be the price at which such kind of fat or oil of the same grade and quality in a similar amount to a similar purchaser was sold in the nearest market in which such sale was made, making adjustments for the customary differential between the price in such market and the price in the locality of the seller's shipping point: *Provided*, That in determining the maximum prices for lard the following amounts shall be added to such October 1, 1941, price as follows:

(i) cash lard.....	1.895 cents
(ii) loose lard.....	.675 cents
(iii) leaf lard.....	.49 cents
(iv) steam rendered pork fat....	.79 cents

(5) If the maximum price determined under the above paragraphs is less than 111 per cent of the price at which the same kind of fat or oil of the same grade and quality was sold by the seller, or was sold in the locality of the seller's shipping point, or in the nearest market, as the case may be, in a similar amount and to a similar purchaser on November 26, 1941, for delivery within sixty days, the maximum price shall be 11 per cent of such November 26 price.

(c) The above prices shall be the maximum prices for all transactions except for cottonseed oil futures contracts traded on the New York Produce Exchange and on the New Orleans Cotton Exchange and lard futures contracts traded on the Chicago Board of Trade. For such contracts the maximum prices on each exchange shall be the closing bid prices on such exchanges as of October 1, 1941. The maximum prices for futures contracts for months, if any, after September 1942, shall not exceed the futures price for September 1942. The maximum prices for futures contracts, if any, traded in months currently inactive shall not exceed the maximum prices for the last active preceding month.

(d) The maximum prices for both domestic and imported fats and oils determined under paragraph (b) shall include at least the same absorption of transportation and other charges as were or would have been absorbed by the seller on comparable shipments to the same place of destination on October 1, 1941.

(e) The maximum prices established by this Schedule for fats and oils shipped into or out of the United States by ocean transportation shall include the charges prevailing on October 1, 1941, for freight, war risk insurance, and marine insurance connected with such transportation.

Increases in such charges may be added only if such charges have been actually

incurred by the seller on such sale. Decreases in such charges shall be subtracted from the maximum prices established by this Schedule.*

*§§ 1351.151 to 1351.158, inclusive, issued pursuant to the authority contained in Executive Orders Nos. 8734, 8875, 6 F. R. 1917, 4483.

§ 1351.151a *Exempt sales.* Sales of fats and oils products in the finished form, sales of refined fats and oils (except coconut oil) through wholesale and retail channels and directly to the baking, restaurant, hotel and other cooking trades, and sales of lards destined for human consumption without further processing are exempt from the operation of this Schedule.*

§ 1351.152 *Less than maximum prices.* Lower prices than the maximum prices established by this Schedule may be charged, demanded, paid, or offered.*

§ 1351.153 *Evasion.* The price limitations set forth in this Schedule shall not be evaded whether by direct or indirect methods in connection with a purchase, sale, delivery, or transfer of fats or oils, or by way of premium, commission, service, transportation or other charge, or by any other trade understanding, or by making the discounts given or other terms and conditions of sale more onerous to the purchaser than those available or in effect on October 1, 1941, or by any other means.*

§ 1351.154 *Records and reports.* Every person making any sale of fats or oils on and after December 13, 1941, except sales exempted under § 1351.151a, shall keep for inspection by the Office of Price Administration for a period of not less than one year complete and accurate records of each such sale, including the date thereof, the name of the purchaser, the price paid or received, and the grade, quality, and amount sold.

Every person affected by this Schedule shall submit such reports to the Office of Price Administration as it may from time to time require.*

§ 1351.155 *Enforcement.* In the event of refusal or failure to abide by the price limitations, record and report requirements, or other provisions of this Schedule, or in the event of any evasion or attempt to evade the price limitations or other provisions of this Schedule, the Office of Price Administration will invoke all appropriate sanctions at its command, including taking action to see (a) that the Congress and the public are fully informed thereof; (b) that the powers of Government both State and Federal, are fully exerted in order to protect the public interest and the interest of those persons who comply with this Schedule; (c) that full advantage will be taken of the cooperation of the various political subdivisions of state, county, and local governments by calling to the attention of the proper authorities failures to comply with this Schedule which may be regarded as grounds for the revocation of licenses and permits and (d) that the procurement services of the Government are requested to refrain from selling to, or purchasing from, those persons who

fail to comply with this Schedule. Persons who have evidence of the offer, receipt, demand, or payment of prices higher than the maximum prices, or of any evasion or effort to evade the provisions hereof, or of speculation, or manipulation of prices of fats and oils, or of the hoarding or accumulating of unnecessary inventories thereof, are urged to communicate with the Office of Price Administration.*

§ 1351.156 *Modification of the Schedule.* Persons complaining of hardship or inequity in the operation of this Schedule may apply to the Office of Price Administration for approval of any modification thereof, or exception therefrom: *Provided*, That no applications under this section will be considered unless filed by persons complying with this Schedule.*

§ 1351.157 *Definitions.* When used in this Schedule, the term:

(a) "Person" means an individual, partnership, association, corporation, or other business entity.

(b) "Fats and oils" means all of the raw, crude, and refined fats and oils, their by-products, and derivatives, and greases, except linseed oil, peanut oil, soy bean oil, "essential" oils, mineral oils, butter, and cocoa butter.

(c) "Fats and oils products in the finished form" means those products the whole or substantial part of which are manufactured from fats or oils, which are sold for use or consumption without further processing and the manufacturing process of which includes more than filtering, refining, or deodorizing, or splitting, or dividing into component parts, for example, shortening, soap, paint, margarine, salad dressing, and mayonnaise.

(d) "Refined fats and oils" means those fats and oils which have been cleaned, deodorized, or purified by settling, straining, filtering, distilling, treating with chemicals, or by any other means, and which at the conclusion of the refining process do not contain any added substance other than is necessary as a preservative, for example, margarine oil, salad oil, prime summer yellow, and/or bleachable cottonseed oil, oleo oil, and oils used for the technical and protective coating trades.

(e) In the phrase, "similar amount to a similar purchaser," the word "similar" means that amount and that type of purchaser with respect to which the same price did apply or would have applied under the seller's trade practices on October 1, 1941.*

§ 1351.158 *Effective date of this Schedule.* This Schedule shall become effective on December 13, 1941.*

Issued this 3d day of February 1942. This Amendment No. 2, amending the preamble and amending and renumbering §§ 1351.151 to 1351.158, inclusive, shall become effective the 4th day of February 1942.

LEON HENDERSON,
Administrator.

[F.R. Doc. 42-1019; Filed, February 3, 1942; 12:57 p. m.]

PART 1351—FOODS AND FOOD PRODUCTS

PRICE SCHEDULE NO. 91—TEA

Wholesale prices of tea, which had remained fairly stable during the four months previous to the outbreak of war on December 7, 1941, have increased sharply since that date. This increase has occurred in spite of substantial stocks of tea in the United States and continued large imports after the outbreak of war. The primary cause of the price rise has been a speculative markup of inventories by importers and brokers in anticipation of a shortage of shipping space available for tea. Studies made by this Office show that the prices prevailing from October 1 to October 15, 1941, are fair and equitable to producers and consumers and, in view of the actual cost of tea on hand in this country, form a satisfactory basis for trading. The establishment of maximum prices at this level will, therefore, remove unfair speculative profits, achieve price stability, and prevent further unwarranted price increases.

Should unwarranted price rises occur at stages of distribution not covered by this Schedule, appropriate action will be taken by this Office.

Accordingly, under the authority vested in me by Executive Order No. 8734, it is hereby directed that:

§ 1351.251 *Maximum prices for tea.* On and after February 3, 1942, regardless of the terms of any contract of sale or purchase or other commitment, except as provided in Section 1351.254 hereof, no person shall sell, offer to sell, deliver, or transfer tea, and no person shall buy, offer to buy, or accept delivery of tea at prices higher than the maximum prices set forth in Appendix A hereof, incorporated herein as § 1351.261.*

*§§ 1351.251 to 1351.261, inclusive, issued pursuant to authority contained in Executive Orders Nos. 8734, 8875, 6 F.R. 1917, 4483.

§ 1351.252 *Exempt sales.* Sales at retail, sales of less than chest lots, and sales of tea, blended or unblended, in one pound or smaller packages, shall be excepted from the operation of this Schedule.*

§ 1351.253 *Less than maximum prices.* Lower prices than the maximum prices established by this Schedule may be charged, demanded, paid or offered.*

§ 1351.254 *Permission to carry out contracts entered into prior to February 3, 1942.* Any person who, prior to February 3, 1942, has entered into a contract of sale or other firm commitment calling for the delivery or transfer after that date, of tea, at prices higher than the maximum prices established by this Schedule, may make application in a sworn statement to the Office of Price Administration for permission to deliver such tea at its actual cost. Such statement shall certify (a) the name and address of the buyer and seller; (b) the quantity, type and grade of tea involved; (c) the cost of that tea to the applicant; (d) the price contracted for with the buyer; and (e) the delivery date provided for in the contract. Permission will be

granted only when necessary to protect the applicant against loss in the disposition of inventory acquired prior to February 3, 1942 at prices higher than the established maximum prices and held by the applicant on that date. Such application must be filed with the Office of Price Administration on or before February 17, 1942. No permission will be granted, in any case, to make delivery of tea on or after April 1, 1942 at prices higher than the established maximum prices.*

§ 1351.255 *Evasion.* The price limitations set forth in this Schedule shall not be evaded whether by direct or indirect methods in connection with a purchase, sale, delivery, or transfer of tea, or by way of premium, commission, service, transportation or other charge, or by any other trade understanding, or by making the discounts given or other terms and conditions of sale more onerous to the purchaser than those available or in effect on October 1, 1941, or by any other means.*

§ 1351.256 *Records and reports.* (a) All persons who have received deliveries of tea under contracts of sale entered into after October 15, 1941, at prices higher than the maximum prices established by this Schedule, shall report the quantity and cost of such receipts to the Office of Price Administration on or before February 24, 1942.

(b) Every person making purchases or sales of tea on and after February 3, 1942 shall keep for inspection by the Office of Price Administration for a period of not less than one year complete and accurate records thereof, including the name of the purchaser, the date of the contract, the price paid or received, and the type, grade, quality, and amount sold.

(c) Every person affected by this Schedule shall submit such reports to the Office of Price Administration as it may from time to time require.*

§ 1351.257 *Modification of the Schedule.* Persons complaining of hardship or inequity in the operation of this Schedule may apply to the Office of Price Administration for approval of any modification thereof, or exception therefrom: *Provided*, That no applications under this section will be considered unless filed by persons complying with this Schedule.*

§ 1351.258 *Enforcement.* In the event of refusal or failure to abide by the price limitations, record and report requirements, or other provisions of this Schedule, or in the event of any evasion or attempt to evade the price limitations or other provisions of this Schedule, the Office of Price Administration will invoke all appropriate sanctions at its command, including taking action to see (a) that the Congress and the public are fully informed thereof; (b) that the powers of Government both State and Federal, are fully exerted in order to protect the public interest and the interest of those persons who comply with this schedule; (c) that full advantage will be taken of the cooperation of the various political subdivisions of state, county, and local governments by calling to the attention of the proper authorities failures to comply with this Schedule which may be regarded as grounds for the revocation of

licenses and permits; and (d) that the procurement services of the Government are requested to refrain from selling to, or purchasing from, those persons who fail to comply with this Schedule. Persons who have evidence of the offer, receipt, demand, or payment of prices higher than the maximum prices; or of any evasion or effort to evade the provisions hereof, or of speculation, or manipulation of prices of tea, or of the hoarding or accumulating of unnecessary inventories thereof, are urged to communicate with the Office of Price Administration.*

§ 1351.258 *Modification of the Schedule.* Persons complaining of hardship or inequity in the operation of this Schedule may apply to the Office of Price Administration for approval of any modification thereof, or exception therefrom: *Provided*, That no applications under this section will be considered unless filed by persons complying with this Schedule.*

§ 1351.259 *Definitions.* When used in this Schedule the term:

(a) "Person" means an individual, partnership, association, corporation, or other business entity;

(b) "Sales at retail" means sales to the ultimate consumer: *Provided*, That no packer, blender, purchaser for resale, or commercial user shall be deemed to be an ultimate consumer.

(c) "Cost of putting the tea into the warehouse" includes (1) "labor in and out" and (2) warehouse storage charges for "first month."*

§ 1351.260 *Effective date of the Schedule.* This Schedule shall become effective on February 3, 1942.*

§ 1351.261 *Appendix A, Maximum prices for tea.* (a) The maximum prices shall include all commissions and all other charges except that increases in the charges prevailing prior to the opening of business on December 8, 1941, for ocean freight, war risk insurance, and marine insurance may be added to the maximum prices if such charges have been actually incurred by the seller on such sale. Decreases in said charges prevailing prior to the opening of business on December 8, 1941, shall be subtracted from the maximum prices.

(b) The maximum prices for tea shall be those listed below. All maximum prices are subject to three per cent discount for payment within thirty days.

	Cents per pound, ex warehouse New York City		
	Common	Medium	Fine
INDIA			
Broken Orange Pekoe.....	44	48	55
Orange Pekoe.....	44	49	53
Pekoe.....	42	46	52
CEYLON			
Broken Orange Pekoe.....	48	52	62
Orange Pekoe.....	49	52	60
Pekoe.....	47	51	60
JAVA			
Broken Orange Pekoe.....	42	44	53
Orange Pekoe.....	43	46	53
Pekoe.....	43	45	52

The maximum prices for tea imported from any other country or for grades of better or inferior quality not named shall be the prices at which sales of those grades were made in New York on October 15, 1941, or in the event no such sale was made on that date, the prices at which sales of the corresponding grades were last made prior to October 15, 1941, in that city.

(c) The maximum prices quoted above are ex warehouse New York City. The maximum prices ex warehouse any other port of entry shall be determined by adding to or subtracting from the New York City price the difference between the actual cost of ocean freight, war risk insurance, and marine insurance from the port of origin to New York City and the actual cost of ocean freight, war risk insurance, and marine insurance from the port of origin to such other port of entry.

(d) For any tea sold ex dock rather than ex warehouse New York City or any other port of entry, the cost of "putting the tea into the warehouse" as defined in § 1351.259 shall be subtracted from the ex warehouse price by the sellers.

(e) The delivered price for tea shall in no case exceed the maximum prices specified above plus actual transportation charges incurred from the dock or warehouse at New York City or other port of entry to the place of destination.*

Issued this 3d day of February 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-1020; Filed, February 3, 1942; 12:57 p. m.]

PART 1351—FOODS AND FOOD PRODUCTS
PRICE SCHEDULE NO. 92—SOY BEAN AND
PEANUT OILS

The outbreak of war has led to sharp increases in the prices of soy bean and peanut oils. The recent heavy buying movement has added to the danger of inflationary price spiralling and makes it necessary that steps be taken to control prices of these important oils. The prices of soy bean oil specified herein are based on levels prevailing on October 1, 1941, with upward adjustment to conform with prices of competing oils and for other relevant factors. Peanut oil prices are based on levels prevailing October 1, 1941.

Should unwarranted price rises occur at stages of distribution not covered by this Schedule appropriate action will be taken by this Office. Accordingly, under the authority vested in me by Executive Order No. 8734, it is hereby directed that:

§ 1351.301 *Maximum prices for soy bean and peanut oils.* (a) On and after February 4, 1942, no person shall sell, offer to sell, deliver, or transfer soy bean or peanut oils at prices higher than the maximum prices, except that contracts entered into prior to December 13, 1941 providing for a higher price than the maximum prices may be carried out at the contract price. The maximum prices shall include commissions and all other charges.

(b) (1) For any kind, grade, or quality of soy bean or peanut oil the maximum price shall be the highest price at which the seller sold such kind of soy bean or peanut oil of the same grade and quality in a similar amount to a similar purchaser on October 1, 1941, for delivery within sixty days: *Provided*, That in determining the maximum prices for soy bean oil three-fourths of one cent per pound shall be added to such October 1, 1941 price.

(2) If the maximum price cannot be determined under paragraph (b) (1), the maximum price shall be the highest price at which the seller sold the same kind of soy bean or peanut oil of a different grade or quality or in a different amount or to a different type of purchaser on October 1, 1941, for delivery within sixty days, making the necessary adjustments for differences in grade, quality, amount or type of purchaser in accordance with the seller's practice for determining price differentials existing on October 1, 1941: *Provided*, That in determining the maximum price for soy bean oil three-fourths of one cent per pound shall be added to such October 1, 1941 price.

(3) If the maximum price cannot be determined under either paragraph (b) (1) or (b) (2), the maximum price shall be the price at which such kind of soy bean or peanut oil of the same grade or quality in a similar amount to a similar purchaser was sold in the locality of the seller's shipping point on October 1, 1941, for delivery within sixty days: *Provided*, That in determining the maximum prices for soy bean oil three-fourths of one cent per pound shall be added to such October 1, 1941 price.

(4) If the maximum price cannot be determined under paragraph (b) (1), (b) (2) or (b) (3), the maximum price shall be the price at which such kind of soy bean or peanut oil of the same grade and quality in a similar amount to a similar purchaser was sold in the nearest market in which such sale was made, making adjustments for the customary differential between the price in such market and the price in the locality of the seller's shipping point.

(5) If the maximum price determined under the above subparagraphs is less than 111 percent of the price at which the same kind of soy bean or peanut oil of the same grade and quality was sold by the seller or was sold in the locality of the seller's shipping point, or in the nearest market as the case may be, in a similar amount and to a similar purchaser on November 26, 1941, for delivery within sixty days, the maximum price shall be 111 percent of such November 26 price.

(c) The maximum price for both domestic and imported soy bean and peanut oils determined under paragraph (b) shall include at least the same absorption of transportation and other charges as were or would have been absorbed by the seller on comparable shipments to the same place of destination on October 1, 1941.

(d) The maximum prices established by this Schedule for soy bean and peanut

oils shipped into or out of the United States by ocean transportation shall include the charges prevailing on October 1, 1941, for freight, war risk insurance, and marine insurance connected with such transportation. Increases in such charges may be added only if such charges have been actually incurred by the seller on such sales. Decreases in such charges shall be subtracted from the maximum prices established by this Schedule.*

* §§ 1351.301 to 1351.309, inclusive, issued pursuant to the authority contained in Executive Orders Nos. 8734, 8875, 6 F.R. 1917, 4483.

§ 1351.302 *Exempt sales.* Sales of refined soy bean or peanut oils through wholesale and retail channels and directly to the baking, restaurant, hotel, and other cooking trades are exempt from the operation of this Schedule.*

§ 1351.303 *Less than maximum prices.* Lower prices than the maximum prices established by this Schedule may be charged, demanded, paid or offered.*

§ 1351.304 *Evasion.* The price limitations set forth in this Schedule shall not be evaded whether by direct or indirect methods in connection with a purchase, sale, delivery, or transfer of soy bean or peanut oils, or by way of premium, commission, service, transportation or other charge, or by any other trade understanding, or by making the discounts given or other terms and conditions of sale more onerous to the purchaser than those available or in effect on October 1, 1941, or by any other means.*

§ 1351.305 *Records and reports.* Every person making any sale of soy bean or peanut oils on and after December 13, 1941, except sales exempted under § 1351.151a, shall keep for inspection by the Office of Price Administration for a period of not less than one year complete and accurate records of each such sale, including the date thereof, the name of the purchaser, the price paid or received, and the grade, quality and amount sold.

Every person affected by this Schedule shall submit such reports to the Office of Price Administration as it may from time to time require.*

§ 1351.306 *Enforcement.* In the event of refusal or failure to abide by the price limitations, record and report requirements, or other provisions of this Schedule, or in the event of any evasion or attempt to evade the price limitations or other provisions of this Schedule, the Office of Price Administration will invoke all appropriate sanctions at its command, including taking action to see (a) that the Congress and the public are fully informed thereof; (b) that the powers of Government both State and Federal, are fully exerted in order to protect the public interest and the interest of those persons who comply with this Schedule; (c) that full advantage will be taken of the cooperation of the various political subdivisions of state, county, and local governments by calling to the attention of the proper authorities failures to comply with this Schedule which may be regarded as grounds for the revocation of

licenses and permits; and (d) that the procurement services of the Government are requested to refrain from selling to, or purchasing from, those persons who fail to comply with this Schedule. Persons who have evidence of the offer, receipt, demand, or payment of prices higher than the maximum prices, or of any evasion or effort to evade the provisions hereof, or of speculation, or manipulation of prices of soy bean or peanut oils, or of the hoarding or accumulating of unnecessary inventories thereof, are urged to communicate with the Office of Price Administration.*

§ 1351.307 *Modification of the Schedule.* Persons complaining of hardship or inequity in the operation of this Schedule may apply to the Office of Price Administration for approval of any modification thereof, or exception therefrom: *Provided*, That no applications under this section will be considered unless filed by persons complying with this Schedule.*

§ 1351.308 *Definitions.* When used in this Schedule, the term:

(a) "Person" means an individual, partnership, association, corporation, or other business entity.

(b) "Soybean and peanut oils" means crude and refined oils, their by-products and derivatives;

(c) "Refined soybean or peanut oils" means those soybean and peanut oils which have been cleaned, deodorized, or purified by settling, straining, filtering, distilling, treating with chemicals, or by any other means, and which at the conclusion of the refining process do not contain any added substance other than is necessary as a preservative, for example, salad oil, and oils used for the technical and protective coating trades.

(d) In the phrase "similar amount to a similar purchaser," the word "similar" means that amount and that type of purchaser with respect to which the same price did apply or would have applied under the seller's trade practices on October 1, 1941.*

§ 1351.309 *Effective date of the Schedule.* This Schedule shall become effective on February 4, 1942.*

Issued this 3d day of February 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-1021; Filed, February 3, 1942; 12:58 p. m.]

PART 1312—LUMBER AND LUMBER PRODUCTS

PRICE SCHEDULE NO. 94—WESTERN PINE LUMBER

This Schedule brings under a price ceiling Western pine lumber, the largest remaining section of the softwood lumber industry not previously regulated by a Price Schedule. It covers ponderosa pine, Idaho white pine, and sugar pine, which species account for approximately 21% of the total lumber production in the United States. Ponderosa, Idaho white, and sugar pine lumber are used in the manufacture of pine millwork and boxes, and for interior and exterior con-

struction purposes, with a considerable degree of interchangeability. The lower grades of ponderosa and sugar pine are particularly well-adapted to the box market. In addition to the civilian demand for these woods both for building construction and for container purposes, particularly containers for agricultural products and canned goods, government buying, for use in cantonment construction purposes, as well as for boxes for armament and other war purposes, is becoming an increasingly important factor. A study of the Western pine industry reveals that the increase in prices has markedly outstripped cost advances, and that a ceiling is necessary in order to halt the upward trend in prices. The prices set herein generally follow the levels existing during the period October 1-15, 1941, and have been found to be high enough to bring out the full volume of production called for by present needs. However, the schedule is subject to revision if further study of the profits in this industry shows the need for a decrease or other change in the schedule prices.

Accordingly, under the authority vested in me by Executive Order No. 8734, it is hereby directed that:

§ 1312.251 *Maximum prices for western pine lumber.* On and after February 15, 1942, regardless of the terms of any contract of sale or purchase, or other commitment, no person shall sell, offer to sell, deliver, or transfer, for domestic or export use, any Western pine lumber, where the shipment originates at the mill rather than at a distribution yard, at prices higher than the maximum prices set forth in Appendices A, B and C hereof, incorporated herein as §§ 1312.260, 1312.261, and 1312.262 respectively: *Provided*, That in the case of retail sales as defined in § 1312.257 (f), where the shipment originates at a mill rather than at a distribution yard, a mark-up of not more than \$3.50 per 1,000 feet board measure may be added to the maximum prices set forth herein.*

* §§ 1312.251 to 1312.262, inclusive, issued pursuant to authority contained in E.O. Nos. 8734, 8875, 6 F.R. 1917, 4483.

§ 1312.252 *Less than maximum prices.* Lower prices than those set forth in Appendices A, B and C may be charged, demanded, paid, or offered.*

§ 1312.253 *Evasion.* The price limitations set forth in this Schedule shall not be evaded whether by direct or indirect methods in connection with a purchase, sale, delivery or transfer of Western pine lumber, alone or in conjunction with any other material; or by way of any commission, service, transportation, or other charge, or discount, premium, or other privilege; or by tying-agreement, or other trade understanding; or by making terms or conditions of sale more onerous than those in effect or available to the purchaser on October 1, 1941, or by unnecessarily routing lumber through a distribution yard; or by unreasonably refusing to ship except in specified lengths or widths, or under other circumstances entitling the seller to a premium; or by charges for delivery which exceed the actual cost to the seller of

such delivery except as provided in § 1312.258 hereof; or by falsely or wrongly grading or invoicing lumber; or by grading as a special grade lumber which can be graded as a standard grade; or by any other means.*

§ 1312.254 *Records and reports.* Every person who, during any calendar month, shall sell, deliver or transfer 34,000 pounds or more of Western pine lumber for shipment originating at the mill, shall keep for inspection by the Office of Price Administration, for a period of not less than one year, complete and accurate records of every sale, delivery or transfer of such lumber made during such month, showing the date thereof, the name and address of the buyer, the prices, and the quantities and grades sold.

Persons affected by this Schedule shall submit such reports to the Office of Price Administration as it may from time to time require.*

§ 1312.255 *Enforcement.* In the event of refusal or failure to abide by the price limitations, record requirements, or other provisions of this Schedule, or in the event of any evasion or attempt to evade the price limitations or other provisions of this Schedule, the Office of Price Administration will invoke all appropriate sanctions at its command, including taking action to see (a) that the Congress and the public are fully informed thereof, (b) that the powers of the Government are fully exerted in order to protect the public interest and the interests of those persons who comply with this Schedule, and (c) that the procurement services of the Government are requested to refrain from purchasing Western pine lumber from those persons who fail to comply with this Schedule.

Persons who have evidence of any offer, receipt, demand, or payment of prices higher than the maximum prices, or of any evasion or effort to evade provisions hereof, or of speculation, or of manipulation of prices of Western pine lumber, or of the hoarding or accumulating of unnecessary inventories thereof, are urged to communicate with the Office of Price Administration.*

§ 1312.256 *Modification of the Schedule.* Persons complaining of hardship or inequity in the operation of this Schedule may apply to the Office of Price Administration for approval of any modification thereof or exception therefrom: *Provided*, That no application under this section will be considered unless filed by persons complying with this Schedule.*

§ 1312.257 *Definitions.* When used in this Schedule, the term:

(a) "Person" means an individual, association, partnership, corporation, or other business entity. The term includes, without restricting the generality of the foregoing, any mill operator, manufacturer, commission salesman, manufacturer's representative, concentration yard operator, wholesaler, wholesale distributor, wholesaler's agent, or retailer.

(b) "Western pine" includes ponderosa pine (*pinus ponderosa*), Idaho white pine (*pinus monticola*), and sugar pine (*pinus lambertiana*) produced in the states of Oregon, Washington, Idaho, California, and Montana.

(c) "Mill" means a manufacturing plant, concentration yard, or other establishment which processes, by sawing, or by planing or other comparable method at least 25 per cent of the volume of Western pine logs or lumber purchased or received by it.

(d) "Distribution yard" means a wholesale or retail lumber yard which purchases or receives Western pine logs or lumber from a producer, a mill, or another distribution yard for purposes of unloading, sorting, and resale or redistribution, which regularly maintains a stock of lumber, and which processes, by sawing, or by planing or other comparable method, less than 25 per cent of the volume of such logs or lumber so purchased or received by it.

(e) "Volume" means the board foot volume of lumber processed from logs, processed from other lumber, or sold, as the case may be, within six months immediately prior to the transaction subject to this Schedule.

(f) "Retail sale" means a sale which satisfies all of the following tests:

(1) It must be a sale of lumber to a consumer or contractor for use in building, construction, remodeling, repair, maintenance, or fabrication, and not for resale in substantially the same form.

(2) It includes only sales in less than carload quantities. Where shipment is by water or by truck the maximum retail sale quantity shall be 20,000 feet board measure. For the purpose of this paragraph the size of the sale is determined by the size of the order.

(3) The sale must be accompanied by the following services: delivery to the job site or other point specified by the purchaser and at such times and in such quantities as the purchaser specifies; tallying and checking; the privilege of exchanging goods and returning unused material; and the readiness and ability of the seller to replace deficiencies and adjust complaints from stocks kept on hand for such purposes.

(g) "Deliver" means to make physical transfer of lumber to the purchaser, or to a carrier, not owned or controlled by the seller, for carriage to the purchaser to whom the lumber has been previously sold.

(h) Grade terms used herein have the meaning set forth in the Standard Grading Rules issued by the Western Pine Association, effective April 1, 1939.*

§ 1312.258 *Delivered prices.* A delivered price in excess of the maximum f. o. b. mill prices set forth in Appendices A, B, and C may be charged, consisting of such maximum prices plus actual transportation costs paid by the seller. However, for the purposes of this section, the following two practices shall not be deemed a deviation from the use of actual transportation costs:

(1) the charging of a sum equivalent to the one-quarter of a dollar nearest to such actual transportation costs; and

(2) the computation of transportation costs on the basis of a system of estimated average weights established by the seller, and adhered to by him during the period October 1 to October 15, 1941: *Provided*, That a copy of such system of estimated

average weights has been filed with the Office of Price Administration either before the use of such system in a transaction subject to this Schedule, or within thirty days of the effective date of this Schedule.*

§ 1312.259 *Effective date of the Schedule.* This Schedule (§§ 1312.251 to 1312.262, inclusive) shall become effective February 15, 1942.*

§ 1312.260 *Appendix A; maximum prices for ponderosa pine lumber.* (a) The maximum prices f. o. b. mill per 1000 feet board measure, surfaced, air dried or kiln dried, in mixed or straight load shipments, shall be as follows:

Select Grades

	4/4 RL S2S or S4S	5/4 RL S2S	6/4 RL S2S	8/4 RL S2S	10/4 RL S2S	12/4 RL S2S	16/4 RL S2S
1 and 2 Clear (B and Better):							
Random widths 1 x 4 & up:							
2" Inc. Bdl.	\$71.00	\$72.00	\$72.00	\$78.00	\$103.00	\$108.00	\$116.00
3" Inc. Bdl.	69.00	70.00	70.00	76.00	100.00	105.00	112.00
4"	71.00	72.00	72.00	78.00	103.00	108.00	116.00
5"	65.00	66.00	66.00	72.00	97.00	102.00	110.00
6"	71.00	72.00	72.00	78.00	103.00	108.00	116.00
8"	67.00	68.00	68.00	74.00	99.00	104.00	112.00
10"	69.00	70.00	70.00	76.00	101.00	106.00	114.00
12"	71.00	72.00	72.00	78.00	103.00	108.00	116.00
16"	86.00	87.00	87.00	93.00	118.00	123.00	131.00
C Selects:							
Random Widths 1 x 4 & up:							
2" Inc. Bdl.	66.00	66.00	66.00	71.00	92.00	96.00	105.00
3" Inc. Bdl.	64.00	64.00	64.00	69.00	89.00	93.00	102.00
4"	66.00	66.00	66.00	71.00	92.00	96.00	105.00
5"	60.00	60.00	60.00	65.00	86.00	90.00	99.00
6"	66.00	66.00	66.00	71.00	92.00	96.00	105.00
8"	62.00	62.00	62.00	67.00	88.00	92.00	101.00
10"	64.00	64.00	64.00	69.00	90.00	94.00	103.00
12"	66.00	66.00	66.00	71.00	92.00	96.00	105.00
16"	81.00	81.00	81.00	86.00	107.00	111.00	120.00
D Selects:							
Random widths 1 x 4 & up:							
2" Inc. Bdl.	52.00	52.00	52.00	57.00	73.00	78.00	86.00
3" Inc. Bdl.	50.00	50.00	50.00	55.00	71.00	76.00	84.00
4"	52.00	52.00	52.00	57.00	73.00	78.00	86.00
5"	46.00	46.00	46.00	51.00	67.00	72.00	80.00
6"	52.00	52.00	52.00	57.00	73.00	78.00	86.00
8"	48.00	48.00	48.00	53.00	69.00	74.00	82.00
10"	50.00	50.00	50.00	55.00	71.00	76.00	84.00
12"	52.00	52.00	52.00	57.00	73.00	78.00	86.00
16"	64.00	64.00	64.00	69.00	85.00	90.00	98.00

Specified lengths: 4/4, 6', 8', 10', and 14' Add \$2.00 (includes bundling 2" and 3")
 4/4, 16' Add \$5.00 (includes bundling 2" and 3")
 5/4, 18' and 20' Add \$10.00
 5/4 and thicker, 16' and shorter Add \$5.00
 5/4 and thicker, 18' and 20' Add \$5.00
 Random lengths, 10' and longer Add \$2.00
 Special random widths, S2S: 8' & wider, RW Add \$2.00 to RW price
 10" & wider, RW Add \$7.00 to RW price
 13" & wider, RW Same as 12" price
 14" & wider, RW Add \$5.00 to 12" price
 16" & wider, RW Add \$10.00 to 12" price
 18" & wider, RW Add \$15.00 to 12" price
 20" & wider, RW (except drainboards) Add \$20.00 to 12" price
 22" & wider, RW (except drainboards) Add \$25.00 to 12" price

No. 25-4

Specified widths: Specified widths over 12", for each inch over 12" Add \$2.00 to 12" price
 Odd widths, 7", 9", 11" Add \$1.00 to 8", 10", 12" and so scaled
 Rough, all thicknesses Deduct \$2.00
 Stained selects Deduct \$5.00 from price of D select
 Australian Clears Same price as D Select
 Short Selects 5' to 9', RL: \$41.00
 1 x 4 & wider, RW \$44.00
 5/4 & thicker, 4" & wider RW Deduct \$1.00
 Select strips, 2' & 3", not bundled.

Common Boards

[Random lengths—6' and longer]

S2S or S4S (13" and wider RW S2S only)	1 x 4"	1 x 6"	1 x 8"	1 x 10"	1 x 12"	1 x 14"	1 x 16"	1 x 18"	1 x 20"
No. 1 Common	\$42.00	\$42.00	\$40.00	\$42.00	\$46.00	\$38.00	\$42.00	\$46.00	\$50.00
No. 2 Common	36.00	36.00	35.00	35.00	35.00	33.00	33.00	34.00	38.00
No. 3 Common	31.00	31.00	30.00	30.00	30.00	28.00	28.00	28.00	32.00
No. 4 Common	21.00	21.00	23.00	23.00	23.00	21.00	21.00	21.00	25.00
No. 5 Common	14.00	14.00	14.00	14.00	14.00	14.00	14.00	14.00	14.00

Additions for thickness: No. 1 Common: for 5/4, 6/4 and 8/4 Add \$5.00
 for 10/4 and 12/4 Add \$12.00
 No. 2 Common: for 5/4, 6/4 and 8/4 Add \$4.00
 for 10/4 and 12/4 Add \$8.00
 No. 3 Common: for 5/4, 6/4 and 8/4 Add \$3.00
 for 10/4 and 12/4 Add \$6.00
 No. 4 Common: for 5/4, 6/4 and 8/4 Add \$2.00
 for 10/4 and 12/4 Add \$4.00
 No. 5 Common: for 5/4, 6/4 and 8/4 Add \$1.00

Specified lengths: No. 1, 2 and 3 Common: 4" and 6" widths, 16', 18', and 20' Add \$2.00
 8" and wider, 10', 12', 18', and 20' Add 2.00
 All widths, 6' and 8' Deduct 3.00
 R/L 10' and longer Add 2.00
 No. 4 and 5 Common: RW and RL, may contain 20% 4' to 8' and 20% 4'. Add 1.00 to 8", 10", & 12" price, and so scaled.
 Odd widths, 7", 9", & 11" Add \$1.00 to 8", 10", & 12" price, and so scaled.
 Special Random Widths: No. 4 Common, 1 x 4 and wider \$21.00
 1 x 6 and wider 21.50
 No. 5 Common, 1 x 4 and wider 14.00
 Rough, 5/4 & thicker Deduct 1.00
 Knotty Pine Paneling Stock Add \$5.00 to price of regular grade from which selected.
 For 1 1/2", use price of corresponding grade and width of 6/4" plus \$2.50, less 25% for surface measure price.

Shop Lumber

S2S RW & RL	4/4	5/4	6/4	8/4	10/4	12/4	16/4
4/4 Shop Common	\$30.00						
No. 3 Clears	41.00	\$56.00	\$56.00	\$56.00	\$59.00	\$89.00	\$98.00
No. 1 Shop		41.00	41.00	41.00	52.00	71.00	80.00
No. 2 Shop		33.00	33.00	33.00	38.00	48.00	55.00
No. 3 Shop		27.00	27.00	27.00	27.00	33.00	37.00
Rough 4/4 No. 3 Clears & Thicker		Deduct \$2.00					
Rough 4/4 Shop Common		Deduct 1.00					
Rough 5/4 & Thicker No. 1 Shop		Deduct 2.00					
Rough 5/4 & Thicker No. 2 & No. 3 Shop		Deduct 1.00					

Drainboard Stock

5/4 and 6/4, 1 and 2 Clear S2S Selected: \$107.00
 20' and wider RW RL..... 122.00
 22' and wider RW RL.....
 For Rough Deduct \$2.00.

Bevel Siding

	1/2" x 4" 1/2" x 6" 1/2" x 6"
B & Btr.....	\$29.50
C.....	30.00
D.....	28.00
E.....	23.50
	10.00

B & Btr., C & D may contain 20% 3' to 8 1/2' in multiples of 6'.
 E Siding may contain up to 35% of 8 1/2' & shorter.
 Shorts when sold separately 8' and shorter in B and Btr., C & D, Deduct \$3.00.
 For 9' and longer add \$3.00.

Moulding Stock

5/4 RW RL S2S 4' and up..... \$43.00
 5/4 to 8/4 RW RL S2S..... 45.00
 For Rough: Deduct \$1.00.

Moulding & Better

(Product of log above #1 Shop producing 50% rip 10' and longer 2' width)

4/4 RW RL Rough, Dry..... \$51.00
 5/4 & Thicker RW RL Rough, Dry..... 55.00

Mill Run Box

(Product of log below No. 2 Shop as produced by the mill)
 Rough 5/4, 6/4 & Thicker RL, Air Dried..... \$23.00
 S2S—Add to Rough..... 2.00
 4/4 Stock, Rough, Deduct from 6/4.....
 Specified Widths..... No addition

Dimension

RL S181E HM 1 1/2" x Standard Widths or S4S HM 1 1/2" x Standard Widths Scaled as 2'	2 x 4"	2 x 6"	2 x 8"	2 x 10"	2 x 12"
No. 1 Dimension.....	\$28.00	\$27.00	\$26.50	\$27.00	\$27.00
No. 2 Dimension.....	25.00	24.00	24.00	24.00	24.00
No. 3 Dimension.....	18.50	17.50	17.50	17.50	17.50

Specified Lengths: 14' and under 14'
 16' & 20'.
 For Rough.....
 For 1 1/2" Dimension.....
 For 1 3/4" Dimension.....
 Add \$1.00 to RL.
 Add .50 to RL.
 Deduct 1.00.
 Add 1/4 to 1 1/2" prices.
 Add 1/4 to 1 3/4" prices.

Differentials and Rules Applicable to All Grades of Ponderosa Pine

Ordinary Resawing..... Add \$1.00
 Resawing and S2S, all grades, all rates..... Add 2.00
 Rippling per rip..... Add 1.00
 Novelty-Saw Rippling..... Add 1.00
 Rippling and S4S..... Add 2.00
 Cross Cutting, per cent..... Add 3.00
 Cheating (ordinary)..... Add 1.00
 Bundling (export)..... Add 1.00
 4/4 and thicker stock, dressed thicker than standard, for each 1/32"..... Add 5.00
 For stock in S4S wider than standard width (may be mill or mis)..... Add 1.00
 Standard Casing and Base, Jambs, Sill Stock, Futility Sides, Log Cabin Siding, Bungalow Siding, Dolly Varden Siding and all similar patterns (not mouldings), 8' or 10' Beveled Siding, all grades, to price of grade desired... Add 7.50

Differentials and Rules Applicable to All Grades of Ponderosa Pine—Con.

All other patterns except those conforming to Association Standard Patterns..... Add 2.50
 All Standard patterns other than S2S or S4S except as noted above..... Add 2.00
 Cutting to specified exact length..... Add 1.00
 All stock shipped in inter-divisional stopover cars..... Add 1.00
 Random lengths are 6 feet and longer, unless otherwise provided in list.
 \$1312.261 Appendix B; *maximu* prices for Idaho white pine lumber.
 (a) The maximum prices f. o. b. mill per 1,000 feet board measure, surfaced, air dried or kiln dried, in mixed or straight load shipments, shall be as follows:

Select Grades

RL S2S or S4S Including Bundling 2' & 3'	1 x 2"	1 x 3"	1 x 4"	1 x 6"	1 x 8"	1 x 10"	1 x 12"	13" & wider RW
B & Better.....	\$76.00	\$78.00	\$74.00	\$77.00	\$77.00	\$79.00	\$100.00	\$100.00
C Select.....	69.00	71.00	67.00	70.00	70.00	72.00	91.00	91.00
D Select.....	55.00	55.00	51.00	54.50	51.00	56.50	76.50	76.50

RL S2S Including Bundling 2' & 3'	5/4 x 2"	5/4 x 3"	5/4 x 4" 0" & wider	5/4 x 5"	5/4 x 6"	5/4 x 8"	5/4 x 10"	5/4 x 12"	13" & wider RW
B & Better.....	\$89.00	\$91.00	\$87.00	\$95.00	\$87.00	\$90.00	\$95.00	\$105.00	
C Select.....	79.00	81.00	77.00	85.00	77.00	80.00	85.00	95.00	
D Select.....	69.00	71.00	65.00	75.00	67.00	70.00	75.00	85.00	

Additions for thickness:
 B & Btr. & C S2S RL 6/4... Add \$10.00 to 5/4 price.
 B & Btr. & C S2S RL 8/4... Add \$20.00 to 5/4 price.
 6/4 D Select..... Same as 5/4 price.
 8/4 D Select..... Add \$5.00 to 5/4 price.
 Specified lengths:
 4/4.....
 8', 10', 12' & 14'.....
 16', 18', & 20'.....
 5/4 and thicker:
 18' & 20'.....
 18' and shorter:
 18' & 20'.....
 when sold separately in Deduct \$10.00 from RL quantity lots.
 4/4 1/4 & shorter RL (when no Deduct \$3.00.
 16' included)
 Special Random Widths 5/4 & thicker S2S:
 6' & wider RW.....
 8' & wider RW.....
 Odd widths, 7', 9', & 11'.....
 Rough, all thicknesses.....
 Stained select.....
 Short selects:
 4/4, 4' and wider, D & Btr. (35% 4').....
 4/4, all 4'.....
 4/4, all 6'.....
 Select strips, 2' & 3', not bundled.
 Random length may contain 5% shorter than 8' and 15% odd lengths.

Shop Lumber

RW and RL S2S	4/4	5/4	6/4	8/4
4/4 Shop Common.....	\$81.00			
No. 1 Shop.....	\$58.00			\$73.00
No. 2 Shop.....				\$42.00
No. 3 Shop.....				\$26.00

When sold as No. 3 & Better pile run on grade prices, deduct \$5.00 from the No. 1 shop price and \$2.00 from the No. 2 Shop price.
 Rough:
 4/4 Shop Common..... Deduct \$1.00
 5/4 & thicker No. 1 Shop..... Deduct \$2.00
 6/4 & thicker, No. 2 or No. 3 Shop..... Deduct \$1.00

Bevel Siding—7/16" x 3/16" SM

3' and Longer	3/4" x 4"	3/4" x 5"	3/4" x 6"
B & Btr.....	\$31.00	\$35.50	\$35.00
C.....	27.75	32.25	31.75
D.....	24.75	25.00	24.50
E.....	15.00		16.50

May contain odd lengths, and 20% 3' to 8 1/2' in multiples of 6', except that E siding may contain up to 35% of 8 1/2' ft. and shorter.
 For all 9 ft. and longer add \$3.00.
 Short Siding 8' and shorter (when sold separately).
 Grade B & Btr., or C..... Deduct \$7.50
 Grade D..... Deduct 5.00

§ 1312.262 Appendix C; maximum prices for sugar pine lumber. (a) The maximum prices for o. b. mill per 1,000 shipments, should be as follows:

Select Grades

S2S or S4S, RW and RL	4/4	5/4	6/4	8/4	10/4	12/4	16/4
1 & 2 Clear (B & Btr.)	\$77.00	\$78.00	\$78.00	\$90.00	\$108.00	\$116.00	\$129.00
C Select.	74.00	73.00	73.00	86.00	104.00	110.00	122.00
D Select.	53.00	60.00	60.00	73.00	88.00	97.00	105.00

Stained Selects: Deduct \$5.00 from price of D Select.
Australian Clears: Same price as D Select.

Shop Lumber

	4 1/2 x 5" & wider	5 1/4 x 5" & wider	6 1/4 x 5" & wider	8 1/4 x 5" & wider	10 1/4 x 5" & wider	12 1/4 x 5" & wider	16 1/4 x 5" & wider
No. 3 Clear.	\$45.00	\$63.00	\$63.00	\$80.00	\$95.00	\$100.00	\$110.00
No. 2 Shop.	46.00	46.00	46.00	58.00	73.00	78.00	88.00
No. 2 Shop.	37.00	37.00	37.00	43.00	55.00	56.00	61.00
No. 3 Shop.	28.00	28.00	28.00	30.00	33.00	34.00	41.00
4/4 Shop Common R W.	32.00						

Moulding Stock, and Moulding and Better

Moulding stock:
4/4 RW & RL. \$43.00
5/4 RW & RL. 45.00
For Rough Deduct \$1.00.
5/4 thicker RW & RL Rough. 55.00

Common Boards

S2S, RL & RW	4/4	5/4	6/4	8/4	10/4	12/4	16/4
No. 2 & Btr. Common.	\$39.00	\$42.00	\$42.00	\$43.00	\$44.00	\$45.00	\$45.00
No. 3 Common.	30.00	33.00	33.00	33.00	36.00	36.00	36.00

Mill Run Box

(Product of log below #2 Shop as produced by Mill)
S2S. \$23.00
Rough 5/4, 6/4 & thicker RL. Add \$2.00 to Rough.
One-Inch Stock, Rough. Deduct \$2.00 from 5/4.

Differentials for Widths

Narrow widths:
2 3/4" & Less, S4S all grades. Add \$3.00
Random widths:
4 to 7" (D Select & Btr.) Deduct 5.00
10" & Wdr (Shop & Btr.) Add 5.00
12 to 13" & Wdr (Shop & Btr.) Add 5.00
14" & Wdr (Shop & Btr.) Add 20.00
16" & Wdr (Shop & Btr.) Add 25.00
18" & Wdr (Shop & Btr.) Add 30.00
20" & Wdr (Shop & Btr.) (except Drainboard Stock.) Add 35.00
22" & Wdr (Shop & Btr.) (except Drainboard Stock.) Add 45.00
Additions for specified widths:
4, 6, & 8" (D Select & Btr. only) Net
5, 7, & 10" (D Select & Btr. only) Add \$5.00
12 & 13" (Shop & Btr.) Add 15.00
14 & 16" (Shop & Btr.) Add 25.00

Differentials for Widths—Con.

Additions for specified widths—Con.
16 & 17" (Shop & Btr.) Add \$30.00
18 & 19" (Shop & Btr.) Add 35.00
20 & 21" (Shop & Btr.) Add 45.00
22" & Wdr (Shop & Btr.) Add 55.00
Additions for specified lengths:
5/4 & thicker, 8' to 16' Select & Shop grades. Add 5.00
4/4 & thicker, 18' to 20' Select & Shop grades. Add 5.00
4/4 & thicker, 8' to 16' Common grades. Add 10.00
4/4 & thicker, 18' to 20' Common grades. Add 2.00

Other Differentials, All Grades

Rough 4/4 and thicker No. 1 Shop & Btr. Deduct \$3.00
Rough 5/4 and thicker No. 2 Shop. Deduct 2.00
Rough 4/4 and thicker Common, Dinner-Shop and No. 3 Shop. Deduct 1.00
Rough Inch Shop. Deduct 2.00
Ordinary Resawing. Add 1.00
Resawing and S2S, all grades, all rates. Add 2.00
Ripping, per rip. Add 1.00
Novelty-Saw Ripping. Add 2.00
Ripping and S4S. Add 3.00
Cross Cutting, per cut. Add 15.00
Cross Cutting, per cut. Add 1.00

Common Boards

S4S or S2S RL	1 x 4" and wider	1 x 5"	1 x 6"	1 x 8"	1 x 10"	1 x 12"	13" and wider: RW, S2S
No. 1 (Colonial) Common.	\$46.00	\$42.00	\$44.00	\$49.50	\$70.00	\$75.00	\$75.00
No. 2 (Sterling) Common.	43.00	40.00	40.50	41.00	45.00	54.00	54.00
No. 3 (Standard) Common.	31.00	33.00	34.00	32.00	33.50	33.50	33.50
No. 3 Common Shorts (5' to 8' RL).	\$27.00	27.50	27.00	27.00	27.00		
No. 4 (Utility) Common.	25.00	20.50	20.50	19.50	19.50		
No. 4 Common Shorts (6' to 8' RL).	20.50	19.00	19.00				
No. 5 (Industrial) Common.	19.00						

Additions for thickness:
No. 1 Common. Add \$9.00 to 4/4 RL price.
5/4, 6/4 & 8/4 RL or all lengths other than 16'. Add \$14.00 to 4/4 RL price.
5/4 x 5'. Add \$1.00 to 5/4 x 10' price.
RL or all 16'. Add \$7.00 to 4/4 RL price.
Specified lengths other than 16'. Add \$12.00 to 4/4 RL price.
No. 3 Common, 5/4, 6/4 RL or all 16'. Add \$3.00 to 4/4 RL price.
Specified lengths other than 16'. Add \$3.00 to 4/4 RL price.
No. 4 & 5 Common, 5/4, 6/4 and 8/4 RL. Add \$2.00 to 4/4 RL price.
Specified lengths:
No. 1, 2, & 3 Common: 4' & 6'—10', 12' & 14'. Deduct \$1.00.
4' & 6'—16', 18' & 20'. Add \$1.00.

Dimension

RL; S1SIE HM 1 1/2" x Standard Widths or S4S HM 1 1/2" x Standard Widths Scaled as 2"	2 x 4"	2 x 6"	2 x 8"	2 x 10"	2 x 12"
No. 1 Dimension.	\$28.00	\$27.00	\$26.50	\$27.00	\$27.00
No. 2 Dimension.	25.00	24.00	24.00	24.00	24.00
No. 3 Dimension.	18.50	17.50	17.50	17.50	17.50

Specified Lengths 14' and under 14'.
16' Add 1.00 to RL.
18' and 20' Add .50 to RL.
For Rough. Add 2.00 to RL.
For 1 1/2" Dimension. Deduct 1.00.
For 1 3/4" Dimension. Add 1/2 to 1 1/4" prices.
Add 1/4 to 1 1/4" prices.

Drainboard Stock

5/4 & 6/4, S2S, 1 & 2 Clear Selected: \$125.00
20' & Wider SW, RL. 135.00
For Rough. Deduct \$3.00.

Differentials and Rules Applicable to All Grades of Idaho White Pine

Ordinary Resawing. Add \$1.00
Resawing and S2S, all grades, all rates. Add 2.00
Ripping, per rip. Add 1.00
Novelty-Saw Ripping. Add 2.00
Ripping and S4S. Add 3.00
Cross Cutting, per cut. Add 1.50
Cleaving (ordinary). Add 1.00
Bundling (export). Add 1.00
Bundling (export). Add 5.00
4/4 and thicker stock dressed thicker than standard, for each 1/2". Add 1.00
For stock run S4S wider than standard width (may be bit or miss). Add 1.00

Differentials and Rules Applicable to All Grades of Idaho White Pine—Con.

Standard Casing and Base, Jamb, Sill Stock, Pullly Stiles, Log Cabin Siding, Bungalow Siding, Dolly Varden Siding and all similar patterns (not mouldings), 8' or 10' Beveled Siding, all grades, to price of grade desired.
All other patterns except those conforming to Association Standard Patterns. Add 2.50
All standard patterns other than S2S or S4S except as noted above. Add 2.00
Cutting to specified exact length. Add 1.00
All stock shipped in inter-divisional stopover cars. Add 1.00
Specified widths, all grades, wider than 12", add \$2.00 for each inch over 12" to price of 12" and wider.
Random lengths are 6 feet and longer, unless otherwise provided in list.

Other Differentials, All Grades—Con.

Cleating (ordinary).....	Add	\$1.50
Bundling (ordinary).....	Add	1.00
Bundling (export).....	Add	5.00
Random Lengths are 6 ft. & longer, unless otherwise provided in list.		
Stock dressed thicker than standard, for each 3/4".....	Add	1.00
For stock run S4S wider than standard width (may be hit or miss).....	Add	1.00
Standard Casing and Base, Jams, Sill Stock, Pulley Stiles, Log Cabin Siding, Bungalow Siding, Dolly Varden Siding and all similar patterns (not mouldings), to price of grade desired.....	Add	7.50
All other patterns except those conforming to Association Standard Patterns.....	Add	2.50
All standard patterns other than S2S or S4S, except as noted above.....	Add	2.00
Cutting to specified exact length.....	Add	1.00
All stock shipped in inter-divisional stop-over cars.....	Add	1.00

Issued this 3d day of February 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-1031; Filed, February 4, 1942;
9:45 a. m.]

**PART 1314—RAW MATERIALS FOR SHOES
AND LEATHER PRODUCTS**

**AMENDMENT NO. 5 TO PRICE SCHEDULE NO.
9¹—HIDES, KIPS AND CALFSKINS**

Section 1314.13, Appendix C, is hereby deleted. (Executive Orders Nos. 8734, 8875, 6 F.R. 1917, 4483)

This Amendment No. 5 shall become effective February 4, 1942. Issued this 3d day of February 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-1029; Filed, February 4, 1942;
9:44 a. m.]

PART 1348—MERCURY

PRICE SCHEDULE NO. 93, MERCURY

Mercury is a material strategic to the national defense and essential for important civilian purposes. The price of mercury has risen to excessive and unwarranted levels, resulting in increased prices for other commodities of which mercury is a component. After full investigation and after consultation with representatives of the industry it has been determined that the establishment of maximum prices for mercury is necessary in the interest of the national defense and the public welfare.

Accordingly, under the authority vested in me by Executive Order No. 8734, it is hereby directed that:

§ 1348.1 *Maximum prices for mercury.* On and after February 4, 1942, regardless of the terms of any contract of sale or purchase, or other commitment, no person shall sell, offer to sell, deliver or transfer mercury, and no person shall buy, offer to buy, or accept delivery of mercury, at prices higher than the maximum prices set forth in Appendix A hereof, incorporated herein as § 1348.9.*

*§§ 1348.1 to 1348.9, inclusive, issued pursuant to authority contained in Executive Orders No. 8734, 8875; 6 F.R. 1917, 4483.

§ 1348.2 *Less than maximum prices.* Lower prices than those set forth in Ap-

¹ 6 F.R. 2909, 4736, 5428, 5622.

pendix A hereof may be charged, demanded, paid or offered.*

§ 1348.3 *Evasion.* The price limitations set forth in this Schedule shall not be evaded either by direct or indirect methods in connection with a purchase, sale, delivery, or transfer of mercury, alone or in conjunction with any other material, or by way of any commission, service, transportation, or other charge, or by tying-agreement or other trade understanding, or otherwise.*

§ 1348.4 *Records and reports.* (a) On and after February 4, 1942, every person making purchases or sales of mercury or acting as a broker or other intermediary in the purchase or sale of mercury shall keep for inspection by the Office of Price Administration for a period of not less than one year, complete and accurate records of (1) each such purchase or sale, showing the name and address of the other party or parties to the transaction, the date thereof, the quantity, the price, and other terms of sale and shipment and (2) as of the close of each month, the quantity of mercury (i) on hand, (ii) on purchase order, and (iii) committed to be sold.

(b) Every person affected by this Schedule shall submit such reports to the Office of Price Administration as it may from time to time require.*

§ 1348.5 *Enforcement.* In the event of refusal or failure to abide by the price limitations, record requirements, or other provisions of this Schedule, or in the event of any evasion or attempt to evade the price limitations or other provisions of this Schedule, the Office of Price Administration will make every effort to assure (a) that the Congress and the public are fully informed thereof (b) that the powers of Government, both state and federal, are fully exerted in order to protect the public interest and the interests of those persons who comply with this Schedule, (c) that full advantage will be taken of the cooperation of the various political subdivisions of state, county, and local governments by calling to the attention of the proper authorities, failures to comply with this Schedule which may be regarded as grounds for the revocation of licenses and permits; and (d) that the procurement services of the Government are requested to refrain from selling to or purchasing from those persons who fail to comply with this Schedule. Persons who have evidence of the offer, receipt, demand, or payment of prices higher than the maximum prices, or of any evasion or effort to evade the provisions hereof, are urged to communicate with the Office of Price Administration.*

§ 1348.6 *Modification of the Schedule.* Persons complaining of hardship or inequity in the operation of this Schedule may apply to the Office of Price Administration for approval of any modification thereof or exception therefrom: *Provided*, That no applications under this section will be considered unless filed by persons complying with this Schedule.*

§ 1348.7 *Definitions.* When used in this Schedule, the term:

(a) "Person" means an individual, partnership, association, corporation, or other business entity.

(b) "Mercury" includes prime virgin mercury, and all other kinds and grades of mercury.*

§ 1348.8 *Effective date.* The Schedule shall become effective February 4, 1942.*

Issued this 3d day of February 1942.

LEON HENDERSON,
Administrator.

§ 1348.9 *Appendix A; maximum prices for prime virgin mercury*¹—(a) *Maximum base prices.* (1) The maximum base price for prime virgin mercury produced in California, Oregon, Washington, Idaho, Utah, Nevada, or Arizona shall be \$191.00 per 76-pound flask, f. o. b. point of shipment.

(2) The maximum base price for prime virgin mercury produced outside the continental United States and Mexico, and entering the United States through Pacific Coast ports of entry shall be \$191.00 per 76-pound flask, f. o. b. port of entry.

(3) The maximum base price for prime virgin mercury produced in Texas and Arkansas shall be \$193.00 per 76-pound flask, f. o. b. point of shipment.

(4) The maximum base price for prime virgin mercury imported from Mexico shall be \$193.00 per 76-pound flask, f. o. b. the freight station in the United States at or nearest to the point on the boundary at which the shipment enters the United States, duty, if any, included.

(b) *Sales by dealers.* A dealer, regularly engaged in the business of buying and selling prime virgin mercury on his own behalf, may sell such mercury as he buys and to which he acquires title, at not more than a price equal to the applicable maximum base price set forth above, plus a premium of 2% thereof, plus the actual transportation charges paid or incurred by him: *Provided*, That the applicable maximum base price, the premium, and the transportation charges are shown separately in invoicing and billing.

(c) *Commissions for brokers and agents.* In the event that a consumer of prime virgin mercury shall use or employ a broker or agent to purchase such mercury for the consumer's use, the consumer may pay for such mercury a sum not exceeding the applicable maximum base price set forth above, plus a commission of not more than 1% of such maximum price. The commission shall be payable only if (a) the commission is shown as a separate charge in invoicing and billing, and (b) the agent or broker does not split or divide the commission allowed him by a consumer with the seller or sellers of the mercury.

[F. R. Doc. 42-1030; Filed, February 4, 1942;
9:44 a. m.]

¹ The maximum prices herein established are for prime virgin mercury. All other kinds and grades of mercury shall be sold and bought at their normal differentials from such maximum prices.

PART 1401—SYNTHETIC TEXTILE PRODUCTS
PRICE SCHEDULE NO. 95—NYLON HOSE

Nylon hose constitutes an important commodity of civilian consumption. With the curtailment of the supply of silk and recent reductions in the supply of nylon yarn, prices of nylon hose have undergone an extremely rapid increase. This increase has not been occasioned by any comparable rise in the cost of production and is inflationary in character. Because of the scarcity of nylon hose, prices have been bid up and there is ample evidence that their present level reflects widespread profiteering. Further unjustified price advances are now threatened unless remedial action is taken.

Accordingly, under the authority vested in me by Executive Order No. 8734, it is hereby directed that:

§ 1401.1 *Maximum prices for nylon hose.* (a) On or after February 5, 1942, regardless of the terms of any contract of sale or purchase, or other commitment, no person shall sell, offer to sell, deliver or transfer nylon hose at prices higher than the maximum prices established herein.

(b) (1) The maximum price shall be the highest price contracted for or received by the seller for the sale or delivery, during the period between October 1 and October 15, 1941, of nylon hose of the same type, style, construction and comparable quantity to a purchaser of the same general class.

(2) If during such period, no sale or delivery of nylon hose of a particular type, style, or construction was made, the maximum price therefor shall be a price in line with the maximum price applicable to nylon hose of the nearest comparable type, style and construction sold or delivered by the seller during such period to a purchaser of the same general class.

(c) Sales at retail are excepted from the operation of this Schedule.

§§ 1401.1 to 1401.9, inclusive, issued pursuant to the authority contained in E.O. Nos. 8734, 8875, 6 F.R. 1917, 4483.

§ 1401.2 *Less than maximum prices.* Lower prices than the maximum prices established by this Schedule may be charged, demanded, paid or offered.*

§ 1401.3 *Evasion.* The price limitations set forth in this Schedule shall not be evaded whether by direct or indirect methods in connection with a purchase, sale, delivery, or transfer of nylon hose, alone or in conjunction with any other material or commodity, or by way of any premium, commission, service, transportation, or other charge, or by any tying-agreement or other trade understanding or practice, or by making the discounts given or other terms or conditions of sale more onerous to the purchaser than those available or in effect on October 15, 1941, or by any other means.*

§ 1401.4 *Records and reports.* Every manufacturer or wholesaler making sales of nylon hose after February 4, 1942, shall keep for inspection by the Office of Price Administration, for a period of not less than one year, complete and accurate records of (a) each such sale, showing the date thereof, the name and address of the buyer, the price received,

and the quantity in dozens of pairs of nylon hose of each type, style and construction sold; and (b) the quantity in dozens of pairs of nylon hose of each type style and construction (1) on hand and (2) on order, as of the close of each calendar month.

Persons affected by this Schedule shall submit such reports to the Office of Price Administration as it may, from time to time require.*

§ 1401.5 *Details required in contract of sale and invoice.* (a) Every manufacturer or wholesaler shall, with respect to each sale of nylon hose, deliver to the purchaser a contract of sale which shall contain, in addition to the terms thereof, (1) the date on which the sale or contract of sale was made; (2) a full description of the nylon hose sold, including (i) the type, style and construction; (ii) the quantity in dozens of pairs of each type, style and construction; and (3) the discount, if any, allowed for prompt payment. Every such seller of nylon hose shall, with respect to each delivery thereof, transmit to the purchaser an invoice or similar document which shall either contain the information required by this paragraph or make reference to the contract in which such information is set forth.

§ 1401.6 *Enforcement.* In the event of refusal or failure to abide by the price limitations, record requirements, or other provisions of this Schedule, or in the event of any evasion or attempt to evade the price limitations or other provisions of this Schedule, the Office of Price Administration will make every effort to assure (a) that the Congress and the public are fully informed thereof, (b) that the powers of the Government, both state and federal, are fully exerted

in order to protect the public interest and the interests of those persons who comply with this Schedule, and (c) that the procurement services of the Government are requested to refrain from selling to or purchasing from those persons who fail to comply with this Schedule. Persons who have evidence of the offer, receipt, demand or payment of prices higher than the maximum prices, or of any evasion or effort to evade the provisions hereof, or of speculation or manipulation of prices of nylon hose or of the hoarding or accumulating of unnecessary inventories thereof, are urged to communicate with the Office of Price Administration.*

§ 1401.7 *Modification of the Schedule.* Persons complaining of hardship or inequity in the operation of this Schedule may apply to the Office of Price Administration for approval of any modification thereof or exception therefrom: *Provided*, That no application under this section will be considered by the Office of Price Administration unless filed by persons complying with this Schedule.*

§ 1401.8 *Definitions.* When used in this schedule, the term:

(a) "Person" means an individual, partnership, association, corporation, or other business entity;

(b) "Sale at retail" means sale to the ultimate consumer or sale to another for use by the ultimate consumer without further resale: *Provided*, That no manufacturer, processor, or purchaser for resale shall be deemed to be an ultimate consumer;

(c) "Nylon hose" means hose of the following types, styles and constructions:

Type	Style	Gauge	Construction ¹	
			Denier	Needle count
All nylon ¹	Full fashioned, circular knit.....	Up to and including 54.....	20, 30, or 40.....	All.
Nylon leg ²	Full fashioned, circular knit.....	Up to and including 54.....	20, 30, or 40.....	All.

¹ Nonrun, lace, mesh and other special constructions of the above types and styles are included in this Schedule.

² This type includes only hose knitted entirely of nylon.

³ This type includes hose, only the leg of which is knitted of nylon, the foot or welt being made of some other material.

§ 1401.9 *Effective date of the Schedule.* This Schedule shall become effective February 5, 1942.*

Issued this 4th day of February 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-1063; Filed, February 4, 1942;
 12:05 p. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. B-194]

IN THE MATTER OF SCOTT L. REARICK, CODE
 MEMBER, DEFENDANT

NOTICE OF AND ORDER FOR HEARING

A complaint dated January 20, 1942,
 pursuant to the provisions of sections 4

II (j) and 5 (b) of the Bituminous Coal Act of 1937, having been duly filed on January 22, 1942, by Bituminous Coal Producers Board for District No. 1, a District Board, complainant, with the Bituminous Coal Division alleging willful violation by the defendant of the Bituminous Coal Code or rules and regulations thereunder;

It is ordered, That a hearing in respect to the subject matter of such complaint be held on March 10, 1942, at 10 a. m., at a hearing room of the Bituminous Coal Division at the Armstrong County Court House, Kittanning, Pennsylvania.

It is further ordered, That W. A. Cuff or any other officer or officers of the Bituminous Coal Division duly designated for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, subpoena witnesses,

compel their attendance, take evidence, require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, to continue said hearing from time to time, and to such places as he may direct by announcement at said hearing or any adjourned hearing or by subsequent notice, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to said defendant and to all other parties herein and to all persons and entities having an interest in such proceeding. Any person or entity eligible under § 301.123 of the Rules and Regulations Governing Practice and Procedure Before the Bituminous Coal Division in Proceedings Instituted Pursuant to sections 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937, may file a petition for intervention not later than five (5) days before the date herein set for hearing on the complaint.

Notice is hereby given that answer to the complaint must be filed with the Bituminous Coal Division at its Washington office or with any one of the statistical bureaus of the Division, within twenty (20) days after date of service thereof on the defendant; and that any defendant failing to file an answer within such period, unless otherwise ordered, shall be deemed to have admitted the allegations of the complaint herein and to have consented to the entry of an appropriate order on the basis of the facts alleged.

All persons are hereby notified that the hearing in the above-entitled matter and orders entered therein may concern, in addition to the matters specifically alleged in the complaint herein, other matters incidental and related thereto, whether raised by amendment of the complaint, petition for intervention, or otherwise, and all persons are cautioned to be guided accordingly.

The matter concerned herewith is in regard to the complaint filed by said complainant, alleging willful violation by the above-named defendant of the Bituminous Coal Code or rules and regulations thereunder as follows:

(a) The defendant, Scott L. Rearick, Distant, Pennsylvania, whose code membership became effective as of November 18, 1938, operator of the Rearick Mine, Mine Index No. 1930, Subdistrict No. 11 of District No. 1, Armstrong County, Pennsylvania, sold and delivered at approximately \$1.50 per net ton to the Pittsburg and Shawmut Coal Company, a registered distributor, Registration No. 7349, whose address is Kittanning, Pennsylvania, during December 1940 and January and February 1941, approximately 933 tons of run of mine coal produced at said mine. Said coal was classified as Size Group 3 and priced at \$2.10 per net ton f. o. b. said mine as set forth in the Schedule of Effective

Minimum Prices for District No. 1, For Truck Shipments. Said code member allowed Pittsburg and Shawmut Coal Company unauthorized excessive discounts in the form of commissions, deductions for reject coal, amounts for railroad car stop-over, railroad car transfer, cleaning and sizing charges upon the sale of said coal. This coal was purchased for resale, by said Pittsburg and Shawmut Coal Company and physically handled by said vendee. The "discounts" above-mentioned were paid contrary to the provisions of Rule 1 Section III of the Marketing Rules and Regulations and the above transactions constituted sales below the minimum price established for said mine and, therefore, in violation of section 4 Part II (e) of the Act and Part II (e) of the Code.

(b) The aforesaid defendant sold and delivered the above-mentioned coal in his own trucks or in trucks under his control to a railroad loading dock located at Colwell, Pennsylvania, situated on the Pittsburg and Shawmut Railroad, contrary to the provisions of Price Instruction No. 6 of the schedule referred to in (a) hereof as amended by Supplement No. 2 to said schedule in that said code member evaded and/or violated the price provisions of the Act through the use of transportation facilities through the absorption, directly or indirectly, of the transportation costs of said coal to said loading dock, which was located at a point other than the transportation facilities at the mine, without adding to the applicable minimum f.o.b. mine price provided in the schedule referred to herein, an amount at least equal, as nearly as practicable, to the actual transportation charges, handling charges, or incidental charges of whatsoever kind or character, from the transportation facilities at the mine to the point from which all such charges were assumed and directly paid by the purchaser in violation of section 4 Part II (g) of the Act and Part II (g) of the Code; or

The aforesaid defendant sold during the months of December 1940 and January and February 1941, approximately 933 net tons of run of mine coal produced at the aforesaid Rearick Mine, Mine Index No. 1930 to Pittsburg & Shawmut Coal Company for rail shipment and delivered said coal by truck to a ramp on a rail siding of said Freebrook Company, located at Colwell, Pennsylvania, at a price of approximately \$1.50 per net ton, although at the time of said transactions no rail classifications or prices, temporary or final, had been established for the coal produced at the aforesaid mine. Said transactions thereby constituted violations of the Order of the Director dated October 9, 1940, in General Docket No. 19.

Dated: February 3, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-1055; Filed, February 4, 1942; 11:58 a. m.]

[Docket No. A-1014]

PETITION OF P. H. BURNELL, A CODE MEMBER, FOR THE ESTABLISHMENT OF A MINIMUM PRICE OF \$2.00 PER TON FOR THE COALS IN SIZE GROUP 11 PRODUCED IN SUBDISTRICT 5 IN DISTRICT NO. 19, FOR RAIL SHIPMENTS

ORDER TERMINATING PROCEEDING

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, was filed with the Division by the above-named party in the above-entitled matter, wherein the petitioner requested the establishment of a minimum price of \$2.00 per net ton for the coals in Size Group 11 produced in Subdistrict 5 in District No. 19 for rail shipments into all market areas.

The petition was deficient in that it failed to comply with certain provisions of the Rules and Regulations Governing Practice and Procedure before the Division in Proceedings Instituted Pursuant to section 4 II (d) of the Act. The petitioner was notified of such deficiency by letter mailed to him by the Director on September 4, 1941. No further communication in this docket has been received by the Division.

Moreover, the petitioner subsequently filed another petition with the Division in Docket No. A-1143, wherein he requested relief similar to that requested in the above-entitled matter. Pursuant to a Notice of and Order for Hearing dated January 19, 1942, a hearing was held in Docket No. A-1143 on January 28, 1942 in Cheyenne, Wyoming and the record in that proceeding is now receiving consideration.

It thus appears that the petitioner has no further interest in his original petition in this Docket No. A-1014 and that the issues sought to be presented and the request for relief made herein will be duly disposed of in Docket No. A-1143.

Now, therefore, it is ordered, That the above-entitled proceeding be, and it hereby is, terminated.

Dated: February 3, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-1056; Filed, February 4, 1942; 11:58 a. m.]

[Docket No. 1736-FD]

IN THE MATTER OF NORRIS COAL COMPANY,
A PARTNERSHIP, DEFENDANT

ORDER CANCELLING HEARING

The hearing in the above-entitled matter having been previously postponed by Order of the Director dated October 3, 1941, to a date and a hearing room to be thereafter designated; and

An Order directing the defendant to cease and desist from further violations of the Bituminous Coal Code having been entered in the above-entitled matter on February 3, 1942, pursuant to stipulation of the complainant and the defendant dated January 9, 1942;

Now, therefore, it is ordered, That the hearing in the above-entitled matter be and the same hereby is cancelled.

Dated: February 3, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-1057; Filed, February 4, 1942;
11:58 a. m.]

[Docket No. 1736-FD]

IN THE MATTER OF NORRIS COAL COMPANY,
A PARTNERSHIP, DEFENDANT.

CEASE AND DESIST ORDER

A complaint dated May 1, 1941, pursuant to the provisions of section 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937, (the "Act"), having been duly filed on May 7, 1941, by the Bituminous Coal Producers Board for District No. 10, complainant, with the Bituminous Coal Division (the "Division"), alleging wilful violation by the defendant of the Bituminous Coal Code the ("Code"), and the effective minimum prices, as follows: by selling and delivering to Ray Minter, on or about February 18, 1941, 6 tons of mine run coal produced at its mine at \$1.50 per ton f. o. b. the mine and selling and delivering as aforesaid 1.2 tons of such coal on or about February 20, 1941, at a price of \$1.53 per ton f. o. b. the mine, the effective minimum prices for such coal being \$1.80 per ton f. o. b. the mine; and

The said complaint herein and notice of and order for hearing thereon made July 28, 1941, having been duly served on the defendant on August 2, 1941; and

The defendant, having by stipulation made January 9, 1942, the original of which is on file with the Division, admitted the truth of the allegations of said complaint and consented to the making and entry of this Order; and

The defendant, having by said stipulation and in furtherance thereof, expressly waived (a) hearing on the complaint herein, (b) oral argument and the filing of brief before the Director, or other presiding officer, (c) preparation and submission of any report, findings of fact, or recommendations by the Director or other presiding officer, (d) the presentation of oral argument before the Director or other presiding officer, and (e) the preparation and submission of tentative findings of fact or proposed order of the Director;

Now therefore, Pursuant to the authority vested in the Director by section 4 II (j) of the Act authorizing him to adjust the complaints of violations and to compose the differences of the parties thereto:

It is hereby found That:

(a) on June 21, 1937, the defendant filed with the National Bituminous Coal Commission (the "Commission") its acceptance, dated June 18, 1937, of the Code; said acceptance was approved by the Commission to take effect as of June 21, 1937; the defendant has been since

June 21, 1937, and is now a code member in District No. 10;

(b) the defendant was at the time of its acceptance of the Code, a partnership consisting of Louie Norris, Cline Norris and Charles Bowman;

(c) at the time of the violations hereinafter found and at all times subsequent thereto the Norris Coal Company, a partnership, consisted of the following members: Cline Norris, Louie Norris, Charles Bowman, and V. E. Turner;

(d) the defendant as such Code member on the dates referred to in paragraph (e) hereof operated and now operates the Norris Coal Co. Mine (Mine Index No. 1203), located in Williamson County, Illinois, in District No. 10; and

(e) the defendant wilfully violated the provisions of the Code, the Marketing Rules and Regulations, and the effective minimum prices established by the Division, by selling and delivering to Ray Minter, on or about February 18, 1941, approximately 6 tons of mine run coal, produced at its Norris Coal Co. Mine, located in Williamson County, Illinois, in District No. 10, at a price of \$1.50 per ton f. o. b. the mine, and on or about February 20, 1941, approximately 1.2 tons of mine run coal produced at its aforesaid mine, at a price of \$1.53 per ton f. o. b. the mine, whereas the effective minimum price established for such coal was and is \$1.80 per net ton f. o. b. the mine.

Now therefore, based upon the above findings and the Defendant's above stipulation;

It is ordered, That Louie Norris, Cline Norris, Charles Bowman and V. E. Turner individually and as copartners doing business under the name and style of Norris Coal Company, and the representatives, agents, servants, employees and attorneys of them or any of them and all persons acting or claiming to act in their behalf or in behalf of any of them, cease and desist and they hereby are permanently enjoined and restrained from violating the Code, the Marketing Rules and Regulations and the effective minimum prices established by the Division.

Dated: February 3, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-1058; Filed, February 4, 1942;
11:58 a. m.]

[Docket No. A-1268]

PETITION OF THE MUSKINGUM COAL COMPANY, A CODE MEMBER IN DISTRICT NO. 4, FOR THE ESTABLISHMENT OF MINIMUM PRICES FOR CRUSHED COAL FROM ITS MINES FOR TRUCK SHIPMENTS (DURING EMERGENCY PERIODS) TO PHILO POWER PLANT, PHILO, OHIO, IN MARKET AREA 14

MEMORANDUM OPINION AND ORDER DENYING TEMPORARY RELIEF AND NOTICE OF AND ORDER FOR HEARING

A petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, was duly filed with this Division by The Mus-

kingum Coal Company, a code member in District 4, requesting the establishment of minimum prices for crushed coals from the petitioner's mines in District No. 4 for truck shipments, during periods of emergency when the river becomes non-navigable due to ice conditions, to the Philo Power Plant, Philo, Ohio, in Market Area 14, equal to the effective minimum prices for crushed coals, in Size Group 12, for river shipments f. a. s. that plant.

A petition of intervention was filed by District Board 4.

Pursuant to § 301.106 of the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, and due notice thereof, an informal conference was held on January 19, 1942, at Washington, D. C. The petitioner and District Boards 4 and 6 appeared.

The petition sets forth that shipments of crushed coal made by the petitioner to the Philo Power Plant of the Ohio Power Company, the petitioner's only customer, are ordinarily made by river, but that when the river becomes frozen it is necessary that such shipments be made by truck. The petitioner, therefore, seeks the establishment of a price for crushed coal from the petitioner's mines for shipment by truck to the Philo Power Plant that will have the effect of establishing an f. o. b. destination price the same as that established for river shipment of crushed coal to that plant.

It appears that temporary relief was requested on the basis of an emergency condition due to the presence of ice in the river. At the informal conference the petitioner stated that during the interim between the date when the petition was filed and the date of the conference, that emergency condition had ceased to exist and that the petitioner was able to resume, and had resumed shipments by river. I find, therefore, that no occasion presently exists to warrant or require the granting of the temporary relief requested. The petitioner, believing that a recurrence of emergency conditions of the river is a strong probability, requested that the informal conference be recessed subject to being reconvened should a future emergency arise. I do not deem it advisable to recess the informal conference in these circumstances. In the event that such a new emergency should arise, a new application for temporary relief filed by the petitioner will receive prompt consideration.

Now, therefore, it is ordered, That the temporary relief requested by the petitioner be and it hereby is denied.

It is further ordered, That a hearing in the above-entitled matter under the applicable provisions of said Act and the rules of the Division be held on March 3, 1942, at 10 o'clock in the forenoon of that day, at a hearing room of the Bituminous Coal Division, 734 Fifteenth Street NW., Washington, D. C. On such day the Chief of the Records Section in

Room 502 will advise as to the room where such hearing will be held.

It is further ordered, That W. A. Shipman or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, subpoena witnesses, compel their attendance, take evidence, require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, to continue said hearing from time to time, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in these proceedings and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitioners of intervention shall be filed with the Bituminous Coal Division on or before February 26, 1942.

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

The matter concerned herewith is in regard to the petition of The Muskingum Coal Company, a code member in District 4, for the establishment of minimum prices for crushed coals from the Muskingum Coal Company #3 Jones & #4 Block, Muskingum-Jones #6, Muskingum-Jones #7, and Jones Motor #1 Mines, Mine Index Nos. 160, 206, 207, and 2088, respectively, for truck shipments, during periods of emergency when the river becomes non-navigable due to ice conditions, to the Philo Power Plant of the Ohio Power Company, Philo, Ohio, in Market Area 14, equal to the effective minimum f. a. s. prices for crushed coals, in Size Group 12, for river shipments to that plant.

Dated: February 3, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-1050; Filed, February 4, 1942;
11:59 a. m.]

IN THE MATTERS OF ERNEST MOORE AND SON, CHARLES AND TERRY REDDINGER, (TERRY REDDINGER) M. L. SHUMAKER AND CHARLES SHUMAKER, R. W. DUNCAN, C. H. GATHERS, LOYAL T. HENDERSON, C. F. MILLER, F. J. ADAMS, O. E. HOUSER, JOHN AND CHARLES PREISTER, FRANK W. ALBERT, J. BRUCE MEYER, C. O. SHICK, SCOTT L. REARICK, CODE MEMBERS, DEFENDANTS

[Docket Nos. B-89, B-91, B-94, B-99, B-100, B-101, B-102, B-103, B-105, B-106, B-109, B-114, B-119, B-166]

ORDER GRANTING APPLICATION TO WITHDRAW COMPLAINTS

The above proceedings were instituted upon complaints filed with the Bituminous Coal Division by the Bituminous Coal Producers Board for District No. 1, pursuant to sections 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937; and

The Bituminous Coal Producers Board for District No. 1, complainant, in the above-entitled matters having filed an application, dated January 6, 1942, to withdraw its respective complaints heretofore filed against the above-named defendants; and

It appearing to the Acting Director that it is advisable that said application to withdraw the aforesaid complaints should be granted;

Now, therefore, it is ordered, That the application to withdraw the above-entitled complaints be and the same is hereby granted without prejudice to the new complaints heretofore filed with the Division by the Bituminous Coal Producers Board for District No. 1, against the above-named defendants, respectively.

Dated: January 31, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-1060; Filed, February 4, 1942;
11:59 a. m.]

General Land Office.

REVOCATION IN PART OF DEPARTMENTAL ORDER OF JULY 8, 1931, AND REVOCATION OF DEPARTMENTAL ORDER OF JULY 9, 1934, AFFECTING CERTAIN PUBLIC LANDS IN ARIZONA

The order of the Secretary of the Interior of July 8, 1931, so far as it temporarily withdrew from disposition of any kind, certain public domain lands in Apache County, Arizona, in aid of pending legislation to define the exterior boundaries of the Navajo Indian Reservation and for other purposes and the order of the Secretary of the Interior of July 9, 1934, temporarily withdrawing from settlement, entry or disposition other than in connection with exchanges authorized by the act of June 14, 1934 (48 Stat. 960), all the unentered, unre-

served, unappropriated and undisposed of public domain lands within Apache, Navajo and Coconino Counties, Arizona, in order to effectuate such exchanges for consolidation purposes, be and they are hereby revoked, effective at 9:00 o'clock a. m., on the 60th day from the date hereof.

HAROLD L. ICKES,
Secretary of the Interior.

JANUARY 29, 1942.

[F. R. Doc. 42-1023; Filed, February 3, 1942;
3: 07 p. m.]

DEPARTMENT OF AGRICULTURE.

Agricultural Adjustment Administration.

[ACP-1942—Southern Great Plains—1]

1942 SPECIAL AGRICULTURAL CONSERVATION PROGRAM FOR THE SOUTHERN GREAT PLAINS AREA

SUPPLEMENT NO. 1

The 1942 Special Agricultural Conservation Program¹ for the Southern Great Plains Area will be applicable in the following counties, and the county rate referred to in section 2 (a) shall be as indicated for each such county:

Colorado

Baca.....	0.63	Kiowa.....	0.61
Bent.....	.76	Kit Carson.....	.64
Cheyenne.....	.64	Las Animas.....	.65
Crowley.....	.73	Lincoln.....	.63
Elbert.....	.67	Otero.....	.86
El Paso.....	.65	Prowers.....	.71
Huerfano.....	.68		

Kansas

Cheyenne.....	0.79	Morton.....	0.68
Clark.....	.90	Ness.....	.85
Comanche.....	.88	Pawnee.....	1.01
Decatur.....	.78	Rawlins.....	.81
Edwards.....	.94	Rooks.....	.79
Ellis.....	.94	Rush.....	.95
Finney.....	.82	Scott.....	.78
Gove.....	.80	Seward.....	.80
Graham.....	.77	Sheridan.....	.80
Grant.....	.76	Sherman.....	.73
Greeley.....	.73	Stanton.....	.75
Hamilton.....	.74	Stevens.....	.71
Haskell.....	.84	Thomas.....	.79
Hodgeman.....	.82	Trego.....	.85
Kearny.....	.74	Wallace.....	.68
Kiowa.....	.91	Wichita.....	.75
Logan.....	.71		

New Mexico

Colfax.....	0.68	Quay.....	0.67
Harding.....	.64	Union.....	.63

Oklahoma

Beaver.....	0.74	Harper.....	0.73
Cimarron.....	.67	Texas.....	.73

Texas

Armstrong.....	0.83	Lipscomb.....	0.76
Dallam.....	.63	Moore.....	.68
Deaf Smith.....	.72	Ochiltree.....	.82
Hansford.....	.74	Oldham.....	.70
Hartley.....	.66	Potter.....	.74
Hutchinson.....	.72	Sherman.....	.72

¹6 F. R. 6661.

[Administrative Order No. 659]
CHANGES IN ALLOCATIONS AND ALLOCATION DESIGNATIONS

The full amount of the allocation has been advanced and that part not assumed by the cooperatives as specified above remains allocated to the State Rural Electrification Authority.
 [SEAL]
HARRY SLATTERY,
Administrator.

JANUARY 23, 1942.
 I hereby amend the Administrative Orders designated below by reducing the allocations specified therein as follows:

Project designation	Administrative order		Amount of allocation	Amount of reduction	Amount of reduced allocation
	No.	Date			
South Carolina R9009K1 State Authority	340	May 2, 1939	\$271,000	\$103,950.50	\$167,049.50
South Carolina 15 Aiken	130	Aug. 30, 1937	265,000	13,650.16	251,349.84
South Carolina 8016 York	140	Sept. 20, 1937	75,000	4,983.72	70,016.28

I also hereby amend the Administrative Orders designated below to change the allocation designations specified therein, in whole or in part, as follows:

Project designation	Administrative order		Amount of allocation	Amount of allocation assumed	New project designation
	No.	Date			
South Carolina R9009D1 State Authority.	287	June 2, 1938 Amended by May 10, 1940	\$228,000	\$113,206.74	South Carolina 31 Henry (South Carolina 9009D1 State Authority).
South Carolina R9009E1 State Authority.	457	Oct. 18, 1938 Amended by Memorandum dated Sept. 15, 1939.	98,000	114,798.26	South Carolina 33 Cherokee (South Carolina 9009D1 State Authority).
South Carolina R9009F1 State Authority.	301	Jan. 31, 1939 Amended by Mar. 11, 1939 and Memorandum dated Sept. 15, 1939.	247,000	46,179.05	South Carolina 32 Calhoun (South Carolina R9009E1 State Authority).
South Carolina R9009H1 State Authority.	319 324	May 2, 1939	327,000	51,820.95	South Carolina 33 Cherokee (South Carolina R9009E1 State Authority).
South Carolina R9009K1 State Authority.	340	May 2, 1939	167,049.50	2,644.25	South Carolina 37 Lexington (South Carolina R9009H1 State Authority).
South Carolina R9009K1 State Authority.	340	May 2, 1939	167,049.50	102,574.37	South Carolina 38 Oconee (South Carolina R9009H1 State Authority).
South Carolina R9009K1 State Authority.	340	May 2, 1939	167,049.50	81,781.37	South Carolina 19 Laurens (South Carolina R9009K1 State Authority).
South Carolina R9009K1 State Authority.	340	May 2, 1939	167,049.50	22,872.47	South Carolina 21 Lancaster (South Carolina R9009K1 State Authority).
South Carolina R9009K1 State Authority.	340	May 2, 1939	167,049.50	29,794.04	South Carolina 22 Fairfield (South Carolina R9009K1 State Authority).
South Carolina R9009K1 State Authority.	340	May 2, 1939	167,049.50	274,333.49	South Carolina 23 Dorchester (South Carolina R9009K1 State Authority).
South Carolina R9009K1 State Authority.	340	May 2, 1939	167,049.50	1,769.07	South Carolina 24 Marion (South Carolina R9009K1 State Authority).
South Carolina R9009K1 State Authority.	340	May 2, 1939	167,049.50	171.19	South Carolina 25 Berkeley (South Carolina R9009K1 State Authority).
South Carolina R9009K1 State Authority.	340	May 2, 1939	167,049.50	803.22	South Carolina 26 Darlington (South Carolina R9009K1 State Authority).
South Carolina R9009K1 State Authority.	340	May 2, 1939	167,049.50	264.15	South Carolina 27 Marlboro (South Carolina R9009K1 State Authority).
South Carolina R9009K1 State Authority.	340	May 2, 1939	167,049.50	344.27	South Carolina 28 Williamsburg (South Carolina R9009K1 State Authority).
South Carolina R9009K1 State Authority.	340	May 2, 1939	167,049.50	2,210.16	South Carolina 29 Sumter (South Carolina R9009K1 State Authority).
South Carolina R9009K1 State Authority.	340	May 2, 1939	167,049.50	1,727.65	South Carolina 25 Berkeley (South Carolina R9009K1 State Authority).
South Carolina R9009K1 State Authority.	340	May 2, 1939	167,049.50	898.03	South Carolina 27 Marlboro (South Carolina R9009K1 State Authority).
South Carolina R9009K1 State Authority.	340	May 2, 1939	167,049.50	3,560.77	South Carolina 28 Williamsburg (South Carolina R9009K1 State Authority).
South Carolina R9009K1 State Authority.	340	May 2, 1939	167,049.50	1,384.12	South Carolina 29 Sumter (South Carolina R9009K1 State Authority).

Rural Electrification Administration.
 [General Memorandum No. 56]
JANUARY 23, 1942.
CHANGES IN ALLOCATIONS AND ALLOCATION DESIGNATIONS

The allocation specified below was made by Executive Order under the Emergency Relief Appropriation Act of 1935. It is now desired to reduce this allocation. However, inasmuch as Executive Orders cannot be amended by Administrative Order, such allocation should for the purposes of our records be deemed to be reduced as follows:

Date of Executive order	Amount of allocation	Amount of reduction	Amount of reduced allocation
July 22, 1935	\$12,328	\$6,991.94	\$5,336.06

The entire amount of the reduced allocation, \$5,336.06, advanced to the State Rural Electrification Authority has been assumed by the Aiken Electric Cooperative, Incorporated.

In addition, the following allocation was also made by Executive Order under the Emergency Relief Appropriation Act of 1935 and it is now also desired to change such allocation designation in accordance with the provisions of said amendment to said General Order, the loan, made to the State Rural Electrification Authority having been assumed in part by the below-designated cooperatives. However, inasmuch as such change cannot be made by Administrative Order for the above-mentioned reason, such allocation designation should for the purposes of our records be deemed to be changed as follows:

Project designation	Date of Executive order	Amount of allocation	Amount of allocation assumed	New project designation
South Carolina 9 State Authority.	Sept. 24, 1935	\$530,000	\$3,859.71	South Carolina 14 Aiken (South Carolina 9 State Authority).
South Carolina 9 State Authority.	Sept. 24, 1935	\$530,000	84,185.15	South Carolina 19 Laurens (South Carolina 9 State Authority).
South Carolina 9 State Authority.	Sept. 24, 1935	\$530,000	41,472.77	South Carolina 22 Fairfield (South Carolina 9 State Authority).
South Carolina 9 State Authority.	Sept. 24, 1935	\$530,000	17,729.21	South Carolina 24 Marion (South Carolina 9 State Authority).
South Carolina 9 State Authority.	Sept. 24, 1935	\$530,000	89,037.56	South Carolina 26 Darlington (South Carolina 9 State Authority).
South Carolina 9 State Authority.	Sept. 24, 1935	\$530,000	46,265.81	South Carolina 27 Marlboro (South Carolina 9 State Authority).
South Carolina 9 State Authority.	Sept. 24, 1935	\$530,000	183,374.26	South Carolina 28 Williamsburg (South Carolina 9 State Authority).

(Sections 7 to 17, as amended, 49 Stat. 1148, 1915; 50 Stat. 329; 52 Stat. 31, 204, 205; 53 Stat. 550, 573; 54 Stat. 216, 727; 16 U.S.C. 590g-590q; 55 Stat. 257; Public Law No. 374, 77th Congress, approved December 26, 1941)

Done at Washington, D. C. this 3d day of February 1942.
 Witness my hand and the seal of the Department of Agriculture.

[SEAL]
PAUL H. APPLEBY,
Acting Secretary of Agriculture.
 [F. R. Doc. 42-1046; Filed, February 4, 1942; 11:41 a. m.]

Project designation	Date of Executive order	Amount of allocation	Amount of allocation assumed	New project designation
South Carolina 9 State Authority.	Sept. 24, 1935	\$530,000	\$3,859.71	South Carolina 14 Aiken (South Carolina 9 State Authority).

It is now also desired to change the above-mentioned allocation designation in accordance with the provisions of the amendment dated August 15, 1941 to General Order No. 84, the loan made to the State Rural Electrification Authority having been assumed by the Aiken Electric Cooperative, Incorporated. However, inasmuch as such change cannot be made by Administrative Order for the above-mentioned reason, such allocation designation should for the purposes of our records be deemed to be changed as follows:

Project designation	Date of Executive order	Amount of allocation	Amount of allocation assumed	New project designation
South Carolina 9 State Authority.	Sept. 24, 1935	\$530,000	\$3,859.71	South Carolina 14 Aiken (South Carolina 9 State Authority).

Project designation	Administrative order		Amount of allocation	Amount of allocation assumed	New project designation
	No.	Date			
South Carolina R9009K1 State Authority—Continued.	340	May 2, 1939	\$167,048.50	\$850.63	South Carolina 30 Colleton (South Carolina R9009K1 State Authority).
				2,570.43	South Carolina 31 Horry (South Carolina R9009K1 State Authority).
				1,412.08	South Carolina 32 Calhoun (South Carolina R9009K1 State Authority).
				3,271.07	South Carolina 33 Cherokee (South Carolina R9009K1 State Authority).
				3,180.99	South Carolina 34 Newberry (South Carolina R9009K1 State Authority).
				668.55	South Carolina 35 Abbeville (South Carolina R9009K1 State Authority).
				2,186.41	South Carolina 37 Lexington (South Carolina R9009K1 State Authority).
				43,003.26	South Carolina 38 Oconee (South Carolina R9009K1 State Authority).
				4,530.09	South Carolina 40 Hampton (South Carolina R9009K1 State Authority).
				32,198.76	South Carolina 14 Aiken (South Carolina 15 Aiken).
South Carolina 15 Aiken.)	130	Aug. 30, 1937	251,348.84	6,446.15	South Carolina 19 Laurens (South Carolina 15 Aiken).
				8,240.41	South Carolina 21 Lancaster (South Carolina 15 Aiken).
				12,714.88	South Carolina 23 Dorchester (South Carolina 15 Aiken).
				105,709.64	South Carolina 25 Berkeley (South Carolina 15 Aiken).
				63,895.81	South Carolina 29 Sumter (South Carolina 15 Aiken).
				32,144.19	South Carolina 35 Abbeville (South Carolina 15 Aiken).
				12,164.70	South Carolina 29 Sumter (South Carolina 8016 York).
South Carolina 8016 York.	140	Sept. 20, 1937	70,016.28	40,969.90	South Carolina 30 Colleton (South Carolina 8016 York).
				16,881.68	South Carolina 31 Horry (South Carolina 8016 York).

In all cases the full amount of the allocation has been advanced and that part not assumed by the cooperatives as specified above remains allocated to the State Rural Electrification Authority.

[SEAL] HARRY SLATTERY,
Administrator.

[F. R. Doc. 42-1026; Filed, February 3, 1942;
3:17 p. m.]

[Administrative Order No. 660]

ALLOCATION OF FUNDS FOR LOANS

JANUARY 23, 1942.

By virtue of the authority vested in me by the provisions of Section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said Act, funds for a loan for the project and in the amount as set forth in the following schedule:

Project designation	Amount
Arkansas 2028A1 Conway.....	\$423,000

[SEAL] HARRY SLATTERY,
Administrator.

[F. R. Doc. 42-1024; Filed, February 3, 1942;
3:17 p. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

NOTICE OF ISSUANCE OF SPECIAL CERTIFICATES FOR THE EMPLOYMENT OF LEARNERS UNDER THE FAIR LABOR STANDARDS ACT OF 1938

Notice is hereby given that Special Certificates authorizing the employment of learners at hourly wages lower than

the minimum wage rate applicable under section 6 of the Act are issued under section 14 thereof, Part 522 of the Regulations issued thereunder (August 16, 1940, 5 F.R. 2862) and the Determination and Order or Regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591).

Men's Single Pants, Shirts and Allied Garments and Women's Apparel Industries, September 23, 1941 (6 F.R. 4839).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order of September 20, 1940 (5 F.R. 3748).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 29, 1941 (6 F.R. 3753).

The employment of learners under these Certificates is limited to the terms and conditions as to the occupations, learning periods, minimum wage rates, et cetera, specified in the Determination and Order or Regulation for the industry

designated above and indicated opposite the employer's name. These Certificates become effective February 5, 1942. 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.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EXPIRATION DATE

Apparel

Penn Neckwear Company, 1812 Parade Street, Erie, Pennsylvania; Men's & Boys' Neckwear; 5 learners (T); February 5, 1943.

Hansley Mills, Inc., South Main Street, Paris, Kentucky; Men's & Boys' Athletic Underwear; 80 learners (E); August 5, 1942. (This certificate replaces one issued bearing expiration date of May 27, 1942.)

Single Pants, Shirts and Allied Garments and Women's Apparel

H. J. Axler and Sons, 1031 17th Street, Denver, Colorado; Blouses, Slacks, Slack Suits; 5 learners (T); February 5, 1943.

Berry Garment Manufacturing Company, 422-24 North Kansas Avenue, Columbus, Kansas; Herringbone Twill Suits & Overalls; 10 percent (T); February 5, 1943.

Champ Manufacturing Company, 900 Hodiarnont Avenue, St. Louis, Missouri; Skirts, Shorts, Riding Breeches, Jodhpurs; 10 percent (T); February 5, 1943.

The C. B. Cones and Son Manufacturing Company, 18-24 N. Senate Avenue, Indianapolis, Indiana; Work Shirts, Pants, Coveralls, Overalls; 10 percent (T); February 5, 1943.

Creighton Shirt Company, 67 Franklin Street, New Haven, Connecticut; Shirts; 10 learners (T); August 5, 1942.

Niagara Apparel Company, Inc., 273 S. Division Street, Buffalo, New York; Single Pants, Children's Outerwear; 10 percent (T); February 5, 1943.

Sunnyvale, Inc., 614 Wyoming Avenue, Scranton, Pennsylvania; Wash Dresses; 45 learners (E); June 25, 1942.

Superior Garment Manufacturing Company, 307 W. Van Buren Street, Chicago, Illinois; Single Pants, Washable Service Apparel; 5 learners (T); February 5, 1943.

Hosiery

Ingle Full-Fashioned Hosiery Mill, Inc., Chase Street, Gibsonville, N. C.; Full Fashioned Hosiery; 10 learners (T); February 5, 1943.

Kenosha Full Fashioned Mills, Inc., 2323 60th Street, Kenosha, Wisconsin; Full Fashioned Hosiery; 5 percent (T); February 5, 1943.

Telephone

Eureka Telephone Company, Corydon, Indiana; to employ learners as commercial switchboard operators at its Corydon Exchange, Corydon, Indiana; until February 5, 1943.

Knitted Wear

La Rose Underwear Company, 45 West 18th Street, New York, N. Y.; Knitted Rayon Underwear; 10 percent (T); February 5, 1943.

Textile

The Maryland Ribbon Company, 651 North Prospect, Hagerstown, Maryland; Ribbons; 6 percent (T); February 5, 1943. (This certificate replaces one issued bearing expiration date of October 30, 1942.)

United Elastic Corporation, American Mills Permoflex Plant, 158 Orange Avenue, West Haven, Connecticut; Cotton and Rayon; 30 learners (E); August 5, 1942.

Signed at Washington, D. C., this 4th day of February 1942.

MERLE D. VINCENT,
*Authorized Representative
of the Administrator.*

[F. R. Doc. 42-1044; Filed, February 4, 1942; 11:33 a. m.]

NOTICE OF ISSUANCE OF SPECIAL CERTIFICATES FOR THE EMPLOYMENT OF LEARNERS UNDER THE FAIR LABOR STANDARDS ACT OF 1938

Notice is hereby given that Special Certificates authorizing the employment of learners at hourly wages lower than the minimum rate applicable under Section 6 of the Act are issued under section 14 thereof and § 522.5 (b) of the Regulations issued thereunder (August 16, 1940, 5 F.R. 2862) to the employers listed below effective February 5, 1942.

The employment of learners under these Certificates is limited to the terms and conditions as designated opposite the employer's name. These Certificates are issued upon the employers' representations that experienced workers for the learner occupations are not available for employment and that they are actually in need of learners at subminimum rates in order to prevent curtailment of opportunities for employment. The Certificates may be cancelled in the manner provided for in the Regulations and as indicated on the Certificate. Any person aggrieved by the issuance of these Certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, PRODUCT, NUMBER OF LEARNERS, LEARNING PERIOD, LEARNER WAGE, LEARNER OCCUPATIONS, EXPIRATION DATE

Augusta Bedding Company, 930 8th Street, Augusta, Georgia; Wood Furniture; 1 learner; 6 weeks for any one learner; 30 cents per hour; Upholsterer; April 2, 1942.

Cotton Belt Mattress Company, Pine-tops, North Carolina; Wood Furniture; 5 learners; 6 weeks for any one learner;

30 cents per hour; Upholsterer, Wood-working Machine Operator, Garnetting Machine Operator; April 2, 1942.

Signed at Washington, D. C., this 4th day of February 1942.

MERLE D. VINCENT,
*Authorized Representative
of the Administrator.*

[F. R. Doc. 42-1045; Filed, February 4, 1942; 11:33 a. m.]

FEDERAL POWER COMMISSION.

[Project No. 1872]

**IN THE MATTER OF OCCOQUAN COMPANY
NOTICE OF APPLICATION**

Public notice is hereby given, pursuant to the provisions of the Federal Power Act (16 U.S.C. 791-825r) that Occoquan Company of Alexandria, Virginia, has made application for license for a proposed hydroelectric project on Occoquan Creek, in Fairfax and Prince William Counties, Virginia; consisting of a concrete gravity type dam about 125 feet high, a reservoir having storage capacity of about 32,600 acre-feet, a power house integral with the dam having installed capacity of about 48,800 horsepower operating under a net head of about 124 feet, a set-up transformer station, two 17,000 horsepower pumps and necessary transmission lines to connect the switching station to the lines of two other companies within a mile of the dam site.

Any protest against the approval of this application or request for hearing thereon, with the reasons for such protest or request and the name and address of the party or parties so protesting or requesting, should be submitted before March 6, 1942, to the Federal Power Commission, at Washington, D. C.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 42-1035; Filed, February 4, 1942; 10:31 a. m.]

[Project No. 1503]

**IN THE MATTER OF STATE OF ARIZONA
ORDER POSTPONING DATE OF HEARING**

FEBRUARY 3, 1942.

It appearing that: Good cause exists for the postponement of the hearing in the above-entitled proceeding;

It is ordered, That: The hearing in this proceeding now set for February 9, 1942, be and it is hereby postponed until further order of the Commission.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 42-1043; Filed, February 4, 1942; 11:28 a. m.]

FEDERAL SECURITY AGENCY.

Social Security Board.

CERTIFICATION TO THE NORTH DAKOTA WORKMEN'S COMPENSATION BUREAU PURSUANT TO SECTION 1602 OF THE INTERNAL REVENUE CODE

The North Dakota Workmen's Compensation Bureau having duly submitted to the Social Security Board, pursuant to the provisions of section 1602 (b) (3) of the Internal Revenue Code, as amended, the North Dakota Unemployment Compensation Act; and

The Social Security Board having considered the provisions of said Act to determine whether or not reduced rates of contributions are allowable thereunder under conditions fulfilling the requirements of section 1602 of the Internal Revenue Code;

The Board hereby finds that:

(1) Said Act provides for a pooled fund as defined in section 1602 (c) (2) of the Internal Revenue Code; and

(2) Reduced rates of contributions under said Act to such pooled fund are allowable only in accordance with the provisions of section 1602 (a) (1) of the Internal Revenue Code. Pursuant to the provisions of section 1602 (b) (3) of the Internal Revenue Code, the Board hereby directs that the foregoing findings be certified to the North Dakota Workmen's Compensation Bureau.

[SEAL] SOCIAL SECURITY BOARD,
A. J. ALTMAYER,
Chairman.

JANUARY 30, 1942.

Approved:

PAUL V. McNUTT,
Administrator.

FEBRUARY 3, 1942.

[F. R. Doc. 42-1042; Filed, February 4, 1942; 11:15 a. m.]

FEDERAL TRADE COMMISSION.

[Docket No. 3936]

IN THE MATTER OF EMBALMERS' SUPPLY COMPANY

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

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 3rd day of February, A. D. 1942.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U.S.C.A., section 41),

It is ordered, That W. W. Sheppard, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence

in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Friday, February 13, 1942, at ten o'clock in the forenoon of that day (Eastern Standard Time), in the Hotel St. George, Brooklyn, New York.

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

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 42-1050; Filed, February 4, 1942;
11:45 a. m.]

[Docket No. 4635]

IN THE MATTER OF PABST PHARMACEUTICAL COMPANY, INC., A CORPORATION, DOING BUSINESS UNDER THE NAME AND STYLE OF PABST CHEMICAL COMPANY

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

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 3d day of February, A. D. 1942.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U.S.C.A., section 41),

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

It is further ordered, That the taking of testimony in this proceeding begin on Tuesday, February 17, 1942, at ten o'clock in the forenoon of that day (Eastern Standard Time), in Hearing Room, Federal Trade Commission Building, 6th and Constitution Avenue, Washington, D. C.

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

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 42-1051; Filed, February 4, 1942;
11:46 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-483]

IN THE MATTER OF PANHANDLE EASTERN PIPE LINE COMPANY AND COLUMBIA OIL & GASOLINE CORPORATION

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE AND GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 3d day of February, A. D. 1942.

A declaration pursuant to sections 6 (a) and 7 of the Public Utility Holding Company Act of 1935 having been filed by Panhandle Eastern Pipe Line Company, a subsidiary of both Columbia Gas & Electric Corporation, a registered holding company, and Columbia Oil & Gasoline Corporation; and

Columbia Oil & Gasoline Corporation, also a subsidiary company of Columbia Gas & Electric Corporation, having filed an application pursuant to section 10 of the Act, requesting that such application be consolidated with the aforesaid declaration; and

Both the declaration and application being concerned with a proposal to extend the time within which any shares of the Class A Preferred Stock of Panhandle Eastern Pipe Line Company may be redeemed without payment of a premium of \$10 per share from January 1, 1942 to and including April 1, 1942; such extension being in accordance with an agreement, dated December 15, 1941, between Panhandle Eastern Pipe Line Company and Columbia Oil & Gasoline Corporation, beneficial owner of the entire issue of such stock.

Said declaration having been filed on January 14, 1942 and said application having been filed on January 29, 1942; a notice of filing having been duly given in the form and manner prescribed in Rule U-23 promulgated under the Act, and the Commission not having received a request for a hearing with respect to the declaration and application within the period specified in such notice or otherwise, and not having ordered a hearing thereon; and

Both the declarant and applicant having respectively requested that the aforesaid declaration be permitted to become effective and application be granted on or before February 5, 1942; and

The Commission finding with respect to the aforesaid declaration that the requirements of section 7 are satisfied and that with respect to such application no adverse findings are necessary under sections 10 (b) and 10 (c) (1) of the Act and deeming the proposed transaction to be appropriate in the public interest and in the interest of investors and consumers pursuant to section 12 (f) of

the Act and being satisfied that such declaration should be permitted to become effective forthwith and such application granted forthwith;

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of the Act and rules promulgated thereunder and subject to the terms and conditions prescribed in Rule U-24 that the aforesaid declaration be and it is hereby permitted to become effective forthwith and the aforesaid application be and it hereby is granted forthwith.

By the Commission, Commissioner Healy concurring in the result.

[SEAL] FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 42-1052; Filed, February 4, 1942;
11:52 a. m.]

[File Nos. 59-33, 70-263, 70-371, 70-387,
70-430, 70-431]

IN THE MATTER OF COLUMBIA GAS & ELECTRIC CORPORATION, COLUMBIA OIL & GASOLINE CORPORATION, PANHANDLE EASTERN PIPE LINE COMPANY, MICHIGAN GAS TRANSMISSION CORPORATION, INDIANA GAS DISTRIBUTION CORPORATION, AND THE OHIO FUEL GAS COMPANY

SUPPLEMENTAL ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 3d day of February, A. D. 1942.

Panhandle Eastern Pipe Line Company, a subsidiary of Columbia Gas & Electric Corporation, a registered holding company, having filed an application pursuant to the Public Utility Holding Company Act of 1935, particularly section 6 (b) thereof and Rule U-50 thereunder, regarding the issue and sale of \$10,000,000 principal amount of 3% First Mortgage Bonds and \$15,000,000 par value of Cumulative Preferred stock, the proceeds to be applied toward the retirement of \$10,000,000 par value outstanding Class A \$6 participating Preferred stock, the acquisition of certain wholly-owned subsidiaries of Columbia Gas & Electric Corporation, and additional construction; Panhandle Eastern Pipe Line Company to publicly invite proposals for the purchase of the bonds and preferred stock in accordance with Rule U-50; and

Said application having been consolidated in the above-entitled consolidated proceeding, and the Commission having, on January 21, 1942, granted such application pursuant to section 6 (b) subject to the conditions, among others, that applicant report to the Commission the result of the competitive bidding as required by Rule U-50 (c) and comply with such supplemental order as the Commission may enter in view of the facts disclosed thereby, jurisdiction having been reserved for this purpose; and

Panhandle Eastern Pipe Line Company having made such report to the Commission in the form of an amendment to the application herein, setting forth the action taken to comply with Rule U-50 (c) and specifying the proposals which have been received for the purchase of said bonds pursuant to the invitation for competitive bidding, and setting forth that Panhandle Eastern Pipe Line Company has accepted a bid from a group of underwriters headed by Glore, Forgan & Co. and Kidder, Peabody & Co., of 100.02% for the bonds which are to be resold to the public at 100.75%, representing a spread to the underwriters of .73%, and 100.2789% for cumulative preferred stock having a dividend rate of 5.6%, which stock is to be resold to the public at 104%, representing a spread to the underwriters of 3.7211%, of which 2.25% represents the spread to dealers; and

The Commission having examined the record and finding no basis for imposing terms and conditions with respect to the issue and sale of said bonds and preferred stock at such price and with such spread;

It is ordered, That said application, as amended, be and it is hereby granted in regard to the price to the issuer, the spread, and the distribution thereof applicable to such bonds and preferred

stock, subject, however, to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 42-1053; Filed, February 4, 1942;
11:52 a. m.]

IN THE MATTER OF GLOBE SECURITIES
COMPANY, LTD., 210½ NORTH WEST 2D
STREET, OKLAHOMA CITY, OKLAHOMA

ORDER REFUSING TO PERMIT WITHDRAWAL,
AND REVOKING REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 2d day of February, A. D. 1942.

Proceedings having been instituted pursuant to order of the Commission dated September 5, 1941, to determine whether the registration of Globe Securities Company, Ltd., as a broker and dealer should be suspended or revoked; the registrant having thereafter requested withdrawal of its registration; a hearing having been held after appropriate notice; the Commission having this day issued its Findings and Opinion.

It is ordered, On the basis of such Findings and Opinion, pursuant to section 15 (b) of the Securities Exchange Act of 1934, that the registrant's request for withdrawal of registration be denied, and that the registration of Globe Securities Company, Ltd., as a broker and dealer be, and the same hereby is, revoked.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 42-1054; Filed, February 4, 1942;
11:52 a. m.]

WAR PRODUCTION BOARD.

Division of Industry Operations.

NOTICE OF EXTENSION OF PREFERENCE
RATING ORDER NO. P-45

Preference Rating Order No. P-45 has been extended to expire February 28, 1942.

Dated: January 30, 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42-1034; Filed, February 4, 1942;
10:18 a. m.]