

THE NATIONAL ARCHIVES
LITTE
SCRIPTA
MANET
OF THE UNITED STATES

FEDERAL REGISTER

VOLUME 14

NUMBER 12

Washington, Tuesday, January 18, 1949

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[File No. 21-328]

PART 152—HOSIERY INDUSTRY

USE OF TERM "GAUGE" IN DESIGNATION OF WOMEN'S FULL-LENGTH CIRCULAR-KNIT HOSIERY

At a regular session of the Federal Trade Commission held at its office in the city of Washington, D. C., on the 13th day of January 1949.

The following action of the Commission was announced today in respect to request of the Board of Directors of the National Association of Hosiery Manufacturers which presented the matter of application of the trade practice rules for the Hosiery Industry to use of the term "Gauge" as applied to women's full-length circular-knit hose. It was pointed out by such Board of Directors that the term "Gauge" has for many years been applied as a descriptive designation of women's full-length hose of the "full-fashioned" type showing the number of needles per 1½ inches employed on the knitting bar of the machine producing the flat fabric which thereafter is closed by a seam in the manufacture of full-fashioned hosiery; that, however, in the case of women's full-length circular-knit hose (also known as seamless) a different type of machine is required using a ring of needles with which the hose is knit in cylindrical form and that such circular-knit hose under long established practice has been designated in terms of the total number of needles in the knitting ring, as for example, a "400 Needle" stocking. It was further pointed out that since the end of wartime controls, question has arisen in the industry respecting the propriety of permitting application of the term "Gauge" to circular-knit hose as well as to the full-fashioned product. An expression by the Commission was requested on the point.

After public hearing and upon due consideration under the trade practice rules for the industry, the Commission expressed its view respecting application of the term "Gauge" to women's full-length hosiery as follows:

While the term "Gauge" may be appropriately used on such full-fashioned hosiery in correct designation conform-

ing to the number of needles employed per 1½ inches on the knitting bar of the full-fashioned knitting machine, the Commission, however, presently is not disposed to challenge, as improper, application of the term "Gauge" also to women's full-length circular-knit hosiery in showing the number of needles employed per 1½ inches of the needle circle of the knitting machine instead of the total number of needles used in knitting such circular-knit hosiery: *Provided*, That wherever so applied, the word "Gauge" is accompanied in immediate conjunction and in at least equally conspicuous type by the term "circular-knit", "seamless", "no seam", or by words or terms clearly indicating that the hose so designated is not "full-fashioned."

By the Commission.

[SEAL] D. C. DANIEL,
Secretary.

[F. R. Doc. 49-413; Filed, Jan. 17, 1949;
8:56 a. m.]

TITLE 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Federal Security Agency

PART 3—STATEMENTS OF GENERAL POLICY OR INTERPRETATION

LABELING PENICILLIN-CONTAINING DRUGS FOR VETERINARY USE

Pursuant to section 3 of the Administrative Procedure Act (60 Stat. 237, 238), the following statement of policy is issued:

§ 3.8 *Notice to manufacturers, packers, and distributors of penicillin-containing drugs for veterinary use.* Since the release on October 5, 1945, of the notice to manufacturers and distributors of veterinary penicillin and a circular entitled "Indications, Directions and Precautions Suggested for Inclusion in the Labeling of Sodium and Calcium Penicillin for Veterinary Use" and the supplemental material released on April 25, 1946, much additional information has accumulated relative to the use of penicillin in animals. However, the knowledge concerning the efficacy and limitations of penicillin for treating various disease conditions of animals is far from

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

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1947.

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being complete. Therefore this statement, which is intended to supersede previously released information on the labeling of penicillin-containing drugs for veterinary use, is in the nature of a tentative guide to be used in conjunction with the penicillin regulations for labeling penicillin for veterinary use. As the knowledge of the efficacy and limitations of penicillin for treating animals is expanded there will be further releases relating to the labeling of such drugs. It is believed, however, that at the present time claims made in the labeling of penicillin intended for veterinary use should not exceed those suggested herein.

Penicillin, under laboratory conditions, has pronounced potency against a wide range of organisms, including the following of interest to veterinarians: most strains of streptococci, staphylococci, clostridia, corynebacteria, Bacillus anthracis, Actinomyces bovis, Erysipelothrix rhusiopathiae, and leptospira. Penicillin is ineffective in infections caused by gram-negative bacilli, viruses, and occasional resistant strains of organisms which are usually regarded as susceptible to penicillin.

(a) *Indications.* There is conclusive scientific evidence establishing the therapeutic efficacy of penicillin for bovine mastitis caused by Streptococcus agalactiae. Good results have been reported in the use of penicillin for mastitis caused by strains of Streptococcus dysgalactiae. Results of treatment are no more than fair in mastitis caused by Streptococcus uberis and staphylococci; poor in cases caused by corynebacteria. Mastitis caused by colon bacilli does not respond to penicillin therapy. Reliable reports provide a supportive basis for recommending the use of penicillin for the following disease conditions: leptospirosis of dogs, osteomyelitis, peritonitis, strangles of horses, equine pneumonia, tetanus in the very early stage (with antitoxin), calf pneumonia, calf diphtheria, pyelonephritis in cattle, blackleg, malignant edema, anthrax in the very early stage, metritis, bovine actinomycosis, swine erysipelas in turkeys, and superficial infections of the skin caused by penicillin-sensitive organisms. It should be remembered that proper use of effective therapy depends on an accurate diagnosis of the disease condition to be treated.

(b) *Methods of administration*—(1) *By injection.* Deep intramuscular injection is the route of choice when using the parenteral forms of penicillin for systemic therapy. Subcutaneous injections are apt to be painful and are therefore usually avoided. When penicillin in oil or penicillin in oil and wax is injected care should be taken that the needle is not in a blood vessel before discharging the contents of the syringe.

(2) *By mouth.* Since penicillin is inactivated by gastric secretion, it cannot be given by mouth unless precautions are taken to neutralize the process in the stomach. This may be accomplished through the use of buffered penicillin tablets given at least ½ hour before and not less than 2 hours after eating. The therapeutic efficacy of these tablets will vary in different individuals and according to

the amount of active penicillin absorbed. As a general rule, the amount of penicillin required for effective therapy when given by mouth is five times the amount required by injection. With the possible exception of small-animal practitioners, veterinarians will probably find it impracticable to use penicillin in this form. Buffered penicillin tablets may be of value in some cases in which it is not possible to administer the drug by injection at the required intervals and in others after the disease has been brought under control by penicillin injections, and it is desirable to continue the use of the drug. The tablets may be given alone or as a supplement to parenteral therapy. In all serious conditions, however, parenteral administration is the recommended route.

(3) *By topical application.* Topical application includes direct injection of penicillin suspended in suitable vehicles into udders through the teat canal, into abscesses, joint capsules, body cavities, the spinal canal, and direct application to the skin and eyes. The underlying purpose of this method is to insure effective therapeutic concentrations of the drug in local areas of infection. In many instances it may be used as an adjunct to parenteral injections. However, after parenteral injection penicillin does not penetrate readily to the eyes, into spinal fluid, or, unless in extremely high unitage, into the milk. Therefore the topical method appears to be the only practicable one of treating local infections involving the eyes, spinal canal, or udder.

(c) *Dosage*—(1) *Systemic infections.* For therapy of systemic infections caused by most strains of penicillin-sensitive organisms a minimum of 2,000 units per pound of body weight should be administered, preferably by intramuscular injection. Further information concerning this recommendation may be obtained by request from the Food and Drug Administration. The required dosage of water-soluble salts of penicillin dissolved in proper aqueous solvents should be repeated every 3 to 4 hours to establish and maintain effective therapeutic concentrations of the drug in the body fluids and tissues. The necessary amount of penicillin in oil and wax should be given every 12 hours. The indicated quantity of procaine penicillin in oil or of certain of the newer certifiable repository penicillin products may be given as infrequently as once every 24 hours or longer. However, severe infections or infections caused by less sensitive organisms may require up to double the minimum dosage or more frequent injections or both. Since the objective of penicillin therapy is to bring the infection under control as quickly as possible, the minimum dosage or frequency of injection or both should be increased materially in all conditions known to be caused by sensitive organisms if no definite indication of clinical improvement is noticed 12 to 14 hours after the initial injection.

(2) *Bovine Streptococcus agalactiae mastitis.* Effective treatment of udders infected with penicillin-sensitive organisms depends on maintaining therapeutically effective concentrations of penicillin in the area of infection. Available experimental data indicate that the following methods for introducing adequate

amounts of the drug into infected quarters can be depended upon to overcome the infection in a majority (75% or more) of *Streptococcus agalactiae* mastitis cases:

(i) Aqueous solutions (sodium, calcium, or crystalline penicillin dissolved in sterile distilled water):

(a) Inject 25,000 to 30,000 units under aseptic conditions through the teat canal into each infected quarter. Repeat after each milking or once every 12 hours until five to seven injections have been made. One repeat injection may be sufficient in the chronic form without induration.

(b) In cows producing up to 40 pounds of milk per day a total of 100,000 units per infected quarter administered as five injections of 20,000 units each at intervals of 12 hours or as four injections of 25,000 units each at intervals of 24 hours. In cows producing more than 40 pounds of milk per day or in acute cases a total of 200,000 units per infected quarter administered as four injections of 50,000 units each at intervals of 24 hours. It may be desirable to skip one milking after the last injection in the series to prolong a therapeutic concentration of penicillin in the treated quarters. Volume of vehicle should be adequate to favor immediate distribution throughout the cistern area. Usually 50 cc. is adequate.

(c) Large udders: First day, 200,000 units per infected quarter; second and third days, 100,000 units per infected quarter each day. Small to moderate-sized udders: First day, 100,000 units per infected quarter; second and third days, 50,000 units per infected quarter each day. All quarters infected with *Streptococcus agalactiae* at the time of drying off should be infused with 100,000 to 200,000 units sometime during the dry period, preferably during the interval between 2 weeks after the last milking and 3 weeks before parturition.

(ii) Emulsified solutions (soluble salts of penicillin dissolved in oil and water emulsified with lanolin derivatives): Inject 100,000 units under aseptic conditions through the teat canal into each infected quarter. Repeat treatment if subsequent bacteriological examination shows infection to be still present.

(iii) Bougies (25,000 or more units of sodium, calcium, potassium, or procaine penicillin in a milk-soluble base shaped in slender, elongated form to permit easy insertion into the milk cistern of the udder through the teat canal). Aseptically insert one bougie into each infected quarter after each milking for as long as the infection persists.

(iv) Oil and wax suspensions (calcium or crystalline penicillin in refined peanut or sesame oil and white wax) and ointments (calcium or crystalline penicillin in an ointment base suitable for udder instillation). In view of the scarcity of information concerning this use of such products, basic directions for use may be different in individual cases. Adequacy of directions as a whole depends primarily on the penicillin potency of each product and the nature of supportive data.

(3) *General.* Whenever practicable, accurate diagnosis should be established by identification of the causative organ-

ism. No case of mastitis should be considered cured unless bacteriological examination of the milk taken from treated quarters approximately 3 weeks after the last application of penicillin shows the absence of causative organisms. Augmenting penicillin therapy with proper surgical treatment yields best results when treating abscesses, empyema, suppurative arthritis, and infections of body cavities and joints caused by penicillin-sensitive organisms. Collections of pus should be removed prior to each local application of 25,000 to 50,000 units of penicillin in sterile aqueous solution two to three times every 24 hours. Sterile dressings, saturated with an aqueous solution containing at least 1,000 units of penicillin per millimeter, applied one or more times per day as the condition indicates, may be effective for treating superficial infections of the skin caused by penicillin-sensitive organisms. If indicated, supplement local therapy with systemic medication.

(d) *Precautions.* If reactions occur which cannot be adequately controlled and are more serious than the condition being treated, use of the drug should be discontinued.

Dated: January 12, 1949.

[SEAL] J. DONALD KINGSLEY,
Acting Administrator.

[F. R. Doc. 49-402; Filed, Jan. 17, 1949;
8:48 a. m.]

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans' Administration

PART 3—VETERANS' CLAIMS

PRESUMPTIONS OF SERVICE—CONNECTION FOR CHRONIC AND TROPICAL DISEASE

Section 3.1502 (a) (1) (i) and (c) are amended to read as follows and a new paragraph (e) is added.

§ 3.1502 *Presumptions of service-connection for chronic and tropical diseases.* * * *

(a) *Provisions of section 1, Public Law 748.* * * *

(1) * * *

(i) *Chronic diseases.*

Bronchiectasis.
Calculi of the kidney, bladder, or gall bladder.
Cirrhosis of the liver.
Coccidiomycosis.
Osteomalacia.
Other organic diseases of the nervous system.
Scleroderma.
Raynaud's disease.
Tumors of the peripheral nerves.
Ulcer peptic (gastric or duodenal).

(c) *Rebuttal of presumption of service-connection.* The expression "clear and unmistakable evidence" appearing in Veterans' Regulation 1 (a), Part II, paragraph I (d) (38 U. S. C. ch. 12), shall be construed to be synonymous with the expression "affirmative evidence to the contrary" contained in Veterans' Regulation 1 (a), Part I, paragraph I (c). As to tropical diseases incurred in either wartime or peacetime service, the fact

that the veteran had no service in the tropics or in a locality having a high incidence of the disease may be considered as evidence to rebut the presumption. The record must be negative as to inception prior or subsequent to service, and residence during the year following this service must not have been in the tropics or in a region where the particular disease is endemic. The known incubation period for such diseases should be used as a factor in the rebuttal of service connection, that is, to show inception prior or subsequent to active service. Existing procedure whereby service connection may be granted for malaria without diagnosis on Veterans' Administration examination remains unchanged.

(e) *Physical examination reports, clinical records and transcripts of records received from state, county, municipal and recognized private institutions and contract hospitals.* Generally, notarized physical examination reports, clinical records and transcripts of records from State, county, municipal, and recognized private institutions and contract hospitals relative to veterans undergoing treatment or domiciled therein, made contemporaneously, whether by the Veterans' Administration or otherwise, will be accorded the same consideration for the purpose of establishing service connections as though the records were received from a Veterans' Administration field station. These records, however, must present the essentials upon which ratings are to be founded, that is, the disabling conditions must be adequately identified; sufficient findings must be reported to permit proper evaluation of the condition, and they must be certified by chief medical officers or their physician designates. As to private institutions, the hospitals listed in the hospital number of "The Journal" of the American Medical Association (usually published in April of each year) and followed by the symbol consisting of a shaded triangle are recognized. This symbol indicates that the hospital has been approved by the American College of Surgeons as meeting unconditionally its minimum requirements for general standardization. If the name of the private hospital at which the veteran was examined or treated does not appear on the approved list, the chief medical officer or his physician designate will be requested to advise whether the hospital meets the minimum requirements for the care and treatment of Veterans' Administration patients and for hospital facilities as prescribed in current directives of the Department of Medicine and Surgery. Depending upon the advice of the chief medical officer or his physician designate, the report will be accepted or corroborative examination by the Veterans' Administration requested.

(VA Instruction 1-A, Pub. Law 748, 80th Cong.)

[SEAL] O. W. CLARK,
Executive Assistant Administrator.

[F. R. Doc. 49-404; Filed, Jan. 17, 1949;
8:50 a. m.]

PART 12—DISPOSITION OF VETERANS' PERSONAL FUNDS AND EFFECTS
MISCELLANEOUS AMENDMENTS

1. Paragraph (a) of § 12.1 is amended as follows:

§ 12.1 *Designate cases: competent veterans.* (a) Each competent veteran now being cared for or who is hereafter admitted to receive care as such at a Veterans' Administration field station, unless it be detrimental to his health, will be requested and encouraged to designate on the prescribed VA Form 10-P-10, Application for Hospital Treatment or Domiciliary Care, the person to whom he desires the Veterans' Administration to deliver his funds and effects in event of death. He may also designate an alternate to whom delivery will be made if the first designate fails or refuses to accept delivery. It should be clearly understood that the delivery of such funds or effects will constitute only a delivery of possession thereof, and such delivery is not intended to affect in any manner the title to such funds or effects or determine the person ultimately entitled to receive same from the person to whom delivery is made (hereinafter in the regulations in this part termed the "designate"). The person designated may not be an employee of the Veterans' Administration unless such employee be the wife (or husband), child, grandchild, mother, father, grandmother, grandfather, brother, or sister of the veteran. The veteran, or if he becomes incompetent, his guardian, may in writing change or revoke such designation at any time.

2. Paragraph (a) of § 12.2 is amended as follows:

§ 12.2 *Designate cases: incompetent veterans.* (a) An incompetent veteran will not be informed concerning the designation of a person to receive funds or effects; but if he has a guardian the guardian will be requested to make such designation of himself or another person to receive possession of the funds and effects upon the incompetent's death. The guardian will sign the letter designating himself or another person with the veteran's name "By -----, Guardian of his Estate."

3. Paragraphs (a) (1), (a) (3) and (a) (4), and paragraph (b) of § 12.3 are amended as follows:

§ 12.3 *Deceased veterans' cases.* * * * (a) (1) If the death or absence without leave occurred during hospitalization, a complete, careful survey and inventory (VA Form 2687, Inventory Report of Personally Owned Effects of Beneficiary) will be made of all the personal effects (including those in the custody of the hospital, jewelry being worn by the deceased person, or jewelry and other effects in pockets of clothing he may have been wearing) and all funds found and moneys on deposit in "Personal Funds of Patients." In the event death occurred during other than official working hours, the officer of the day and/or the charge nurse will collect and inventory all funds and personal effects on the person of the deceased beneficiary

and on the ward, will carefully, safeguard such property and, upon completion of the tour of duty, will turn the funds and effects over to the properly designated employees.

(3) The inventory report will be executed in triplicate, original and two copies. All will be signed by the employee making the inventory, and disposed of as provided for in pertinent procedural instructions.

(4) Personally owned clothing or other effects (such as tooth brushes, false teeth not containing gold, etc.) which are unserviceable by reason of wear or tear or insanitary condition, and clothing that had been supplied by the Government, will not be included in this inventory; instead, the unserviceable personally owned articles will be listed on a separate list, with their condition briefly described, and their disposition recommended in a separate report to the manager on VA Form 10-2687a, Inventory Report of Unserviceable Personally Owned Effects of Beneficiary. The manager, if approving this recommendation, will order destruction or utilization in occupational therapy, or as wipe rags, etc., of such unserviceable articles and, when they are so destroyed or utilized, will have entered on the papers the date and nature of the disposition. The completed papers will then be placed in the correspondence file of the beneficiary. Clothing that had been supplied by the Government will be reconditioned if possible and returned to stock for issue to other eligible beneficiaries. When Government-owned clothing cannot be reconditioned it will be disposed of as provided by Veterans' Administration supply procedures.

(b) Upon completion of the survey and inventory the effects will be turned over to the designated employee for safekeeping. Any funds found which apparently were the property of the deceased will be turned over to the manager, or his designated representative, and delivered immediately to the agent cashier, who shall deposit same in the account "Personal Funds of Patients." If the funds include an unendorsed personal check, this will be held by the agent cashier for safekeeping, pending disposition thereof.

4. In § 12.4, paragraphs (a) (2), (a) (3), (a) (4), and (a) (5) are renumbered (a) (3), (a) (4), (a) (5), and (a) (6), respectively; a new paragraph (a) (2) is added; and paragraphs (b) and (d) are amended.

§ 12.4 *Disposition of effects and fund to designate: exceptions.* * * *

(2) An heir capable of inheriting the personal property of the veteran makes claim for the funds and effects prior to delivery to the designate.

(b) When authorized by the manager or his designated representative, the effects will be delivered or shipped to the designate. If shipped at Government expense, the shipment shall be made in the most economical manner but in no case at a cost in excess of \$10. If such

expenses will exceed \$10, the excess amount shall be paid by the consignee, either to the manager in advance, or to the carrier if it accepts the shipment without full prepayment of charges. There will be no obligation on the Government, initially or otherwise, to pay such expenses in excess of \$10.

(d) Upon receipt from the proper chief attorney of an appropriate certification that the guardianship was in full force and effect at the time of the veteran's death and that the guardian's bond is adequate, funds and effects of an incompetent veteran may be immediately delivered or sent to such guardian, inasmuch as the guardian had a right to possession, and he will be accountable therefor to the party entitled to receive the decedent's estate. If, however, it appears probable that decedent died without a valid will and left no person surviving entitled to inherit, the funds will not be paid to the former guardian but will be deposited in Personal Funds of Patients, for transfer to central office and deposit in the General Post Funds. The effects will be sold, used, or destroyed at the discretion of the manager or his designated representative.

5. Section 12.5 is amended as follows:

§ 12.5 *Nondesignate cases.* (a) If there exists no designate at the time of death at a field station of a veteran admitted as competent, or the designate fails or refuses to claim the funds and effects as defined in § 12.0 (a) within 90 days following the mailing of notice to such designate, the manager will take appropriate action to dispose of the effects to the person or persons legally entitled thereto, i. e., the executor or administrator of the decedent, or if no notice of such an appointment has been received, to the decedent's widow, child, grandchild, mother, father, grandmother, grandfather, brother or sister in the order named. Subject to the applicable provisions of §§ 12.3 and 12.4, such delivery may be made at any time before the sale contemplated by § 12.9, to the designate or other person entitled under the facts of the case. However, delivery shall be made only to the person entitled to priority unless each of those entitled to priority as to the claimant waives in writing his or her prior right to possession. The guardian of a minor or incompetent may waive his ward's prior right to possession.

(b) Except where delivery is made to a designate, executor, or administrator, funds will be released to the person or persons who would ultimately be entitled to distribution under the laws of the state of the decedent's domicile. The person or persons entitled may waive in writing his or her right to the funds in favor of another heir or next of kin.

6. Paragraph (b) of § 12.6 is amended as follows:

§ 12.6 *Cases of living veterans.* * * *

(b) Funds of veterans absent without leave or who have been discharged or have eloped (and who are not to be returned to the field station) will be disposed of in accordance with the provisions of Veterans' Administration finance procedures.

7. Paragraph (d) of § 12.16 is amended as follows:

§ 12.16 *Action on inventory and funds.* * * *

(d) Where disposition of the funds and effects cannot be accomplished under the provisions of paragraphs (b) and (c) of this section, the funds, at the expiration of 90 days will be deposited in the Personal Funds of Patients for transfer to central office for deposit to the General Post Fund and the effects will be disposed of in accordance with the provisions of §§ 12.8, 12.9 and 12.10.

8. Paragraph (b) of § 12.17 is amended as follows:

§ 12.17 *Unclaimed effects to be sold.* * * *

(b) Any unclaimed funds and the proceeds of any effects sold as unclaimed will be deposited in the Personal Funds of Patients for transfer to central office for deposit to the General Post Fund subject to be reclaimed within 5 years after notice of sale, by or on behalf of any person or persons who, if known, would have been entitled to the property prior to the sale.

9. Paragraph (b) of § 12.18 is amended as follows:

§ 12.18 *Disposition of funds and effects left by officers and enlisted men on the active list of the Army, Navy, or Marine Corps of the United States.* * * *

(b) If the funds and effects are not delivered to the commanding officer within 7 days after the death or absence without leave of an officer, or enlisted man, the funds will be deposited in the Personal Funds of Patients. If not disposed of at the expiration of 90 days after the date of death or absence, the funds will be transferred to central office for deposit to the General Post Fund and the effects will be handled in accordance with regulations governing the disposition of unclaimed effects left by veterans. The funds and the proceeds derived from the sale of the personal effects will be paid to the person lawfully entitled thereto, providing claim is made within 5 years from the date of notice of sale, or in the case of legal disability within 5 years after termination of legal disability.

10. Paragraph (a) of § 12.20 is amended as follows:

§ 12.20 *Posting of notice provisions of Public Law 382.* (a) VA Form 10-P-10, Application for Hospital Treatment or Domiciliary Care, includes notice to the applicant that the acceptance of care or treatment by any veteran shall constitute acceptance of the provisions of the act. Similar notice shall be given to each veteran receiving care as of March 26, 1942, by posting notice in a prominent place in each building wherein patients or members are housed. Such notices shall be posted immediately and kept posted.

11. Section 12.21 is amended as follows:

§ 12.21 *Action upon death of veteran.* Upon the death of a veteran at a Veterans' Administration hospital, center, or domiciliary activity while receiving care or treatment therein, and who it is believed leaves no will or heirs or next of kin entitled to his personal property, regardless of whether VA Form 10-P-10, executed by the veteran, names a designate, an inventory of the funds and effects, VA Form 2687, will be promptly prepared and supplemented by all information or evidence available as to personal property owned by the veteran in addition to that left at the place of death; similar action will be taken when the death of such a veteran hospitalized by the Veterans' Administration occurs at a contract hospital, Army, Navy, Marine or other hospital. Such inventories and information together with any bank books, stocks, bonds, or other valuable paper as enumerated in § 12.19 (b), left in the effects of the veteran, will be delivered to the manager of the Veterans' Administration hospital, center, or domiciliary activity having jurisdiction, for disposition in accordance with existing regulations.

12. Paragraph (b) of § 12.22 is amended as follows:

§ 12.22 *Disposition of personal property.* * * *

(b) Stocks, bonds, postal savings certificates, money orders, bank deposit evidence (passbooks, checks, time deposit certificates, etc.), and similar assets, actual or potential, will be promptly forwarded to the payees accounts service, central office, together with a copy of the inventory on which listed, in order that appropriate action may be taken to convert such assets into cash for deposit in the General Post Fund. Statement will be furnished that other papers listed on the inventory, if any, were examined and nothing of value found, if such is a fact. Funds on deposit in Personal Funds of Patients will be transferred to central office for deposit to the General Post Fund. Any claims against the estate of the deceased veteran will be filed with, or if received elsewhere, will be forwarded to the payees accounts service.

(Sec. 10, 52 Stat. 1192, 55 Stat. 868; 38 U. S. C. 161, 17-17j, 17 note)

[SEAL] O. W. CLARK,
Executive Assistant Administrator.

[F. R. Doc. 49-405; Filed, Jan. 17, 1949; 8:50 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

PART 120—ANNUAL, SPECIAL OR PERIODICAL REPORTS

STEAM RAILWAY ANNUAL REPORT FORM A

At a session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D. C., on the 5th day of January A. D. 1949.

The matter of Annual Reports from Steam Railway Companies and Switch-

ing and Terminal Companies of Class I and Class II being under consideration:

It is ordered, That the order dated November 24, 1947, in the matter of Annual Reports from Steam Railway Companies and Switching and Terminal Companies of Class I and Class II (§ 120.11, 49 CFR) be, and it is hereby modified with respect to annual reports for the year ended December 31, 1948, and subsequent years, as follows:

§ 120.11 *Form prescribed for large and medium steam railways.* All steam railway companies and switching and terminal companies of Class I and Class II subject to the provisions of section 20, Part I, of the Interstate Commerce Act, are hereby required to file annual reports for the year ended December 31, 1948, and for each succeeding year until further order in accordance with Annual Report Form A (Large and Medium Steam Roads and Switching and Terminal Companies), which is hereby approved and made a part of this order.¹ The annual report shall be filed, in duplicate in the Bureau of Transport Economics and Statistics, Interstate Commerce Commission, Washington 25, D. C., on or before March 31, of the year following the one to which it relates. (24 Stat. 386, 34 Stat. 593, 35 Stat. 649, 36 Stat. 556, 41 Stat. 493, 54 Stat. 916; 49 U. S. C. 20 (1)-(8))

NOTE: Budget Bureau No. 60-R098.5.

By the Commission, Division 1.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 49-403; Filed, Jan. 17, 1949;
8:50 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Bureau of Animal Industry

[9 CFR, Part 97]

SWAN ISLAND ANIMAL QUARANTINE STATION

EXTENSION OF TIME FOR FILING COMMENTS RE PROPOSED REGULATIONS

Notice is hereby given that the time within which any interested person may file written data, views, or arguments concerning proposed regulations governing the admission of ruminants and swine to the Swan Island Animal Quarantine station and shipment of animals therefrom, set forth in a notice of rule-making published in the FEDERAL REGISTER of December 7, 1948 (13 F. R. 7434), has been extended to February 5, 1949. (60 Stat. 633, 21 U. S. C. 133)

Done at Washington, D. C. this 12th day of January 1949. Witness my hand and the seal of the United States Department of Agriculture.

[SEAL] A. J. LOVELAND,
Acting Secretary of Agriculture.

[F. R. Doc. 49-401; Filed, Jan. 17, 1949;
8:48 a. m.]

¹ Filed as part of the original document.

NOTICES

NATIONAL MILITARY ESTABLISHMENT

Department of the Army

MILITARY GOVERNMENT FOR GERMANY (U. S.)

EXPORT-IMPORT INFORMATION

Instructions and memoranda controlling exports from Germany and imports into Germany (British and American Zones) have been issued by the Joint Export-Import Agency (JEIA). These include JEIA instructions 1, 8, 9, 14, 15, 16, 17, 19, 22, 24, 25, 27 and 28, and JEIA Operational Memoranda 25, 31 and 32. The text of these instructions and memoranda are as follows:

JEIA INSTRUCTION No. 1

[Revision No. 1]

(Effective date, December 1, 1948)

SUBJECT: Export procedure for US/UK zones of Germany.

OBJECT

1. To establish a revised export control procedure and define the functions of Joint Export-Import Agency (hereinafter referred to as JEIA) in relation thereto, effective December 1, 1948: *Provided, however,* That for the time being and until further notice this instruction will not be effective in the US, UK, and French Sectors of Berlin and the French Zone of Occupied Germany.

SCOPE

2. On and after the above effective date all exports of commodities, materials, and finished goods, except from the areas excluded in paragraph 7 above, shall be subject to the terms and conditions of this instruction and all JEIA Instructions, Operational Memoranda, and Directives in conflict therewith are amended accordingly.

3. In particular this revision rescinds and supersedes JEIA Instructions No. 1, 2, and 13, and all amendments thereto, except in the US and UK Sectors of Berlin.

4. JEIA Instructions outlining procedure for the export of German services are not affected by this instruction.

DUTIES OF THE BRANCH OFFICES

5. JEIA Branch Offices will no longer license exports or approve export contracts, except as hereinafter provided in paragraph 10. JEIA will concern itself primarily with export promotion and continue to advise the German Administration for Economics (hereinafter referred to as VfW) or competent German authority designated by VfW, other German governmental agencies, and private trade on major trade problems.

SCREENING OF EXPORT CONTRACTS

6. Applications for export will no longer be required. Export agreements, contracts, or confirmed orders (hereinafter referred to as export contracts) will be negotiated in accordance with the customs of trade. Export contracts will not be subject to prior approval of JEIA or of VfW or competent German authority designated by VfW except as hereinafter provided in paragraph 10.

7. In negotiating an export contract, the German exporter will be subject to the following conditions:

(a) No contract may contain or establish restrictive trade practices including exclusive sales and agency agreements except as provided in Operational Memorandum No. 31;

(b) No contracts may be made with persons named in JEIA Operational Memorandum No. 18, as amended.

(c) No consideration other than the payment of the agreed price in foreign exchange may be stipulated or accepted. All foreign exchange proceeds derived from any export shall accrue to Military Government for Germany US/UK, the exporter receiving the Deutsche Mark equivalent of such proceeds but no more and nothing else. No arrangement may be made expressly or by implication designed to prevent or having the effect of preventing the accrual to Military Governments for Germany US/UK of any part of the export proceeds in foreign exchange.

(d) Contracts which provide for payment for exports at any time after the goods leave Germany must contain a proviso that the contract does not come into full force and effect until the buyer has obtained the approval of his own authorities for the import of the goods and payment therefor.

DOCUMENTATION

8. The German exporter shall submit to his Foreign Bank (hereinafter referred to as Aussenhandelsbank) an Export Control Document (hereinafter referred to as ECD, See Appendix A) in six copies in respect of every shipment of goods to points outside the United States, British, and French Zones of Occupation in Germany. The German Exporter shall sign the ECD and certify to the truth of his statements and that all the terms and conditions of this instruction have been complied with. The Aussenhandelsbank will be responsible for ensuring that:

(a) The goods are to be paid for in acceptable currency, see Operational Memorandum No. 32;

(b) Payment is to be effected into an appropriate bank account for account of Military Governments for Germany US/UK;

(c) Payment for the export is made in accordance with the terms provided in the ECD;

(d) An ECD covering commodities on the restricted lists referred to in paragraph 10 below has the required approval of JEIA or the VfW or competent German authority designated by VfW.

9. Upon approval, the ECD will be stamped "Approved on behalf of JEIA", dated, and signed by the Aussenhandelsbank, and given a serial number beginning with 0001 preceded by an identifying symbol of the Aussenhandelsbank. ECD's will be valid for six months from the date of issue.

The ECD forms will be distributed as follows:

(a) One copy to be transmitted to the appropriate JEIA Branch Office;

(b) One copy retained by the Aussenhandelsbank;

(c) Four copies to be transmitted to the exporter for use as follows:

(i) One copy to be retained by the exporter;

(ii) Three copies to accompany the goods to customs to signify to customs that the export has been approved. Customs will complete the ECD forms and return one copy to the appropriate Land Central Bank, one copy to the Main Office, JEIA, Attn: Reports and statistics, and one copy to Bizonal Statistics Office, Attn: Foreign Trade Section, which copy will be used in lieu of the statistical sheet.

10. The issue of export licenses or prior approval of the ECD by JEIA or VfW will be required only for commodities within the following categories:

(a) Commodities prohibited by Allied Control Authority, Control Council Law No. 43, or any other Military Government regulation, and commodities listed in Appendix B may

not be exported without approval of Main Office, JEIA, on the ECD. (Advice regarding the commodities whose export is prohibited by Military Government regulations will be obtained from JEIA Branch Offices.)

(b) Commodities listed in Appendix C may be exported only after VFW or competent German authority designated by VFW signifies its approval on the ECD. The ECD will then be submitted to the Aussenhandelsbank as provided in paragraph 8 above.

(c) All processing contracts must be submitted to VFW or competent German authority designated by VFW for approval.

(d) All contracts which contain provisions restricting the sale or distribution of German goods, commodities, and services abroad (see paragraph 7 (a) above), shall be subject to provisions of JEIA Operational Memorandum No. 31, dated September 15, 1948, and shall be submitted to the appropriate JEIA Branch Office for approval before any export is made thereunder or before any ECD is submitted to the Aussenhandelsbank.

11. JEIA will examine all approved ECD's and if it is not satisfied that exporter has complied with the terms and conditions of this instruction, it will call upon the exporter for explanation. If JEIA is not satisfied with such explanation, it may prohibit the granting of future ECD's to the exporter except with prior approval of JEIA for each transaction.

PRICING

12. The German exporter will be responsible in negotiating with the foreign buyer for obtaining the most advantageous price for the goods sold in line with world market values.

DELIVERY TERMS

13. Terms of sale and delivery will be in accordance with normal trade practice except as otherwise provided in this instruction. Where delivery is made beyond German border or port, payment of foreign exchange by exporter or its agent for expenditures directly connected with the export sale, will be made in accordance with JEIA Instruction No. 11, First Revision.

TERMS OF PAYMENT

14. The exporter may arrange for payment by the buyer on proper terms in accordance with customs of the trade satisfactory to the exporter and the buyer: *Provided, however,*

(a) That no credit terms other than letter of credit or sight draft are granted without obtaining prior special approval of JEIA;

(b) That the importing country has granted the buyer an import license or other equivalent authority which is valid to cover the time required for the manufacture of the export and the period of credit which the exporter may be prepared to give, and

(c) That all documents are forwarded for collection through the Aussenhandelsbank.

DEUTSCHE MARK PAYMENT

15. Immediately upon receipt by Aussenhandelsbank of notification that the foreign exchange payment has been made, the exporter will receive Deutsche mark payment from the Aussenhandelsbank in accordance with the terms and conditions of JEIA Operational Memorandum No. 25, as revised.

ACCOUNTS

16. Accounting records will be maintained and accounting reports rendered by the Bank Deutscher Laender in accordance with procedures to be agreed with JEIA.

CUSTOMS CONTROL

17. The ECDs approved by the Aussenhandelsbank on behalf of JEIA constitute an export license. Customs will physically examine each shipment to ensure that it conforms to the terms of the ECD, that the goods are as described in the ECD, and that, if a

license or JEIA or VFW approval is required for their export, such a license or approval has been obtained. Customs will handle each shipment in accordance with Customs regulations. Customs, after clearing the shipment, will complete the ECD forms and return them promptly to the appropriate Land Central Bank, Main Office, JEIA, and Bizonal Statistics Office. Any discrepancy between actual shipment and the terms of the ECD shall be noted on the ECD.

CONTRACTS PREVIOUSLY APPROVED AND LICENSED

18. Where an export license has been issued prior to the effective date of this instruction and an export is made thereunder prior to January 1, 1949, no ECD will be required but the exporter will make his export under his existing license. For such exports, the exporter will file an Export Payment Certificate with the Aussenhandelsbank in order to obtain his Deutsche mark payment. All existing unused licenses are cancelled with effect from January 1, 1949. Thereafter an ECD will be required with each export.

PENALTIES

19. Violation of any existing law or regulation, which is made in connection with any transaction under this instruction, will render the violator liable to prosecution. (Date of issue: November 19, 1948.)

APPENDIX "A"—JEIA INSTRUCTION No. 1

[Revision No. 1]

(This appendix will be published in the FEDERAL REGISTER at a later date.)

APPENDIX "B"—JEIA INSTRUCTION No. 1

[Revision No. 1]

RESTRICTED ITEMS REQUIRING JEIA APPROVAL ON ECD

1. Fertilizers.
2. Pig Iron.
3. Foodstuffs and Seeds.
4. Timber.
5. Iron and Steel Scrap.
6. Electrical Power, Water and Gas.
7. High Speed Technical Bearings.
8. Ship Building and Repair.
9. Precious Metals, raw.
10. Solid Fuel.

Detailed specification according to German Statistical Code of 1938 will be issued by VFW Foreign Trade Division.

APPENDIX "C"—JEIA INSTRUCTION No. 1

[Revision No. 1]

RESTRICTED ITEMS REQUIRING VFW APPROVAL ON ECD

1. Textile Raw Materials, Yarns.
2. Skins and Hides, Leather unprocessed.
3. Controlled Chemicals and Raw Drugs.
4. Insulin, Penicillin, Streptomycin.
5. Oils and Fats, Natural Waxes.
6. Resins and Gums.
7. Tanning Agents (Wood, Bark, Extracts).
8. Raw Rubber.
9. Alcohols, Mineral Oils.
10. Bauxite, Alumina (Clay).
11. Caolin, other Rare Earths.
12. Silica Refractory Material.
13. Iron and Ferro Alloys, raw and semi-finished rolled products.
14. NF-Metals, raw.
15. Other Ores, Metals, Concentrates.
16. Industrial Diamonds.
17. Specially stipulated Machines.
18. Processing Contracts.
19. Mechanical and Chemical Pulp of all kinds and Newsprint.
20. Mining Supplies.

Detailed specification according to German Statistical Code of 1938 will be issued by VFW Foreign Trade Division.

JEIA INSTRUCTION No. 1

[Revision No. 1]

ADDENDUM "A"

(Effective date December 15, 1948)

SUBJECT: Export procedure.

OBJECT

To extend the operation of JEIA Instruction No. 1, Revision No. 1, to the US/UK Sectors of Berlin, effective December 15, 1948, upon the following terms and conditions:

1. All export contracts, regardless whether or not subject to prior approval of JEIA or VFW or competent German authority designated by VFW, will be submitted to a JEIA Branch Office in Berlin together with the ECD forms for approval. JEIA Branch Office shall signify its approval on all such ECD's before they are submitted to an Aussenhandelsbank. No Aussenhandelsbank in Berlin shall approve or issue an ECD which does not have the prior approval of JEIA Branch Office noted thereon.

2. After completion by Customs, copy of the ECD which is normally returned by Customs to the appropriate Land Central Bank will, in the case of ECD's issued by an Aussenhandelsbank in Berlin, be returned direct to Bank Deutscher Laender, Frankfurt.

3. All provisions of JEIA Instruction No. 1, Revision No. 1, shall be in full force and effect in connection with exports from US/UK Sectors of Berlin except as herein specifically otherwise provided. (Date of issue: December 2, 1948.)

JEIA INSTRUCTION No. 8

[First Revised Edition]

(Effective date February 9, 1948)

SUBJECT: Procedure for arranging travel of businessman abroad.

OBJECT

1. In the interests of promoting export sales and of restoring normal commercial trade practices, increasing emphasis will be placed on encouraging and facilitating the travel of businessmen abroad. This instruction is designed to clarify the circumstances under which such travel may currently be authorized and to define the procedure to be followed by the JEIA Branch Offices, in conjunction with other organizations, in arranging for such travel.

REFERENCES

2. Reference JEIA Instruction No. 8. This revision completely supersedes the original Instruction No. 8 (Attention is called in particular to the changes made in the procedure for UK Zone clearance (paragraphs 14-19 below) and in the provisions for financing travel (paragraphs 20-26 below)).

3. Reference JEIA Operational Memo. No. 12 concerning Issue of Travelers Cheques to German Businessmen Travelling Abroad. Operational Memo. No. 12 is herewith rescinded. Its provisions, as revised, are included in the present revised edition of Instruction No. 8 (paragraphs 27-30).

RESPONSIBILITY FOR SCREENING

4. The Branch Offices of JEIA are assigned the responsibility for screening (excluding denazification) and sponsoring Germans to be sent abroad on official export-import matters, and for obtaining proper travel and security clearances from Combined Travel Board in the U. S. Zone and Entries and Exits Branch in the British Zone.

FACTORS GOVERNING THE SPONSORSHIP OF TRAVEL ABROAD

5. Branch Offices may sponsor travel abroad by German businessmen under the following circumstances:

a. When the expenses of the German traveler are to be borne by a firm (or firms) or Government Agency in the country to be visited. (In such cases, the JEIA Branch Office will require the applicant to produce a statement in writing from the sponsor undertaking to defray all expenses incurred up to the time of the applicant's return to Germany, with the understanding that no reimbursement for such payment of expenses will be made by any government agency.)

b. When the travel expenses are to be paid from export bonus funds accruing to the exporter in accordance with JEIA Instruction No. 6, entitled "Export Foreign Exchange Bonus," dated September 23, 1947 (See part B. 16 (b)).

c. When the Branch Office considers the travel of sufficient importance to the economic objectives of Military Government to warrant the expenditure of JEIA funds. The initial number of such trips which may be considered as an obligation of Military Governments (US/UK) is 100, and is broken down as follows for the Branch Offices:

U. S. Zone		U. K. Zone	
Bavaria	15	Dusseldorf	16
Wuerttemberg	11	Hannover	12
Hesse	11	Hamburg	9
Bremen	5	Kiel	5
Berlin	5	Berlin	5
	47		47

A quota of 6 is reserved to the Main Office, JEIA. (The Branch Office JEIA will not approve the expenditure of JEIA funds for travel expenses if the applicant has export bonus funds available for such use.)

CLEARANCE PROCEDURE FOR US ZONE APPLICANTS

6. The Land Economic Ministry will submit to the appropriate JEIA Branch Office the name(s) of those individuals whose travel the Land Economic Ministry indorses. (Selections may also originate with the Branch Office in which case the Land Economic Ministry will be consulted by the Branch Office.) This list of name(s) will be accompanied by a concise personal history (in English) of the applicant together with a justification by the Land Economic Ministry for the proposed travel. In the case of individuals residing in a Land other than the one in which their place of business is located, the Land in which the place of business is located shall have jurisdiction over sponsorship of foreign travel.

7. The Branch Office, upon approval of the applicant's travel, will prepare in duplicate a letter of sponsorship addressed to the consulate of the country to be visited. This letter will:

a. State the applicant's travel is in the interest of Military Governments (US/UK).

b. State the itinerary, including names of plants to be visited, and planned duration of the trip.

c. Request the consulate to transmit to the Branch Office a letter to the effect that a visa will be issued providing that a Military Exit and Re-Entry Permit is granted the applicant by Military Government.

8. The original and copy of letter of sponsorship (both signed) will be distributed as follows:

a. Original to the appropriate consulate.

b. One copy to the applicant.

9. The applicant will take his copy of the letter of sponsorship to the Buergermeister in the community in which he has legal residence. Upon approval by the Buergermeister, the applicant will complete OMGUS form 265 (formerly CI form 226, 227) known as "Application for Temporary Travel Document in lieu of Passport and/or Military Exit Permit", (available at Buergermeister) in triplicate and attach three (3) passport size photographs.

10. The Buergermeister will then transmit the letter of sponsorship and OMGUS form 265 in triplicate together with photographs

to the local liaison and Security Office of the Landkreis for approval. Upon approval, the local Liaison and Security Office will submit all documents to Branch Office of the Combined Travel Board (Branch Offices are located in Munich, Stuttgart, Wiesbaden, and Bremen, with a central office in Berlin).

11. When the application has been approved, the Branch Office, Combined Travel Board, will in the case of a German national issue a "Temporary Travel Document for German Nationals", and for a stateless person, "Temporary Travel Document for Stateless People", and stamp into this a Military Exit and Re-Entry Permit, provided the Branch Office JEIA has meanwhile forwarded to the Branch Office, Combined Travel Board, a letter from the appropriate consulate (see paragraph 7 (c) above).

12. The Combined Travel Board will retain all documents forwarded to them. The Temporary Travel Document will be transmitted to Branch Office, JEIA. Branch Office, JEIA will have applicant procure visa when convenient to do so, or send Temporary Travel Document (similar to passport) to appropriate consulate or Military Mission for action.

SUBSEQUENT TRIPS

13. The Branch Office, JEIA, in approving a subsequent trip to be made by the applicant will follow the same procedure as stated above, with the following exceptions:

a. Sponsorship letter and application (see paragraphs 7 and 8 above) will be prepared in the normal way, except that on the copy to the Branch Office, Combined Travel Board, Branch Office JEIA will state that the present application is for subsequent travel of the same applicant, and that the Temporary Travel Document is being submitted for renewal of the exit stamp.

b. The above documents together with the previously issued Temporary Travel Document will be hand-carried by the applicant, when practicable, directly to the appropriate Branch Office, Combined Travel Board, omitting the Buergermeister and the local Liaison and Security Office.

CLEARANCE PROCEDURE FOR UK ZONE APPLICANTS

14. The clearance procedure outlined in paragraphs 6 and 7 above is applicable for the UK Zone as well as the US Zone.

15. The JEIA Branch Office will arrange for the following documents to be submitted to the appropriate Regional Office, Entries and Exits Branch, either directly, or through the Entries and Exits Branch Permit Application Office, Berlin, or through the office of the local Landrat Oberbuergermeister (clearance by the applicant with the local Buergermeister is not required in the UK Zone.):

a. Three copies of form EE/227 and EE/226/B.

b. Two passport photographs (full face and hatless).

c. Letter of sponsorship form (attached hereto as Appendix A).

16. The Entries and Exits Branch Regional Office will obtain security clearance from Intelligence Division, and, where necessary, financial clearance from Investigations Branch, Finance Division, Berlin. After clearances have been obtained, and provided the JEIA Branch Office has meanwhile forwarded to the Regional Office the consular letter authorizing entry, the Regional Office will issue a Temporary Travel Document or National Passport, indorsed with a return Exit Permit.

17. Since security clearance requires 17 days from the date of dispatch of application forms by the Regional Office to Intelligence Division, a minimum of 3 weeks must be allowed from the time that applications forms are received by Entries and Exits Branch until the Exit Permit is issued. In cases where the Branch Office has reasonable grounds to suppose that individuals in whom they are interested will be required to travel

in the near future, although the date of travel is not actually fixed, they should arrange to obtain security and financial clearance in advance. Entries and Exits Branch will then be in a position to issue the completed Travel Document, when required, with a minimum of delay.

18. The Temporary Travel Document will be transmitted to the JEIA Branch Office. The Branch Office will have applicant procure visa when convenient to do so, or send Temporary Travel Document to appropriate consulate or Military Mission for action.

19. The JEIA Branch Office will, at the earliest possible date, notify the nearest Travel Bureau, with copy to M (I) Movements, of the reservations required. M (I) Movements normally require 7 days notice for reservations.

FINANCING OF TRAVEL

20. Travelers duly authorized will be issued with currency and/or travelers cheques in an amount sufficient to provide an allowance of \$7.00 to \$10.00 for each day the traveler will spend outside Germany. (The decision as to the sum to be authorized within these limits will be made by the Branch Office on the basis of the knowledge of living costs in the country to be visited.) The allowance for ocean travel will be a flat \$10.00 for each trip.

21. Where travel expenses are to be paid from export bonus or JEIA funds, no foreign currency and/or travelers cheques will be given the traveler until he has made RM payment to the Aussenhandelsbank at the rate of 30 cents—1 RM for the full amount of the foreign currency and/or travelers cheques to be issued to him. The Aussenhandelsbank will furnish a receipt that RM payment has been made. At the time of his return to Germany, the traveler may receive RM reimbursement for foreign funds not spent by presenting such receipt, together with unused funds, at the Aussenhandelsbank.

22. Where expenses of the German traveler are to be borne by the country to be visited (paragraph 5a above), the following procedure is applicable:

a. The sponsoring Branch Office will draw a cheque on a local banking account, established by Main Office, JEIA, for the cost of travel and per diem allowance as established in accordance with paragraph 20 above.

b. The Branch Office will obtain a receipt from the traveler (Appendix B) in triplicate for the amount allotted. These receipts will be distributed as follows:

(1) Original to foreign firm with demand for reimbursement to Joint Export-Import Account.

(2) Copy to Central Accounts Office JEIA with request for replenishment of fund (see paragraph 24 below).

(3) Copy retained by Branch Office.

23. Where expenses of the German traveler are to be paid from export bonus funds (paragraph 5b above), the following procedure will apply:

a. The sponsoring Branch Office will authorize the LWM to draw a cheque on the local banking account, against a bonus certificate, for the cost of travel and per diem allowance as provided in paragraph 20 above.

b. The LWM will obtain a receipt from the traveler (Appendix B) in triplicate for the amount allotted. These receipts will be distributed as follows:

(1) Original to the German traveler, which he will turn in to the local bank when he presents cheque to obtain foreign exchange.

(2) Copy to Branch Office.

(3) Copy retained by LWM.

24. For travel in the two cases outlined above, the sponsoring Branch Office will obtain a detailed statement of account from the local bank at the end of each month. This statement, together with copies of receipts will be forwarded to Central Accounts each month with a request for replenishment of the account.

PROCEDURE

4. The following German persons and organizations in the Combined Area and US and UK Sectors of Berlin are authorized to buy the following types of foreign publications under the JEIA branch office fund allocations:

- a. Persons:
 - (1) All type of reputable business firms, businessmen, and professional men;
 - (2) Chambers of commerce and trade associations;
 - (3) Land ministries;
 - (4) Libraries and scientific institutions.
- b. Foreign publications:
 - (1) Trade books, newspapers, and periodicals;
 - (2) Economic books, newspapers, and periodicals;
 - (3) Scientific books, newspapers, and periodicals.

NOTE: Procurement of cable-code books and Bizonal authorities' requirements of foreign publications will be handled outside of the provisions of this instruction.

5. Each JEIA branch office will delegate to the LWM (Aussenhandelskontor) in the form of a general license within the budgetary limitations, the authority to approve applications for purchases under this procedure. The license will specify that funds will be used only for the purposes set forth in this instruction and up to the amounts stated in the license.

6. Persons wishing to purchase foreign publications will submit through an established book, newspaper, or periodical dealer an import license in triplicate to their LWM specifying in the license the names, prices, description and sources of foreign publications desired. Publications may be ordered for a period not to exceed one year. Where required by the LWM, all such licenses, before submission to the LWM, shall be first screened and approved by a designee of the LWM.

7. The LWM will examine the license to ensure that desired publications are authorized under this procedure and that foreign exchange expenditures do not exceed the amounts allocated. The VFW may issue additional instructions with regard to special clearances for particular items. Upon approval of the license, the LWM will stamp "Approved," on behalf of JEIA, date, and sign each application, numbering it serially beginning with 0001 with identifying symbol of AHK/PUBL, e. g. AHK-BAV/PUBL/0001. The original license will be returned to the licensee, one copy transmitted to the appropriate JEIA branch office, and the other retained by LWM.

8. Holders of approved licenses will place their orders with foreign firms. Upon receipt of foreign invoices, licensees will present such invoices to an Aussenhandelsbank, together with the approved licenses, and pay to the Aussenhandelsbank the Deutsche Mark value of the invoices converted at the rate of 30 cents equal 1 DM. The Aussenhandelsbank will certify on the invoices that D. Mark payment has been made and will arrange for the foreign exchange payment.

9. The Aussenhandelsbank will transmit to the JEIA branch office each month a statement of invoices paid.

(Date of issuance: August 17, 1948.)

JEIA INSTRUCTION No. 15

[Second Revision]

(Effective date, November 4, 1948)

SUBJECT: Importation of gift shipments through commercial channels.

OBJECT

1. To provide a procedure for the importation of gift shipments through commercial channels into the combined zones from sources outside Germany. This instruction

supersedes all previous instructions issued on this subject matter.

REFERENCES

2. JEIA Instructions No. 1, as amended, 9, First Revision, and 11, First Revision.

DISCUSSION

3. This instruction applies to the importation of gift shipments from all sources outside Germany, consigned other than to CARE, CRALOG, and other welfare agencies recognized by the Public Welfare Branches within the combined zones. Gift shipments must be bona-fide gifts which involve no financial or other obligations by the recipient to the consignor.

CONDITIONS

4. Gift imports are subject to the following conditions:

- a. They may be made only pursuant to a JEIA issued import license.
- b. They are subject to German Customs requirements.
- c. Alcoholic beverages, and narcotics are prohibited.
- d. Tobacco or tobacco products in any form are strictly prohibited.
- e. Bona-fide welfare goods, as defined by German customs regulations and consisting generally of food stuffs, clothing, footwear, household and garden supplies, pharmaceutical products (except as prohibited in c above) and cultural and educational materials, shipped into the Bizonal area in bulk to German agents or representatives of foreign principals for distribution to individual consumers are not subject to German customs duties provided the goods are destined for the personal use of the ultimate individual recipients and their households in quantities permissible for duty-free import under German customs requirements. Bulk shipments made in violation of this paragraph are subject to confiscation under German customs regulations.

CONTRACTS

5. Shipments may be made to German forwarding agents operating under JEIA Instruction No. 11, First Revision, or to commercial agents operating under JEIA Instruction No. 9, First Revision. All shipments must be made pursuant to contracts approved by the appropriate JEIA Branch Office. Dates of duration of contract and details of services to be performed by the German agent must be clearly set forth. Contracts may provide that the internal German transport and dispatch charges may be paid by the German agent and reimbursed to him by the ultimate German recipient in Deutsche Mark. It is anticipated that the following types of contracts will be negotiated:

- a. Shipments of individual packages packed by foreign donors dispatched through foreign forwarding firms to German firms for delivery to recipient.
- b. Shipments of standardized gift packages ordered by donor from a foreign forwarding firm and dispatched as in a above.
- c. Shipments of bulk quantities of gift type commodities by foreign forwarder to a German firm for packing and/or delivery by said German firm to recipients in accordance with donor's instructions. In these cases the German customs authorities will require to be satisfied that the amount of any single commodity distributed to each recipient does not exceed the limits laid down by customs regulations.

PAYMENT

6. The costs and charges for the services performed by the German agent (such as packing, storage, processing, fees, etc.) must be paid for by the foreign shipper in acceptable foreign exchange at a conversion rate of 30 cents: 1 DM in accordance with JEIA Instruction No. 11, First Revision.

LICENSES

7. Import license will be issued giving details of description, weight and quantity of all goods to be imported on any particular contract. Any goods which arrive in excess of these details on license shall be held by customs until an amendment to the contract has been authorized by the branch office of JEIA and a new license issued.

Abuses of import licenses by German forwarding firms will necessitate the withdrawal and cancellation thereof, and the disposal of the goods through a welfare organization.

Licenses will be serially numbered, beginning with 0001 and will be prefixed with JEIA, the initials of the Land and "G" to indicate "Gift."

All licenses will be prepared in quintuplicate and the copies will be distributed as follows:

- a. One copy to foreign forwarding firm.
 - b. Original and one copy to the German forwarding firm.
 - c. One copy to the customs authorities at the port-frontier at which the goods will arrive in Germany.
 - d. One copy to be retained by the approving JEIA branch office.
8. Gift shipments within the scope of article VI, paragraph 2 of the Economic Cooperation Agreement between the United States of America and the United States and United Kingdom Occupied Areas of Germany may be licensed for import within the authority of this instruction.

ZONAL RESTRICTIONS

9. Shipments under this procedure may be accepted for the US, British, French and Russian zones subject to interzonal parcel post regulations and to any restrictions which zone commanders may impose. German forwarders should acquaint themselves with zonal customs regulations applying to the four zones. In this connection it is pointed out that there are certain existing differences in regulations between the US and British zones.

RECORDS AND REPORTS

10. German forwarders will maintain records of all receipts and deliveries of parcels, and will be responsible for immediate reporting to the police (Black Market Control Branch) any person or persons who to their knowledge are making use of the above procedure for the furtherance of black market activities.

(Date of issuance: November 5, 1948.)

JEIA INSTRUCTION No. 16

(Effective date, March 11, 1948)

SUBJECT: Procedure for the licensing of German principals to use commission agents abroad.

OBJECT

1. In order to return German foreign trade to normal business channels and to facilitate export sales, Joint Export-Import Agency (hereinafter referred to as JEIA) proposes to permit German firms to sell through agents abroad. It is the object of this instruction to provide a procedure for licensing German principals to appoint and use foreign agents to perform services on their behalf and to pay commission to said agents in foreign exchange.

ARRANGEMENT BETWEEN GERMAN PRINCIPAL AND FOREIGN AGENT

2. Any agreements entered into between a German principal and a foreign agent under this instruction shall provide that all export sales shall be subject to all pertinent provisions of JEIA Instruction No. 1 or 13. The German principal shall take all necessary steps to assure that its foreign agent is fully informed of the provisions of JEIA Instructions No. 1, 13, and this instruction. Failure

to comply with said JEIA Instructions may result in cancellation of the principal's license under this instruction at any time by JEIA. All agreements shall provide that they shall be subject to termination at any time upon the cancellation of the German principal's license for failure of either principal or agent to comply with said JEIA Instructions. Agreements between a German principal and foreign agent for a period not exceeding one year may be approved by Branch Office, JEIA. Agreements for a period in excess of one year shall be submitted to Main Office, JEIA, for approval.

3. All export sales negotiated by the foreign agent shall be subject to approval by JEIA in accordance with JEIA Instruction No. 1, or subject to acceptance of the foreign buyer's offer by the German principal or its foreign agent in accordance with JEIA Instruction No. 13.

APPLICATION FOR LICENSE

4. German principals desiring to appoint agents abroad to handle their export sales will apply to the appropriate Land Economic Ministry (hereinafter referred to as LWM) by submitting the license form attached at Appendix A in original and three copies, together with four copies of the agency agreement negotiated with the foreign agent.

5. Applications will be examined by the LWM to assure that the use of an agent is normal business practice for the commodities concerned and that the proposed maximum rate of commission is in accordance with regular trade practice. If the application is approved by the LWM, the license will be signed and all copies submitted to the appropriate JEIA branch office. Disapproved applications will be endorsed "Not Approved" and will be returned to the applicant with a statement of reason for disapproval.

ISSUANCE OF AGENT'S LICENSE

6. On approval of the application, the JEIA branch office will sign all copies of the license and number them with a license number beginning with 0001, preceded by "FRAG" (for foreign agent) and the symbol identifying the branch office concerned (e. g. BAV/FRAG/0001). Copies will be distributed as follows:

- Original through the LWM to the German exporter.
- One copy to LWM for retention.
- One copy to Joint Foreign Exchange Agency (hereinafter referred to as JFEA). (This copy will serve as a general authorization of the JEIA to JFEA for the payment of commissions after implementation of stipulated provisions.)
- One copy retained by the JEIA branch office.

7. No license shall be issued for a term exceeding one year from date of issue. The license shall clearly state that it is subject to withdrawal and cancellation at any time by JEIA with or without cause. All German principals licensed under this instruction will be responsible to the LWM for the proper execution of the terms and conditions herein provided. The LWM is authorized to check, in such manner as it may deem advisable, whether such German principals are complying with the prescribed terms and conditions of this instruction.

PAYMENT OF COMMISSIONS

8. The order of payment of commissions in foreign exchange to the agent abroad will be made on the transfer form attached at Appendix B. This form will be prepared in duplicate by the German exporter and presented, together with the "FRAG" license, to the Aussenhandelsbank which handled the documents and foreign exchange invoices for the export transactions concerned. The Aussenhandelsbank should return the "FRAG" license to the German principal after examining same to determine if it is

still in effect and applicable to the filed transfer form.

9. The Aussenhandelsbank will examine the transfer form to assure that advice of collection in foreign exchange has been received from the bank abroad covering all deliveries under the export license listed on the transfer form. In no event will the payment of any commission be permitted before the Aussenhandelsbank receives notification of foreign exchange payment having been made in accordance with contract terms. The Aussenhandelsbank will also collect from the German exporter the RM equivalent of the foreign exchange commission which will be computed by applying the approved rate of commission to the RM price of the export deliveries as indicated in III b 1 of the Export Payment Certificate. This RM amount will be transferred to the Gemeinsame Aussenhandelskasse, Frankfurt am Main.

10. The Aussenhandelsbank will acknowledge on the transfer form that the payment of commission is justified on the basis of collections for export deliveries and agent's license submitted by the German exporter. It will also certify that the RM equivalent of the foreign exchange commission has been paid by the German exporter.

11. The Aussenhandelsbank will forward the transfer form directly to the JFEA which will make the foreign exchange payment. One copy will also be submitted to the JEIA branch office which issued the agent's license. Notification of payment will be transmitted by the JFEA to the appropriate Aussenhandelsbank for onward transmission to the German principal.

(Date of issuance: March 11, 1948.)

APPENDIX A TO JEIA INSTRUCTION No. 16

Datum
Date

Gen.—Nr.
License No.

Genehmigung zur Beschaeftigung und
Bezahlung von Auslandsvertretern.
License for Employment and Payment of
Agents Abroad.

Der Firma
The firm

----- In -----
wird hiermit die Genehmigung erteilt, fuer
ihre Ausfuhrgeschaefte
is herewith authorized to employ an agent
for its export transactions
in -----
(Art der Ware/Kind of commodity)
nach folgenden Laendern sich eines Vertre-
ters zu bedienen
to the following countries

- (a) Land:
Country:
- (b) Name und Wohnsitz des Vertreters:
Name and residence of agent:

(c) Provisionshoechstssatz in Prozent des
Devisenerloeses:
Maximum rate of commission in per-
centage of proceeds in foreign ex-
change:

- (a) Land:
Country:
- (a) Name und Wohnsitz des Vertreters:
Name and residence of agent:

(c) Provisionshoechstssatz in Prozent des
Devisenerloeses:
Maximum rate of commission in per-
centage of proceeds in foreign ex-
change:

- (a) Land:
Country:
- (b) Name und Wohnsitz des Vertreters:
Name and residence of agent:

(c) Provisionshoechstssatz in Prozent des
Devisenerloeses:
Maximum rate of commission in per-
centage of proceeds in foreign ex-
change:

- (a) Land:
Country:
- (b) Name und Wohnsitz des Vertreters:
Name and residence of agent:

(c) Provisionshoechstssatz in Prozent des
Devisenerloeses:
Maximum rate of commission in per-
centage of proceeds in foreign ex-
change:

APPENDIX B TO JEIA INSTRUCTION No. 16

Ueberweisungs-Auftrag

Vertreter Genehmigung Nr.:
Agent's License No.:
An Joint Foreign Exchange Agency
To Joint Foreign Exchange Agency
Ich/wir bitten zu ueberweisen an mel-
den/unseren Auslandsvertreter
I/we request to transfer to my/our agent
abroad ----- in -----
Auf Kto. Nr.: ----- bel -----
for account No.: ----- with -----
----- (Bank)

in -----
Provision Lt. Ausfuhrbewilligung Nr.:
vom -----
Commissions as per Export License No.:
dated -----

Gesamtbetrag:
Total amount:
Auslaendische Waehrung:
Foreign Exchange:
Ort: Datum: 194
Place: Date

(Unterschrift des Antragstellers)
(Signature of Applicant)

Es wird hiermit bestaetigt, dass die Provi-
sionszahlung auf Grund der mir/uns vorlie-
genden Unterlagen gerechtfertigt und der
Gegensert von

Herewith it is confirmed that the Payment
of commissions on the strength of collection
notifications submitted to me/us is justified
and the equivalent of

RM ----- eingezahlt ist
has been paid

Bemerkungen:
Remarks:

Ort: Datum: 194
Pla: Date

(Unterschrift der Aussenhandelsbank)
(Signature of Aussenhandelsbank)

JEIA INSTRUCTION No. 17

[As Amended by Amendments A and B]
(Effective date, April 1, 1948)

SUBJECT: Management of German shipping.

OBJECT

1. To provide a procedure for restoring the
Management of German shipping to normal
commercial channels.

DISCUSSION

2. In order to ensure maximum recovery of
foreign exchange from the operation of Ger-
man vessels, it is necessary to permit
German shipping operators freedom to operate
their vessels for foreign trading provided all
German internal commitments have been met.

3. To accomplish this objective Bipartite
Transport Group will delegate responsibility
through Bipartite Maritime Ports and Ship-
ping Branch to Hauptverwaltung des Seever-
kehrs (H. V. See), and hold that organization

responsible for the disposition of German shipping, and for insuring that trading limits and priorities laid down by the Bipartite authorities are complied with. Until the legal status of H. V. See is established it will act in respect of this instruction as Agent of Military Government for enforcing the conditions laid down and for infliction of any necessary penalties.

MANAGEMENT

4. Vessels will be operated under approved forms of Charter Party as applicable to voyage to be performed, and German shipping operators will be permitted to appoint their own agents in foreign ports.

RESTRICTIVE ACTIVITIES

5. The trading limits will be Brest, U. K., Scandinavia and Finland. Charters will be limited to the carriage of German exports and German imports or transit cargoes for German ports with the exception that to avoid a ballast trip vessels may do one voyage between non-German ports provided no undue delay is incurred. In case of any such voyage between non-German ports, the Charter will be drawn up to confirm any special condition laid down by the country concerned.

CHARTER PARTIES

6. H. V. See will prepare and submit to Bipartite Maritime Ports and Shipping Branch:

(a) Before any charter is concluded, the terms of such proposed charter for approval by Bipartite Maritime Ports and Shipping Branch.

(b) Daily position reports of all German ships engaged in foreign trade.

(c) Copies of all approved charter parties in quadruplicate at the earliest possible date.

7. Bipartite Maritime Ports and Shipping Branch will allocate to Charter Parties a serial number stamp and indicate the terms under which payment is to be made in accordance with JEIA instructions. These terms will be incorporated in the Charter. Three copies duly completed will be returned to H. V. See, who will retain one copy for their own record file and pass the remaining two copies to the owner.

FOREIGN AGENTS

8. German shipping operators will appoint their agents in foreign ports and will be responsible for informing them of the conditions that apply to German shipping in foreign ports. These conditions will be published by Bipartite Maritime Shipping Branch from time to time.

9. The agent will prepare freight disbursement, demurrage and/or dispatch accounts in quadruplicate supported by one set of vouchers in original (in duplicate where obtainable otherwise certified true copies to be attached in place of duplicates). These accounts will be submitted to the owner as soon as possible after the voyage.

10. Accounts will show form of Charter Party serial number, names of the ports concerned and the dates, times, etc., of loading and discharging, also gross freight disbursements and the resulting net balance. Such net balance will be paid by the agent to the credit of Military Governments (US/UK) in accordance with the terms of the Charter Party. An Advice of Payment will be obtained from the agent's bank in evidence that such payment has been made and will accompany the accounts.

11. The owner will submit the accounts in triplicate to H. V. See enclosing a statement in which he certifies the accounts to be correct. Together with the accounts, the owner will submit an Export Payment Certificate (invisible exports) (shipping, freight), in triplicate.

12. One copy of the Agent's accounts will be retained by H. V. See for audit purposes, one copy will be passed to JEIA by H. V. See, the remaining copy will be returned to the owner together with original and one copy of the Export Payment Certificate. The owner

will attach one copy of the agent's account to the original Export Payment Certificate and will submit the original and one copy of the Export Payment Certificate to his Aussenhandelsbank for obtaining payment in Deutsche Mark. The Aussenhandelsbank will in turn apply for payment to the Gemeinsame Aussenhandelskasse which will effect such payment after having received advice from JEIA that payment in foreign exchange has been made to Military Government for Germany (US/UK).

RESPONSIBILITY OF H. V. SEE

13. At the request of the owner, H. V. See will issue certificates against which an advance payment may be obtained by the owner in Deutsche Mark from his German bank in accordance with customary practice. The owner's application will show serial number of Charter Party, estimated gross freight, and will furnish evidence that the vessel has reached the port of destination.

14. H. V. See will be held responsible for informing Maritime Ports and shipping Branch of any irregularities in any foreign port in order that appropriate action can be taken. This applies to such things as smuggling, non-compliance with Board of Trade, factory act or similar regulations, offences committed by German seamen, deaths, injuries, claims to or by German ships, general average, sinking, collisions, reasons for delays and any such incidents.

15. Approval for the conclusion of the Charter (under paragraph 7) embodies the approval of expenditure in foreign currency, without which the voyage could not be performed. This will include pilotage, towage, port, harbour, canal and quay dues, loading and discharging including tallying, cash to master at the rate of \$20 per trip and for the crew at the rate of \$0.50 per head per day ashore, commission and brokerage to the foreign agent/broker, and bunkers insofar as they are essential for the return voyage. All the foregoing is subject to any particular Charter Party requirements.

IMPORTS FOR GERMAN ECONOMY

16. Where a vessel is engaged for the carriage of import for German economy bought f. o. b. port of loading and the charter therefore provides for freight to be paid in Deutsche mark, the agent in the foreign port will forward to the owner his account in quadruplicate with supporting vouchers in duplicate, covering port disbursements only as authorized in paragraph 15 above. The owner will submit the account in triplicate to H. V. See enclosing a certificate that the account is correct and that the expenditures incurred were only those without which the voyage could not be performed. H. V. See will approve the account and return the original and one copy to the owner who will submit the original to his Aussenhandelsbank and pay to the bank the DM value converted at the rate of 1 DM for 30 US cents. The Aussenhandelsbank will certify the receipt of full DM payment on the account and return the certified account to the owner. The owner will then forward the certified account to JEIA Branch with the request that payment be made to the agent in foreign exchange. Ships chartered for the requirements of the Occupying Authorities are excluded from the provision of this instruction, and will be governed by a separate instruction issued at the time of charter.

16 (a). For transit traffic through the Netherlands the cash to master must not exceed \$4 per trip and no allowance of shore money for the crew will be granted. This will apply retroactively as from April 1, 1948 in respect of any voyage for which payment has not yet been settled.

EXPENDITURE OF FOREIGN CURRENCY

17. All other expenditure in foreign currency will be limited as follows:

(a) Maximum 10% of gross freight where the freight is \$1,200 and under;

(b) Maximum 8% of gross freight where the freight is \$1,200 to \$3,000;

(c) Maximum 6% of gross freight where the freight is \$3,000 to \$5,000;

(d) Maximum 5% of gross freight where the freight is \$5,000 and above. (This arrangement to be cumulative for three voyages maximum.) It is limited to voyages where the freight is paid in foreign exchange. Any unused portion of the maximum percentage allowed on immediately preceding voyages may be added up and accounted for under disbursements for the third voyage. Any surplus emanating from previous to the last two voyages will be forfeit. Such disbursements will be strictly restricted to expenditure for the benefit of the ship; restrictions on such expenditure will be indicated in the conditions to be published by Bipartite Maritime Ports and Shipping Branch referred to in paragraph 8 above. Exceptions will only be made after approval by H. V. See in consultation with Bipartite Maritime Ports and Shipping Branch.

18. H. V. See will ensure that owners are instructed that ships stores, etc. will be purchased at prices which are in line with the legal prices prevailing at the port where purchases are made.

19. Net freight will be converted at the value of 30 cents equal 1 D. Mark.

20. Procedure for collection of extraordinary claims (Salvage, general average, claims arising out of collision, etc.) as well as for the payment of corresponding commitments will be dealt with under separate instruction.

(Date of issuance: March 17, 1948.)

JEIA INSTRUCTION No. 19

[Effective date, May 10, 1948]

SUBJECT: Procedure for the licensing of German firms to charter non-German vessels.

OBJECT

1. To establish a procedure for licensing of German importers, exporters, shipping agents, shipowners, shipbrokers and chartering agents, hereinafter referred to as agents, to:

(a) Operate in the chartering of non-German vessels to load authorized imports. (At present export sales are made on an f. o. b./f. o. r. basis. In the event of existing JEIA instructions being amended to permit C. & F./C. I. F. export sales, the necessary procedure to permit chartering of non-German vessels will be issued as an Addendum to this Instruction.)

(b) Have the necessary foreign currency available as required for this operation.

2. To define the functions of JEIA branch offices in connection therewith.

SCOPE

3. Procedure for the booking of "Liner Term" shipping space will be issued under separate instructions.

REFERENCES

4. JEIA instructions Nos. 4, 10, and 11 as amended.

RESTRICTED ACTIVITIES

5. For the present German agents will not be permitted to charter vessels on a direct "bare boat" basis.

DISCUSSION

6. Every facility will be given to approved German agents to obtain by charter the necessary vessels required for imports, in order to minimize expenditure of foreign currency on chartering services.

7. Agents will act in this capacity under license as permitted under JEIA Instruction No. 11, as amended. Licenses will be confined to established firms of good repute and having the necessary satisfactory foreign correspondents and chartering connections, either direct or through the intermediary of another firm.

8. The charters to be negotiated will be mainly for bulk commodities calling for employment of tramp tonnage. It is imperative that the best possible charter terms are obtained and that no more than world market rates are paid. It is appreciated that irrespective of the nature or location of the cargoes, much of the tonnage available will be offering on the London market, but the brokers employed will be quite free to work all other likely markets.

9. It is intended that vessels of first class British Lloyd or equivalent foreign classification of other countries may be chartered. Vessels of lower classifications should not be chartered and freight contracts covering large quantities over extended periods should not be entered into without prior authority of JEIA. All charters will have JEIA described as the "charterers" and the German agents will sign as "agents to charterers."

10. Apart from brokerages accruing under charters, no commission or fittage is to be paid such agents unless LWM after consultation with H. V. Seeverkehrs agree that it is customary in the particular trade concerned.

CHARTER CONDITIONS

11. The agents will be charged with the responsibility of seeing that:

- (a) The freight rate is fully justified and in keeping with current market rates;
- (b) All brokerages due under the charter are fully disclosed and incorporated in the charter party denoting to whom payable;
- (c) The terms of the charter party are in accordance with the contract or Chamber of Shipping or other recognized forms of charter, as customary in the trade in which the vessel is operating;
- (d) The brokers are fully conversant with the rate of loading and discharging and demurrage rates based on the size of the vessel.

12. JEIA will be prepared to give guidance on current freight rates and may stipulate the maximum rate to be paid on any particular charter.

13. The agent will notify Shipping and Forwarding Section JEIA of the chartering of each vessel, quoting the Import License No. and without undue delay provide two certified true copies of the Charter Party together with a proforma freight account, payable in an approved currency and indicating to whom payable and all brokerages and commissions due to licensed German firms, their names and addresses, also an acknowledgement from the Aussenhandelsbank certifying that RM equivalent (30 U. S. cents equal one RM) of the freight account has been received from the German importers.

14. The agents will advise JEIA of any radical change in the position of the vessels chartered, or the quantity of cargo to be shipped.

TERMS OF PAYMENT

15. JEIA will thereafter open, in the approved currency of payment, the necessary letters of credit in the name of the owner or owner's brokers. Such credit will be available against presentation by the owner or owner's brokers of:

- (a) Freight account, referring to the import license No. (if known) and name of vessel deducting:
 - (i) Brokerage due to the German agent in terms of the Charter Party.
 - (ii) Dispatch money earned.
 - (b) Accomplished bill of lading or certificate of outturn signed by the Shipping and Forwarding Section JEIA Branch Office at port of Discharge.
 - (c) Demurrage claim, if any, certified as correct and duly authorized for payment by Shipping and Forwarding Section, JEIA Branch Office. In the event of any disputed demurrage or other claims against charterers, these will be deferred for subsequent negotiations by JEIA.
 - (d) Laytime statement in approved form. If application for payment is made by other

than the owner, written authority from the owner to his nominees to collect payment, or broker will be stated in Charter Party.

16. The agent will require the foreign principal to nominate a bank through which payment will be effected. Advice of payment, under letter of credit together with four copies of the freight account will be sent by air mail by the foreign principals' bank to the Aussenhandelsbank, who in turn will notify JEIA. The latter will notify Central Accounts JEIA, when advice of payment has been received and state whether any balance of credit remains.

17. As outlined in paragraph 15 (a) above, the actual amount of brokerages due to be credited to the agent will be deducted from the amount of foreign exchange due to the owner or owner's brokers.

18. The final RM settlement between the German importer and the Aussenhandelsbank will be in accordance with the gross amount paid in foreign exchange.

EXPORT PAYMENT CERTIFICATE

19. In order to obtain payment in RM it is necessary for the agent to prepare an Export Payment Certificate to which will be attached written confirmation from the Aussenhandelsbank of the actual amount of the foreign exchange brokerage earned and deducted from the freight account. The RM payment will be based on 30 U. S. cents equal one RM.

(Date of issuance: April 22, 1948.)

JEIA INSTRUCTION No. 22

(Effective date, July 15, 1948)

SUBJECT: Export license requirements for commercial and industrial samples.

OBJECT

1. To facilitate the transmission from Germany of commercial samples, in order to stimulate export sales.

DEFINITION AND SCOPE

2. For the purpose of this instruction all commercial and industrial specimens will be called samples. This procedure applies to all samples dispatched from Germany by Post, by Air Express shipped on a collect basis, and by Air Express shipped on a pre-paid DM basis. This procedure also applies to samples personally carried out of Germany by German businessmen going abroad or by foreign businessmen leaving Germany.

DISCUSSION

3. In order to expedite the dispatch from Germany of samples, prior clearance from the Land Economic Ministry and the local JEIA branch offices is no longer required. Customs are authorized to effect the export clearance of samples in accordance with existing procedure subject to the following conditions:

- a. Samples will be limited to items of a nature which represent potential export sales.
- b. Samples will not exceed a foreign exchange value of \$10. (Samples exceeding this value will be treated as normal exports and must conform with regulations laid down in JEIA instruction No. 1 and 2, as amended.)
- c. Shipment of samples of precious metals, precious stones, semiprecious stones or articles made thereof and samples of any items which are prohibited from export under Military Government regulations are prohibited under this procedure.
- d. Shippers of samples must be firms or individuals actually engaged, as part of their normal business, in selling the types of products which the samples advertise.

4. It is the responsibility of the German shipper to present samples to the internal, border, or port customs officer for examination and export clearance.

5. Customs shall not grant clearance to samples which do not conform to the conditions enumerated in paragraph 3 above.

6. Customs will determine whether samples have a commercial value or not.

a. Samples without commercial value need not be returned and there will be no obligation for payment upon the consignee.

b. Samples of value must be returned or must be paid for as outlined in paragraph 7 below.

7. The return of samples will be supervised by customs offices in accordance with the provisions of the "Zollvermerkordnung." Where samples are not returned the following procedure will be followed for control of payment receipts:

a. All sample consignments of commercial value will be accompanied by sample consignment form in duplicate (Appendix A). (Printed form sheets will be available at customs offices.)

b. Payment will be made into an appropriate account of Military Governments for Germany (US/UK) and in the currency provided in JEIA Instruction No. 1, and the sample consignment form completed and returned to shipper. All such payments shall state the identification name of customs office and number.

c. Where payment has been made instead of a return, the shipper of the sample will submit the returned sample consignment form received from the consignee to the customs office of original clearance. Customs will stamp and endorse the form to the effect that bond has been cleared and return it to the shipper.

8. Thereafter the German shipper of the sample will forward the "paid" sample consignment form to his Aussenhandelsbank together with export payment certificates in triplicate.

9. The Aussenhandelsbank will make Deutsche mark payment to the shipper of the sample in accordance with applicable instructions of the Gemeinsame Aussenhandelskasse and the JEIA.

(Date of issuance: July 15, 1948.)

APPENDIX A TO JEIA INSTRUCTION No. 22

Identification -----
 Customs Office -----
 Number -----

SAMPLE CONSIGNMENT

To the firm -----
 in -----

In pursuance of the regulations issued by Joint Export Import Agency, this sample consignment

(Kind, weight or quantity of the sample) has been approved subject to return of the sample on or before -----

In case retention of this sample is desired, it is requested that payment in equivalent of -----

(\$ £ etc.)
 be made to your bank for transfer to bank ¹⁾ -----

to be credited to the account of Military Governments for Germany US/UK and that this note be returned to me, completed below.

 (Signature of German firm)

Payment has been made into the a/m account on -----

 (Signature of foreign firm)

¹ Indicate bank to which payment shall be made pursuant to provisions of JEIA Instruction No. 1, as amended.

JEIA INSTRUCTION No. 24

(Effective date, September 20, 1948)

SUBJECT: Procedure for filing applications for patents and registration of trade-marks, designs, and copyrights.

OBJECT

1. To establish a procedure whereby persons in the Combined Area of Germany may file applications in foreign countries for patents, registered designs, copyrights, and trade-marks and whereby foreign parties may file such applications in the Combined Area of Germany.

SCOPE

2. Applications for patents, registered designs, copyrights and trade-marks should be filed only in those countries which assure German nationals full protection and enjoyment of their industrial and literary property rights. It will be the responsibility of the applicant to determine that any application complies with the laws of the foreign country involved.

3. At the date of publication of this procedure, the United States, the United Kingdom, and France have amended their wartime regulations to permit filing of applications for patents, designs, and trademarks and to assure such protection. Notification will be given as information is received regarding the regulations in various countries.

AUTHORIZATION

4. Licensing by JEIA under this instruction to file applications abroad constitutes US and UK Military Government authorization under Military Government Law 53 for German persons in the Combined Area to hold foreign patents and registered designs, copyrights, and trade-marks secured pursuant to such licensing.

5. The provisions of this instruction, or licensing by JEIA under this instruction, may in no way be construed as authorization to engage in any activities prohibited under other Military Government laws or regulations.

6. Necessary foreign exchange to cover filing fees and incidental costs, such as attorney's fees, will be provided:

- (a) From Bonus A funds when such funds are available to the applicant;
- (b) By a foreign party;
- (c) From JEIA funds provided for in the Bizonal import budget when no funds are at the disposal of the applicant from sources (a) and (b) above.

DEFINITION

7. For purposes of this procedure, the term "persons" means German individuals or firms located in the Combined Areas of Germany, the term "foreign party" means foreign firms or individuals, and the "Combined Area" means the US and UK Zones in Germany as well as the US and UK Sectors of Berlin.

PROCEDURE: BONUS PAYMENT

8. When Bonus A funds are available to him, the person desiring to use foreign exchange in order to file application abroad for a patent, registered design, copyright or trade-mark, shall either himself or through a patent attorney submit a license form in triplicate, accompanied by Bonus A certificates, to the Land Economic Ministry—Aussenhandelskontor, or corresponding German economic agency in Berlin, Hamburg, and Bremen (hereinafter referred to as LWM).

9. The license will state:

- (a) The type of invention, design, literary or artistic work, or trade-mark;
- (b) The country or countries in which application is to be filed, and
- (c) The amount of foreign exchange required for filing fees and other expenditures in connection therewith.

10. LWM screening of the license shall in general be limited to ascertaining that the

amount of the expenditure appears reasonable and that the necessary bonus certificates are submitted. Upon approval, the LWM will stamp "Approved" on behalf of JEIA, date and sign each license form, number them serially beginning with 0001 with identifying symbol LWM/PAT, e. g. LWM-BAV/PAT/0001, and make the appropriate deduction from the bonus certificate in accordance with JEIA Instruction No. 6. The LWM will retain one copy of the license in its files, transmit one copy to the JEIA Branch Office, and return the original license to the licensee or his patent agent.

11. When the licensee or his patent agent receives an invoice for foreign exchange costs incurred or to be incurred, licensee will present such invoice, together with his license, to the Aussenhandelsbank. The Aussenhandelsbank will ascertain that the foreign exchange amount of the license is sufficient to cover the invoice amount. The licensee will make Deutsche mark payment based on the foreign exchange amount of the invoice converted at 30 cents equal 1 DM in accordance with JEIA Operational Memorandum No. 25, as amended. The Aussenhandelsbank will note on the license the amount expended, certify on the invoice that Deutsche mark payment has been made, and arrange for the foreign exchange payment in accordance with established procedures.

PROCEDURE: PAYMENT BY FOREIGN PARTY

12. Payment of cost for filing abroad may be made by a foreign party, either with or without subsequent reimbursement to the foreign party. The German person will in such cases submit license forms to the LWM (as provided in paragraphs 8 and 9 above) and the LWM will obtain the prior approval of the JEIA Branch Office before approving and issuing the license.

13. When no reimbursement to the foreign party paying the costs is contemplated, the license will clearly state that no foreign exchange payment will be made. JEIA branch Office and LWM will approve the license provided there is no reason to suspect that statements are false.

14. When reimbursement to the foreign party paying the costs is contemplated, for instance in connection with the sale, assignment, or licensing of rights secured pursuant to such filing, the proposed contract will be submitted to the JEIA Branch Office by the LWM for approval (see paragraph 34 below). The license issued by LWM will clearly state the manner in which foreign exchange payment will be made.

PROCEDURE: PAYMENT FROM JEIA FUNDS

15. JEIA funds are being made available to pay costs of registering patents, and designs, trademarks, and copyrights in foreign countries. Such funds will be allocated to the Laender of the Combined Area and US and UK Sectors of Berlin.

16. Each JEIA Branch Office will inform the LWM or corresponding body of the allocation of JEIA funds available for registering copyrights abroad and filing applications abroad for patents, designs and trademarks, and will authorize the LWM to approve licenses on behalf of JEIA to register copyrights and file applications for patents, designs and trade-marks abroad and to expend necessary funds in connection therewith.

A. PATENTS, DESIGNS, AND TRADE-MARKS

17. Filing of applications for registration of patents, designs and trade-marks abroad when JEIA funds are to be used, and requesting the necessary license, will be accomplished only through accredited German patent attorneys approved by JEIA.

18. A patent attorney desiring to engage in this business will apply through the Legal Group, BICO, Frankfurt, submitting a recommendation from one of the three German Patent attorneys' associations (Deutsche Patentanwaltskammer) in Berlin, Frankfurt,

and Duesseldorf, testifying as to his qualifications for preparing and prosecuting applications in foreign countries. Such application will state:

- (a) Name;
- (b) Nationality;
- (c) Business address including zone or sector;
- (d) When and where admitted to practice by Military Government authorities.

19. The Legal Group, BICO, will examine the application and recommendation submitted by the patent attorney. Upon approval, JEIA will issue a certificate designating the applicant as an accredited patent attorney. The certificate, valid normally for one year, will authorize the accredited patent attorney to represent German persons in obtaining the necessary JEIA license and to represent them in filing and prosecuting applications abroad for patents and registration of designs and trademarks. The accredited patent attorney will be authorized to recommend expenditure of JEIA funds for such purposes as set forth in the application filed with the LWM.

20. Any violation of the terms and conditions of the certificate will be cause for its immediate revocation by JEIA.

21. Upon receipt of the JEIA certificate, the accredited patent attorney may accept applications from German persons for filing applications for patents, designs, and trademarks in foreign countries. It will be the responsibility of the patent attorney to screen applications with regard to merit, and as to whether they comply with the laws of the foreign country involved, etc. The accredited patent attorney shall, on behalf of applicant, submit to the LWM a license form in triplicate, specifying the type of invention, designs, or trademark, countries where filings will be made, and the amount of foreign exchange required.

22. The amount of funds committed in connection with the filing of any individual application for a patent, design or trademark shall not exceed \$120.00. In instances where prosecution, extensive search or other service in the foreign country will involve the use of a greater amount of funds, full justification must be submitted to the LWM and specific authorization in each case obtained from JEIA Branch Office before license is approved.

23. Upon approval, the LWM will stamp "APPROVED" on behalf of JEIA, date and sign each license form, and assign to the license a serial number beginning with 0001 and preceded by an identifying symbol, i. e. LWM-BAV/PAT/0001. The LWM will retain one copy of the license, transmit one to the JEIA Branch Office, and return the original license to the licensee's accredited patent attorney.

24. All applications filed abroad by the accredited patent attorney or his foreign correspondent and the resultant patent, design, or trade-mark registration will be submitted in the name of the German licensee and not in the name of the accredited patent attorney.

25. Upon receipt of the approved license, the accredited patent attorney will arrange with his foreign correspondent for the filing of the appropriate application in the foreign country. The foreign correspondent of the accredited patent attorney will transmit to the agent an invoice for foreign costs incurred or to be incurred in the filing of the application. The invoice will state the name of the German person for whom the application was filed and his license number.

26. The accredited patent attorney will present such invoice, together with the license, to his Aussenhandelsbank, which will ascertain that the foreign exchange amount of the license is sufficient to cover the invoice amount. The attorney will then make Deutsche mark payment based on the foreign exchange costs converted at 30 cents equal 1 DM in accordance with JEIA Operational Memorandum No. 25, as amended,

and the Aussenhandelsbank will note on the license the amount expended.

27. The Aussenhandelsbank will certify on the invoice that the Deutsche mark payment has been made, and arrange for the foreign exchange payment in accordance with established procedures.

28. The Aussenhandelsbank will transmit monthly to JEIA Branch Office a list of such invoices paid during the month, stating the name of licensee, number of license, and foreign exchange amount.

B. COPYRIGHTS

29. A person desiring to register a copyright abroad will, either himself or through an agent, submit to the LWM a license form filled out in triplicate, specifying the item to be registered, countries where registration will be sought, and approximate cost, if any.

30. The LWM will approve the license provided the costs shall not exceed the amount required to pay registration fees and the expenditure falls within the copyright registration allocation for that Land.

31. Upon approval the LWM will stamp, number and distribute license forms as in paragraph 23 above.

32. The licensee will be authorized under the license to arrange for registration of the copyright abroad. The procedure outlined in paragraphs 25-28 above will be followed for receipt and payment of invoices and submission of reports.

LICENSES

33. All licenses issued under this instruction shall contain the following statement:

All industrial, literary, and artistic property rights acquired abroad as a result of filing applications for patents, registered designs, copyrights, and trade-marks under this license shall be subject to the provisions of Military Government Law No. 53, and any sale, license, assignment, or other transfer by a German person of any such property rights which are subject to the provisions of Military Government Law No. 53 is prohibited except as duly licensed by or on instructions of Military Government.

SALE, ASSIGNMENT, OR LICENSING, ETC., AGREEMENTS

34. Any sale, license, assignment, or other transfer by a German person of any rights in patents, copyrights, designs, or trade-marks, or of applications therefor, which are subject to the provisions of Military Government Law No. 53 shall be considered as an export sale requiring submission of a contract and licensing by JEIA under established export procedures and payment in acceptable foreign currency to JEIA account.

FILING IN THE BIZONAL AREA BY FOREIGN PARTIES

35. A filing office to receive applications for patents and for the registration of Gebrauchsmuster and trade-marks has been established for the Combined Area at Darmstadt, Germany, Rheinstrasse 102. Applications can be submitted to this office direct or through a German Patent Attorney. All arrangements for the services of such attorneys and for the payment of fees shall be in accordance with JEIA Instruction No. 9, as revised.

(Date of issuance: September 9, 1948.)

JEIA INSTRUCTION No. 25

(Effective date, September 15, 1948)

SUBJECT: Procedure for the licensing of German firms to book shipping space in non-German vessels operating on liner services.

OBJECT

1. To establish a procedure licensing German firms hereinafter referred to as agents to book freight space in foreign sea-going vessels operating on liner services.

2. To have the necessary foreign currency available as required for this operation.

3. To define the functions of the JEIA Branch Offices in connection therewith.

REFERENCES

4. JEIA Instructions Nos. 1 and 11 respectively as amended.

SCOPE

5. This instruction will, in effect, apply only to goods purchased by a German firm f. o. b. foreign port or, when necessary ex works or ex rail. The shipment of cif purchases from abroad is the responsibility of the seller and is not affected by this instruction.

6. In the event of existing JEIA instructions being amended to permit c & f/cif export sales, the necessary procedure to permit booking of non-German freight space will be issued as an addendum to this instruction.

Foreign buyers may sometimes require freight prepaid bills of lading although goods are bought f. o. b. In these cases foreign buyers must make their own arrangements with the shipping company concerned.

7. Agents will act in this capacity under license as permitted under JEIA Instruction No. 11 as amended. Licenses will be confined to established firms of good repute and having the necessary satisfactory foreign correspondents and connections, either direct or through the intermediary of another firm.

BOOKING OF FREIGHT SPACE

8. Agents will be required to book space on liner term vessels on the best possible terms and conditions. They will also ensure that no more than conference rates, when applicable to a particular service, are paid.

9. Liner term shipping companies frequently accept large bookings on free-in and/or free-out terms where sellers and/or buyers can offer suitable loading and/or discharging facilities. In order to save foreign exchange this should be borne in mind when freight engagements are made.

BILLS OF LADING

10. The foreign seller will prepare bills of lading and the consignee will be shown as follows:

Shipping and Forwarding Section, JEIA Branch Office (port of discharge).

Notify (name of German importer or his nominee).

Only "shipped bills of lading" will be used and all copies will quote the import license number.

11. Any clause or discrepancy stated on the receipt or equivalent for the goods at port of shipment will be shown on the bills of lading. No bankers' guarantee will therefore be given by the shipper to the carrying line in order to obtain clean bills of lading.

12. Shippers' disbursements will not be inserted in the bills of lading for collection against delivery of the goods.

PAYMENT OF THE GOODS

13. On a f. o. b. sale the foreign seller will obtain from the ships master a receipt or equivalent as an acknowledgement that the goods have been received safely on board. Against the receipt or equivalent the seller will obtain full set bills of lading from the shipping company, which he hands over to the appropriate foreign bank with which letter of credit has been established in order to obtain payment for the goods.

14. On receipt of full set bills of lading from the seller the foreign bank will forward them by air mail direct to the appropriate Aussenhandelsbank who will in turn notify Bank Deutscher Laender, Foreign Department. Aussenhandelsbank will release the bills of lading to the German importer or his nominee only against payment by them of the D-Mark equivalent (30 US cents equal 1 D-Mark). On obtaining bills of lading one original will be presented by the German im-

porter to the appropriate shipping and forwarding section for endorsement.

PAYMENT OF SEA FREIGHT

15. Freight will be paid at port of discharge. Prior to ship's arrival importer obtains freight account from ship's agent, port of discharge. Importer pays Deutsche mark (30 US cents equal 1 D-Mark) to the Aussenhandelsbank and obtains receipt (in duplicate) on which Aussenhandelsbank confirms that Bank Deutscher Laender, Foreign Department, will effect payment in foreign currency to the shipping company. One copy of this receipt will be handed over by the importer to the ship's agent in order to receive goods. The agent attaches the receipt as voucher to his ship's account to be rendered to his principals as proof that freight has been paid.

16. Aussenhandelsbank transfers Deutsche mark to Bank Deutscher Laender Foreign Department with request to effect payment in foreign currency to the shipping company.

PAYMENT OF BROKERAGE

17. The payment of booking commission, if any, due to a German importer or his agent, will be paid in accordance with the appropriate provisions of JEIA Instruction No. 11, as amended.

FREIGHT REBATES

18. All rebates deferred or otherwise or any other commission offered or received from a shipowner or his agent as a result of a freight booking will be disclosed in the freight account.

(Date of issuance: September 10, 1948.)

JEIA INSTRUCTION No. 27

(Effective date, December 1, 1948)

SUBJECT: Membership of German firms and economic organizations in international trade associations.

OBJECT

1. To provide for the membership of German firms and economic organizations in international trade associations and in foreign associations interested in the promotion of trade with Germany, e. g., chambers of commerce, and for the utilization of services of such international trade associations for the promotion of the foreign trade of the Combined Area.

ALLOTMENT OF FUNDS

2. JEIA Branch Offices will be informed of the allocation of funds appropriated under this instruction.

PROCEDURE

3. Each JEIA Branch Office will delegate to the LWM (Aussenhandelskontor) in the form of a general license within the budgetary limitation, the authority to approve the use of funds under this instruction. The license will specify that funds will be used only for the purposes set forth in this instruction and up to the amounts stated in the license.

4. Interested German firms and economic organizations will submit to the responsible LWM an import license in triplicate for use of foreign exchange, specifying the name of the international trade association in which membership is desired or which is to perform certain services, and the amount of membership dues to be paid or the types and costs of services to be performed. Applicants must certify on the license that no bonus funds or foreign exchange credits are at their disposal, before funds under this procedure may be made available to them.

5. The LWM will examine whether the proposed membership or services will promote the foreign trade of the Combined Area and whether foreign exchange expenditures do not exceed the amounts allocated.

6. Upon approval of the license, the LWM will stamp "approved on behalf of JEIA,"

date and sign each license, and number it serially, beginning with 0001 with identifying symbol of AHK/Int. Tr., e. g. AHK/BAV/Int. Tr. 0001. The original license will be returned to the applicant, one copy transmitted to the appropriate JEIA Branch Office, and the other retained by LWM.

7. Holders of approved licenses will arrange for membership in foreign trade organizations or for services to be performed by such organizations. Upon receipt of foreign invoices, licensees will present such invoices to an accredited foreign trade bank (Accredited Aussenhandelsbank) together with the approved licenses, and pay to such Accredited Aussenhandelsbank the Deutsche Mark value of the invoices converted at the rate of 30 cents equal 1 DM. The Accredited Aussenhandelsbank will certify on the invoices that DM payment has been made and will arrange for the foreign exchange payment.

8. The Accredited Aussenhandelsbank will transmit to the JEIA Branch Office each month a statement of invoices paid.

(Date of issuance: November 29, 1948.)

JEIA INSTRUCTION No. 28

(Effective date, December 1, 1948)

SUBJECT: Settlement of claims arising out of centralized and decentralized import contracts.

OBJECT

1. Establishment of a procedure for settlement of claims made by or against buyers, sellers and carriers arising out of import contracts.

Claims in respect of damage caused or sustained by sea-going or inland vessels will be the subject of a further instruction.

SCOPE

2. This procedure has reference to JEIA centralized and decentralized imports and includes cargo claims (with general average contributions), dispatch money claims etc.

DELEGATION OF AUTHORITY

3. (a) *Claimant.* The consignee named in the contract is authorized to conduct negotiations and make settlement in accordance with the conditions contained in this instruction, but with the following provisos:

(1) In case of a claim by the consignees against the foreign seller (or his underwriter) or carrier, settlement may be concluded by the consignee without prior approval by JEIA.

(2) In case of a claim against the consignee by the foreign seller or carrier, settlements in excess of one hundred dollars or equivalent must be submitted to JEIA for approval, to Hq. JEIA if concerning a centrally procured import, and to the applicable JEIA Branch Office if concerning a decentralized import.

(b) *V. F. W. V. F. W., Hoechst, Frankfurt am Main,* is authorized to issue instructions on this procedure to German consignees, having regard to the above conditions.

(c) *JEIA Branch Offices.* Consignees may at all time consult the appropriate JEIA Branch Office which will act in an advisory capacity.

NEGOTIATION

4. (a) If the consignee decides to present a claim, he must immediately send notices containing all relevant information to the following:

(1) The seller and/or carrier (if necessary by cable, confirmed by letter) stating that a claim is made, and the amount thereof, if already determined. This notice must be sent within the time stated in the contract. If no time is stated, it must be sent immediately upon ascertaining that a claim exists. Care must be taken that such notices conform to all requirements of the contract, including provision for inspection. Where in-

spection is called for it is important that notification of the inspection and its findings should be sent to V. F. W. and to JEIA, i. e. to Hq. JEIA if concerning a centrally procured import, and to the applicable JEIA Branch Office if concerning a decentralized import.

(2) JEIA, i. e. to Hq. JEIA if concerning a centrally procured import, and to the applicable JEIA Branch Office if concerning a decentralized import.

(3) *V. F. W. (who will provide a liaison with Bank Deutsche Laender).*

(b) The consignee will then negotiate for a settlement of the claim subject to the conditions stated in paragraph 3 of this instruction.

5. In case of a claim by the foreign seller or carrier against the consignee, the latter is authorized to negotiate for a settlement in accordance with the conditions imposed by paragraph 3 (a) (2) above. Relevant information must be provided to the appropriate JEIA Branch Office at all stages of the claim.

6. Notice of any settlement made in the case of claims by or against the consignee will be sent to V. F. W. and to Hq. JEIA.

DEUTSCHE MARK PAYMENTS

7. Upon receipt by the Bank Deutsche Laender of notification that foreign exchange payment of settlement has been made by the seller or carrier, into an appropriate account of Military Governments for Germany (US/UK), the consignee will receive the Deutsche mark equivalent of the amount of such settlement. Conversely, in the case of settlement of claims against the consignee, the Bank Deutsche Laender will make the foreign exchange payments of the settlement to the foreign seller or carrier, only after the consignee has paid the Deutsche mark equivalent to his Aussenhandelsbank for the account of Bank Deutsche Laender.

ARBITRATION

8. In the event of failure to conclude a settlement by negotiation, and if the contract provides for settlement by arbitration, the consignee will forward the relevant documents with recommendations to the V. F. W., Hoechst, Frankfurt am Main, who will in turn consult with Hq. JEIA. If the parties agree to submit to arbitration, the consignee must request JEIA for approval to arbitrate. If such approval is granted, the consignee will receive further instructions.

9. In the event of failure to conclude a settlement by negotiation or arbitration, the consignee will receive further instructions.

(Date of issue: November 30, 1948.)

OPERATIONAL MEMORANDUM No. 25

[As Amended]

(Effective Date, June 21, 1948)

SUBJECT: Reichsmark payment for exports and imports.

OBJECT

1. To provide for Reichsmark payment for exports and imports on the basis of the foreign exchange price converted at \$0.30=1 Reichsmark.

REFERENCE

2. BIP/P (48) 41 (1st Revision), JEIA Instructions and Operational Memoranda.

SCOPE

3. The provisions of this Operational Memorandum apply:

(a) To exports of goods, except coal, delivered and of services on and after May 1, 1948.

(b) To imports of goods, except staple foodstuffs, and of services rendered by German importers on or after May 15, 1948.

REICHSMARK PRICING OF EXPORTS

4. (a) The reimbursement to German exporters for exports (except coal) will be in

Reichsmarks calculated on the basis of the contract selling prices in foreign currencies, converted into Reichsmark at a uniform factor of 1 RM=\$0.30 (thirty cents). The full Reichsmark price calculated in this manner will be paid to the exporter regardless whether or not the Reichsmark price calculated in this manner exceeds the present legal price.

(b) In cases where the Deutsche Mark proceeds of an export contract, so calculated, are less than the legal Deutsche Mark price in effect at time of export, the exporter will for the time being continue to receive such legal price in Deutsche Marks. In cases where export deliveries are effected in accordance with terms of a contract before November 1, 1948, under a contract approved by JEIA on or before June 19, 1948, and where there is no existing legal mark price at the time of the export, for the purposes of this operational Memorandum the legal mark price at the time of the execution of the contract shall be considered the legal mark price at the time of the export.

5. In order to obtain Reichsmark payment, the German exporter will file with the Aussenhandelsbank, in accordance with existing JEIA instructions the original and one copy of the Export Payment Certificate. The exporter will attach a copy of the foreign exchange invoice to the original Export Payment Certificate. The Aussenhandelsbank will reimburse the exporter the Reichsmark price of the export computed in accordance with paragraph 4 (a) or (b) above. However, prior to receipt of notification from the paying bank of the payment of the foreign exchange amount of the invoice into an account of Military Governments for Germany US/UK the Aussenhandelsbank may, at the request of the exporter, reimburse the German exporter in the form of an advance in accordance with normal banking practices at any time after presentation of the required documents to the Aussenhandelsbank for collection abroad. The reimbursement in Reichsmark to the German exporter calculated in accordance with paragraph 4 (a) above represents a straight conversion of the foreign exchange invoice price in accordance with the terms of the contract. Additional costs, as provided for under Part I (b) and Part III of the Export Payment Certificate, will, therefore, no longer be added to the Cost of Exports as shown under Part I (a) thereof.

REICHSMARK PRICING OF IMPORTS

6. Imports (except staple foodstuffs) will be priced in Reichsmarks at their contract cost in foreign currencies plus such other relevant charges as may be incurred, if any, delivered at German port or border, converted into Reichsmarks at a uniform factor of 1 RM=\$0.30 (thirty cents).

7. The German importer will make payment to the Aussenhandelsbank in accordance with established procedures on the basis of the Reichsmark price computed, in accordance with paragraph 6 above, from the foreign exchange price listed on the shipping documents and invoices. Where imports are purchased at other than a foreign exchange price for the imports delivered at German port or border, the importer will make the Reichsmark payment to the Aussenhandelsbank based on the invoices received and thereafter will make such other Reichsmark payment for any additional relevant charges incurred in connection with said import immediately upon receipt of notification from the Aussenhandelsbank of the amounts of such additional charges. The payment in Reichsmarks made by the German importer, calculated in this manner, represents a straight conversion of the foreign exchange invoice price of the import in accordance with the terms of the contract plus other relevant foreign exchange charges. Extra costs incurred in Germany in connection with the importation of the merchandise will, therefore, no longer be deductible.

8. All provisions of JEIA instructions, directives, and memoranda now in effect with regard to Reichsmark payment for exports or imports which conflict with this Operational Memorandum are herewith rescinded.

9. Any reference to Reichsmarks in this Operational Memorandum shall refer to Deutsche marks.

Date of issuance: May 24, 1948.)

JEIA OPERATIONAL MEMORANDUM No. 31

(Effective date, September 15, 1948)

SUBJECT: Restrictive trade practices (including exclusive sales and agency agreements) in connection with German exports.

OBJECT

1. This Operational Memorandum sets forth the policy to be followed by JEIA in considering export transactions which place certain restriction on the sale or distribution of German goods, commodities and services abroad.

RESCISSION

2. Paragraphs 14 and 15 of JEIA Instruction No. 1 as amended, are rescinded and superseded.

POLICY

3. It is the policy of the JEIA that business practices as set forth in paragraph 5 below must be avoided whenever they interfere with the free and normal development of German export trade.

SOURCE

4. The foregoing policy adheres to the principles of the Havana Charter for an International Trade Organization drawn up by members of the United Nations and dated March 24, 1948, intended to eliminate objectionable business practices affecting International trade. Furthermore, such practices are prohibited by U. S. Military Government Law No. 56 and British Military Government Ordinance No. 78, as amended.

OBJECTIONABLE RESTRICTIVE PRACTICES— DEFINITION

5. Pursuant to the Havana Charter referred to above, business practices which restrain competition, limit access to markets, or foster monopolistic control, and which may have harmful effects on the expansion of production or trade or otherwise interfere with the free and normal development of German exports, include those which:

(a) Fix prices, terms or conditions to be observed in dealing with others in the purchase, sale or lease of any products;

(b) Exclude enterprises from, or allocate or divide, any territorial market or field of business activity, or allocate customers, or fix sales quotas or purchase quotas;

(c) Discriminate against particular enterprises;

(d) Limit production or fix production quotas;

(e) Prevent by agreement the development or application of technology or invention whether patented or unpatented;

(f) Extend the use of rights under patents, trademarks or copyrights granted by any party to matters which, according to the laws and regulations under which said party operates, are not within the scope of such grants, or to products or conditions of production, use or sale which are likewise not the subject of such grants.

RESPONSIBILITIES OF JEIA

6. Any contract which provides for any of the practices enumerated in paragraph 5 may be approved only when it is clearly demonstrated that the practice serves a legitimate normal business need, that it is not designed to, and in fact will not interfere with, the free and normal expansion of German export trade, and that it will serve the best interests of the German economy.

EXCLUSIVE SALES OR AGENCY AGREEMENTS

7. (a) These may be approved if they clearly serve to create an outlet where none

could otherwise exist. This situation often arises in connection with specialized products whose maintenance and repair require the agent to incur substantial expenditures in the establishment and maintenance of a force of skilled and experienced workmen, or in the case of general products whose introduction into a competitive field involve substantial advertising and other development expenses.

(b) Particular circumspection should be exercised in the approval of contracts granting exclusive sales rights to a foreign buyer who also is a producer or distributor of a competitive product or who owns or controls facilities used for the distribution or manufacture of such competitive products. Foreign buyers of this class may find it more to their economic benefit to exert their efforts in the marketing of the competitive product to the detriment of the German product. Such contracts should be approved only when it is apparent that the foreign buyer is bona fide for the purpose of marketing the product. Three copies of each such approved contract should be forwarded to JEIA Main Office, Attn: Export Branch.

8. All contracts granting exclusive rights should be limited in duration of time, in scope of geographical area, and extent of exclusivity to the minimum that appears necessary and reasonable under the particular circumstances, with a view that the contract shall not be, or become within the foreseeable future, and instrumentality for the harmful restraint of trade.

ENFORCEMENT

9. Parties to export contracts are subject to U. S. Military Government Law No. 56 and British Military Government Ordinance No. 78 entitled "Prohibition of Excessive Concentration of German Economic Power," and JEIA approval of any contract does not affect the application of the said Law and Ordinance, as amended, or either of them.

(Date of issuance: September 15, 1948.)

JEIA OPERATIONAL MEMORANDUM No. 32

(Effective date, December 1, 1948)

SUBJECT: Currencies, banks, and accounts for payment of exports and imports.

Country	Commodities	Currency for billing	Rate to U. S. dollars	Banks and accounts	
				Exports	Imports
Austria.....	All (except coal and electricity.)	Austrian schillings.....	10.00	Austrian National Bank, Vienna, Military Governments for Germany (US/UK) Joint Export-Import Offset Account.	Commercial banks—seller's choice.
Do.....	Coal and electricity.....	do.....	10.00	Austrian National Bank, Vienna, Military Government for Germany (US/UK) Special Joint Export-Import Offset Account.	
Belgo-Luxembourg Economic Union.	All (except coal, timber and potash).	Belgian francs.....	43.8275	Banque Nationale de Belgique, Brussels, Military Governments for Germany Joint Export-Import Offset Account.	Do.
Do.....	Coal, timber and potash.	U. S. dollars.....		Banque Nationale de Belgique, Brussels Special Dollar Account Military Governments for Germany (US/UK).	
Bulgaria.....	All.....	do.....		National Bank of Bulgaria, Sofia, Military Governments for Germany (US/UK) Joint Export-Import Offset Account.	National Bank of Bulgaria, Sofia, Military Governments for Germany (US/UK) Joint Export-Import Offset Account.
Czechoslovakia.....	All.....	Czechoslovak crowns.....	50.00	Narodni Banka Ceskoslovenska, Prague, Military Governments for Germany (US/UK) Joint Export-Import Offset Account.	Commercial banks—seller's choice.
Denmark (including Faroe Islands).	All (except coal, timber and potash).	Danish kroner.....	4.709	Danmarks Nationalbank, Copenhagen, Military Governments for Germany (US/UK) Joint Export-Import Offset Account.	Do.
Do.....	Coal, timber and potash.	U. S. dollars.....		Danmarks Nationalbank, Copenhagen, Special Dollar Account Military Governments for Germany (US/UK).	
Finland.....	All.....	do.....		Bank of Finland, Helsinki, Military Governments for Germany (US/UK) Joint Export-Import Offset Account.	Do.
France and Franc area (see Appendix A).	All (except coal and coke)	do.....		Banque de France, Paris, Military Governments for Germany, US/UK/French Account No. I.	Do.
Do.....	Coal and coke.....	do.....		Banque de France, Paris, Military Governments for Germany, US/UK/French, Account No. II.	
Greece.....	All (except coal, timber, and potash).	do.....		Bank of Greece, Athens, Military Governments for Germany (US/UK) Joint Export-Import Offset Account.	Bank of Greece. Athens, Military Governments for Germany (US/UK) Joint Export-Import Offset Account.
Do.....	Coal, timber.....	do.....		Bank of Greece, Athens, Special Dollar Account Military Governments for Germany (US/UK).	

JEIA OPERATIONAL MEMORANDUM No. 32—Continued

[Effective date, December 1, 1948]

SUBJECT: Currencies, banks, and accounts for payment of exports and imports.

Country	Commodities	Currency for billing	Rate to U. S. dollars	Banks and accounts	
				Exports	Imports
Hungary.....	All (except coal, timber, and potash).	U. S. dollars.....		Magyar Nemzet Bank, Budapest, Military Governments for Germany (US/UK) Joint Export-Import Offset Account.	Pestli Magyar Kereskedelmi Bank, Budapest, Military Governments for Germany (US/UK) Joint Export-Import Account.
Do.....	Coal, timber, and potash.	do.....		Federal Reserve Bank of New York, New York, Bank Deutscher Laender Export-Import Account.	
Italy.....	All (except coal, timber, and potash).	do.....		Ufficio Italiano dei Cambi, Rome, Military Governments for Germany (US/UK) Joint Export-Import Offset Account.	Commercial banks—seller's choice.
Do.....	Coal, timber, and potash	do.....		Ufficio Italiano dei Cambi, Rome, Special Dollar Account Military Governments for Germany (US/UK).	
Netherlands and Netherlands colonies.	All (except coal, timber, and potash).	Netherlands guilders..	2.653	De Nederlandsche Bank, N. V., Amsterdam, Military Governments for Germany (US/UK) Joint Export Import Offset Account.	Do.
Do.....	Coal, timber and potash.	U. S. dollars.....		De Nederlandsche Bank N. V., Amsterdam, Special Dollar Account Military Governments for Germany (US/UK).	
Norway.....	All (except coal and coke).	Norwegian kroner.....	4.96278	Norges Bank, Oslo, Bank Deutscher Laender Export-Import Offset Account No. 2.	Do.
Do.....	Coal and coke.....	U. S. dollars.....		Norges Bank, Oslo, Special Dollar Account Bank Deutscher Laender.	
Poland.....	All.....	do.....		Narodowy Bank Polski Warsaw, Military Government for Germany (US/UK) Joint Export-Import Offset Account.	Narodowy Bank Polski, New York, Military Governments for Germany (US/UK) Joint Export-Import Account.
Sweden.....	All (except coal, coke)...	Swedish kronor.....	3.5943	Sveriges Riksbank, Stockholm, Military Governments for Germany (US/UK) Joint Export-Import Offset Account.	Commercial banks—seller's choice.
Do.....	Coal and coke.....	U. S. dollars.....		Sveriges Riksbank, Stockholm, Military Governments for Germany (US/UK) Special Dollar Export-Import Account.	
Switzerland.....	All.....	Swiss francs.....	14.305	Banque Nationale Suisse, Zurich, Military Governments for Germany (US/UK) Joint Export-Import Swiss Franc Account.	Joint Export-Import Accounts with Societe de Banques, Suisse, Basel. Credit Suisse, Zurich. Union de Banques Suisse Zurich.
United Kingdom and Sterling Area (see Appendix A).	All.....	Pound sterling.....	.2481	Bank of England, London, Bank Deutscher Laender Account No. 1.	Bank Deutscher Laender Export-Import No. 1 Accounts with:
				For all commercial purposes use Bank Deutscher Laender Export-Import No. 1 accounts with: Midland Bank Ltd., Overseas Branch, London. Barclays Bank (D. C. & O.), London. Barclays Bank Ltd., London. Lloyds Bank Ltd., London. National Provincial Bank Ltd., London. Westminster Bank Ltd., London.	Midland Bank Ltd., Overseas Branch London. Barclays Bank (D. C. & O.), London. Barclays Bank Ltd., London. Lloyds Bank Ltd., London. National Provincial Bank Ltd., London. Westminster Bank Ltd., London. Bank Deutscher Laender Export-Import Accounts with:
United States, all territories, and possessions.	All.....	U. S. dollars.....		Federal Reserve Bank of New York, N. Y., Bank Deutscher Laender Export-Import Account.	Bank of the Manhattan Company, New York, N. Y. Manufacturers Trust Co., New York, N. Y. The Chase National Bank of the City of New York, Frankfurt, Mainz (Germany). The Chase National Bank, New York, N. Y. National City Bank, New York, N. Y. American Express Co., Inc., Frankfurt/Main (Germany). U. S. commercial banks with which Bank Deutscher Laender maintains accounts.
Uruguay.....	All.....	do.....		do.....	U. S. commercial banks with which Bank Deutscher Laender maintains accounts.
Yugoslavia.....	All.....	do.....		National Bank of the Peoples' Federal Republic of Yugoslavia, Belgrade, Military Governments for Germany (US/UK) Joint Export-Import Offset Account.	National Bank of the Peoples' Federal Republic of Yugoslavia, Belgrade, Military Government for Germany (US/UK) Joint Export-Import Offset Account.
All other countries.....	All.....	do.....		Federal Reserve Bank of New York, New York, Bank Deutscher Laender Export-Import Account.	U. S. commercial banks with which Bank Deutscher Laender maintains accounts

¹ Official middle rate.

Special note. Where German exports are sold to a buyer in one country for delivery to a consignee in another country, and shipped direct to such consignee, foreign exchange payment for the goods may be made in either the currency of the buyer's country or the currency of the consignee's country, such currency in the case of each country being that specified as acceptable for payment of German exports according to the above list. If the currency of the consignee's country is to be used, the buyer should present either an import license from such country or appropriate evidence that the consignee's country will authorize pay-

ment in acceptable currency. (See Operational Memorandum No. 16)

(Date of issuance: December 3, 1948.)

APPENDIX "A" TO OPERATIONAL MEMORANDUM No. 32

I. FRANC AREA

- Metropolitan France (incl. Corsica and the Saar).
- Algerie.
- Afrique Occidentale Francaise.
- Afrique Equatoriale Francaise.
- Madagascar et ses Dependances Reunion.
- Cote Francaise des Somalis.
- Guyana Francaise.

- Guadeloupe.
- Martinique.
- Saint Pierre et Miquelon.
- Etablissements Francais de l'Inde.
- Indochine.
- Nouvelle Caledonie.
- Etablissements Francais de l'Oceanie.
- Condominium des Nouvelles Hebrides.
- Protectorats de Marco et de la Tunisie.
- Territoires sous Mandat Francais du Cameroun et du Togo.
- Principaute de Monaco.

II. STERLING AREA

- British Empire except Canada and Newfoundland.

British mandated territories of Cameroons: Nauru, New Guinea, South West Africa, Tanganyika, Togoland and Western Samoa.

British protectorates and protected states: Burma, Iraq, Iceland.

GEORGE J. SANTRY,
Director, Foreign Trade Division.

[SEAL] MERTON A. TEVYAW,
Liaison Officer with the
Federal Register.

[F. R. Doc. 49-407; Filed, Jan. 17, 1949;
8:51 a. m.]

DEPARTMENT OF THE INTERIOR

Geological Survey

WYOMING

DEFINITIONS OF KNOWN GEOLOGIC STRUCTURES OF PRODUCING OIL AND GAS FIELDS

Former paragraph (c) of § 227.0, Part 227, Title 30, Chapter II, Code of Federal Regulations (1947 Supp.), codification of which has been discontinued by a document published in Part II of the FEDERAL REGISTER dated December 31, 1948, is hereby supplemented by the addition of the following list of structures defined effective as of the dates shown:

NAME OF FIELD, EFFECTIVE DATE, AND ACREAGE

(9) WYOMING

Badger Basin Field (revision), Oct. 30, 1947.....	4,760
Bailey Dome Field, Jan. 27, 1945.....	560
Herrick Dome Field, Feb. 22, 1947.....	200
Pitchfork Field, Nov. 30, 1930.....	1,604
Seven Mile Field, Sept. 10, 1947.....	720
South Elk Basin Field, June 11, 1945.....	920
Spence Field, Mar. 17, 1944.....	369
Zimmerman Butte Field, Nov. 3, 1945.....	600

THOMAS B. NOLAN,
Acting Director.

[F. R. Doc. 49-411; Filed, Jan. 17, 1949;
8:56 a. m.]

Office of the Secretary

[Order 2508]

OFFICE OF INDIAN AFFAIRS

DELEGATIONS OF AUTHORITY

Sec.

- 1 Appeals.
- 10 Health and welfare matters.
- 11 Funds and fiscal matters.
- 12 Education.
- 13 Lands and minerals.
- 14 Oil leases; Osage Indian Agency.
- 15 Irrigation matters.
- 16 Forestry and grazing matters.
- 17 Trade with Indians.
- 18 Tribal ordinances and resolutions.
- 19 Litigation; Five Civilized Tribes.
- 20 State Directors; officers in charge.
- 21 Navajo Agency.
- 22 Headquarters officials.
- 25 Subdelegation.
- 100 Revocations; saving clause.

SECTION 1. Appeals. (a) Any action taken by the Commissioner of Indian Affairs pursuant to this order shall be subject to the right of appeal to the Secretary of the Interior. All appeals must be filed in writing with the Commissioner, who will thereafter transmit them promptly to the Secretary, together with the complete record in the case.

(b) The Under Secretary and the Assistant Secretaries of the Interior are severally authorized to dispose finally of any appeal taken pursuant to paragraph (a) of this section (5 U. S. C., sec. 22; 25 U. S. C., 1946 ed., secs. 1a, 2).

SEC. 10. Health and welfare matters. The Commissioner may exercise the authority of the Secretary in relation to the following classes of matters:

(a) The commitment of insane Indians to Federal or State hospitals or institutions pursuant to the provisions of 25 CFR, Part 86.

(b) The quarantine of Indians refusing to submit to remedial treatment of contagious or infectious diseases, pursuant to the provisions of 25 CFR, Part 84.

(c) The extension of State health laws and regulations to Indian reservations, pursuant to the provisions of 25 CFR, Part 84.

(d) The negotiation and execution of contracts with States or Territories, or political subdivisions thereof, or with private organizations, for medical, nursing or hospital services, as authorized by the act of June 4, 1936 (25 U. S. C., secs. 452-454), and pursuant to the provisions of 25 CFR, Part 84.

(e) The negotiation and execution of contracts with States or Territories, or political subdivisions thereof, or with private organizations, for social service, relief, and child welfare, authorized by the act of June 4, 1936 (25 U. S. C., secs. 452-454).

(f) The approval of the appointment of guardians of Osage Indians pursuant to the provisions of the act of February 27, 1925 (43 Stat. 1008).

SEC. 11. Funds and fiscal matters. The Commissioner may exercise the authority of the Secretary in relation to the following classes of matters:

(a) The approval of per capita or annuity payments from Indian tribal funds, pursuant to the provisions of 25 CFR, Part 224.

(b) The incurring of obligations in excess of appropriations currently available for the benefit of natives of Alaska, in conformity with the provisions of the act of June 1, 1944 (48 U. S. C., sec. 50 d-1).

(c) The approval of expenditures of individual Indian moneys held in the custody of the Department. This authority extends to and includes investments, loans and donations by individual Indians.

(d) The approval of surety bonds, provided that in the case of a corporate surety the bonding company has been approved by the Treasury Department.

(e) The approval of the employment of attorneys for individual Indians and the determination and payment of fees paid on a quantum meruit basis from restricted or trust funds.

(f) The approval of attorney contracts with Indian tribes and the payment of fees and expenses thereunder, pursuant to the provisions of 25 CFR, Part 15.

(g) The approval and transmittal to the General Accounting Office, Audit Division, of accounts between the United States and Indian tribes under reimbursable appropriations, as required by

the acts of April 4, 1910, and June 10, 1921 (25 U. S. C., sec. 145).

(h) The approval of applications of individual Indians of the Sioux Nation for cash benefits under the acts of March 2, 1889, June 10, 1896, and June 18, 1934 (25 U. S. C., sec. 474).

(i) The approval of applications of individual Indians for their pro rata shares of tribal trust funds, made pursuant to the provisions of 25 CFR, Part 233.

(j) The approval of quarterly pro rata share payments of Osage tribal funds and interest on individual funds in the United States Treasury pursuant to provisions of the act of June 28, 1906 (34 Stat. 544), as amended or supplemented by the acts of February 27, 1925 (43 Stat. 1008), and June 24, 1938 (52 Stat. 1034).

(k) The approval of applications by individuals, cooperative associations, credit associations, and incorporated and unincorporated tribes and bands for loans pursuant to 25 CFR, Part 21; the issuance of commitment orders; the approval of modifications of loan agreements; and the approval of articles of association and bylaws of cooperative and credit associations.

SEC. 12. Education. The Commissioner may exercise the authority of the Secretary in relation to the following classes of matters:

(a) The negotiation and execution of contracts with State Boards of Education, as authorized by the act of June 4, 1936 (25 U. S. C., secs. 452-454), and pursuant to the provisions of 25 CFR, Part 46.

SEC. 13. Lands and minerals. The Commissioner may exercise the authority of the Secretary in relation to the following classes of matters:

(a) The approval of leases for oil, gas or other mining purposes covering restricted tribal and allotted Indian lands pursuant to provisions of 25 CFR, Parts 183, 186, 189, 195, 201 and 207. The authority conferred by this paragraph extends to and includes the approval or other appropriate administrative action required on all assignments of mineral leases now or hereafter in force on restricted tribal and allotted Indian lands, bonds and other instruments required in connection with such leases or assignments thereof, unit and communitization agreements, the acceptance of voluntary surrender of such leases by lessees, cancellation of leases for violation of terms thereof, and approval of agreements for settlement of claims for damages to Indian lands resulting from oil and gas or other mineral operations.

(b) The approval of applications for patents in fee or certificates of competency, pursuant to the provisions of 25 CFR, Part 241.

(c) The approval of partitions of lands held in trust or subject to restrictions against alienation, pursuant to the provisions of 25 CFR, Part 241.

(d) The approval of sales and conveyances of original allotments and inherited lands pursuant to the provisions of 25 CFR, Part 241. The authority conferred by this paragraph extends to and includes the sale of inherited lands without the consent of the Indian owners, the approval of deeds or other instru-

ments of conveyance, the issuance of certificates or memoranda of purchase to purchasers on deferred payment sales, the reduction or waiver of sales fees, the granting of extensions of time to purchasers to make payment, the cancellation of deferred payment sales in case of default, the approval of the negotiation of notes given in connection with deferred payment sales of restricted lands to the Five Civilized Tribes.

(e) The approval of exchanges of lands between individual Indians, between individual Indians and Indian tribes, between individual Indians and non-Indians and between Indian tribes and non-Indians.

(f) The approval of the purchase of lands for individual Indians and Indian tribes. This authority extends to and includes the acceptance of options for the acquisition of lands.

(g) The removal of restrictions against alienation of Indian lands, pursuant to the provisions of 25 CFR, Part 241.

(h) The approval and certification of applications for allotments on the public domain under authority of section 4 of the act of February 8, 1887 (25 U. S. C., sec. 334).

(i) The approval of authorizations for the sale of restricted Indian lands pledged as security for the repayment of tribal loans to individuals, and the approval or acceptance of conveyances of such lands in accordance with the terms of the pledge in the event of default.

(j) The approval and certification of allotment exchanges, correction of patent descriptions and cancellation of multiple allotments, as authorized by the act of April 23, 1904 (25 U. S. C., sec. 343).

(k) The approval of permits for the excavation of ruins and archeological sites and the gathering of objects of antiquity on Indian reservations, pursuant to the provisions of 25 CFR, Part 11.

(l) The issuance of tax exemption certificates covering lands designated as tax exempt under the provisions of the acts of June 20, 1936 (49 Stat. 1542), as amended by the act of May 19, 1937 (25 U. S. C., sec. 412a), and May 10, 1928 (45 Stat. 495), as amended May 24, 1928 (45 Stat. 733).

(m) The cancellation of fee patents, under authority of the act of February 26, 1927 (25 U. S. C., sec. 352a), as amended by the act of February 21, 1931 (25 U. S. C., sec. 352b).

(n) The approval of leases and permits of tribal lands for farming, grazing, or business purposes, pursuant to the provisions of 25 CFR, Part 171.

(o) The approval of rights-of-way for railroads, including ballast or material pits, oil and gas pipe lines, telephone and telegraph lines, irrigation projects, public highways, and drainage projects, pursuant to the provisions of 25 CFR, Part 256. This authority extends to and includes the issuance of advance authority for preliminary surveys and permission to begin construction prior to final approval of the right-of-way.

(p) The approval of releases of mortgages given as security for loans made from the restricted funds of individual Indians, upon proof of payment of the loan.

(q) The approval of transfers of Osage headrights belonging to any person not an Indian by blood, pursuant to the provisions of the act of April 12, 1924 (43 Stat. 94).

(r) The approval of sand, gravel, pumice and building stone leases and permits of tribal and allotted lands pursuant to provisions of 25 CFR, Parts 186, 189, 195 and 204.

(s) The approval, with tribal consent, of sales of improvements made upon tribal lands by individual Indians.

(Secs. 10-13 issued under 5 U. S. C., sec. 22; 25 U. S. C., secs. 1a, 2)

SEC. 14. Oil leases; Osage Indian Agency. The Superintendent of the Osage Indian Agency, or such other officer in charge of the Agency acting in his stead, may exercise the authority of the Secretary in the following classes of matters, subject to right of appeal to the Secretary of the Interior as provided for in this section:

(a) Approve oil leases made by the Osage Tribal Council, such authority to be exercised as to each lease sale only after approval by the Secretary of the Interior of the schedule of bids covering the particular sale.

(b) Approve assignments of Osage oil leases now or hereafter in force, bonds and other instruments required for leases or assignments thereof, and the acceptance of the voluntary surrender of leases.

(c) Any person aggrieved by any decision or order of the Superintendent approving, disapproving, or rejecting any lease, assignment, bond, or voluntary surrender of a lease, may appeal to the Secretary of the Interior within 30 days from the date of such decision or order. (5 U. S. C., sec. 22; 25 U. S. C., secs. 1a, 2, 396e)

SEC. 15. Irrigation matters. The Commissioner may exercise the authority of the Secretary in relation to the following classes of matters:

(a) The issuance of irrigation operation and maintenance orders fixing per-acre assessments against lands included in Indian Irrigation Projects, under authority of the acts of August 1, 1914 (25 U. S. C., sec. 385), and March 7, 1928 (45 Stat. 210).

(b) The approval of the purchase price of privately owned lands within the San Carlos Irrigation Project, Arizona, under authority of section 4 of the act of June 7, 1924 (43 Stat. 475).

(c) The approval of contracts for the sale of water on an annual basis to lot owners in unorganized towns on the Crow Indian Irrigation Project, Montana, operated pursuant to the provisions of 25 CFR, Part 94.

SEC. 16. Forestry and grazing matters. The Commissioner may exercise the authority of the Secretary in relation to the following classes of matters:

(a) The issuance of advertisements and the approval of timber sale contracts involving an estimated stumpage volume of not to exceed 40,000,000 feet board measure and the readjustment of stumpage rates under such contracts pursuant to provisions of 25 CFR, Part 61.

(b) The fixing of the fair stumpage value of the annual timber cut on the

Menominee Indian Reservation, Wisconsin, and the approval of stumpage payments to the Menominee Indians, pursuant to the provisions of the act of March 28, 1908 (35 Stat. 51), as amended by the act of June 15, 1934 (48 Stat. 964).

(c) The negotiation and execution of cooperative fire suppression agreements with Federal, State, and private agencies.

SEC. 17. Trade with Indians. The Commissioner may exercise the authority of the Secretary in relation to the following classes of matters without obtaining Secretarial approval:

(a) The approval of trade by Government employees with Indians pursuant to the provisions of 25 CFR, § 276.5.

SEC. 18. Tribal ordinances and resolutions. (a) To the extent indicated in this section, the Commissioner of Indian Affairs is authorized to exercise the authority of the Secretary of the Interior with respect to passing upon tribal ordinances or resolutions adopted, subject to Secretarial review or approval, pursuant to constitutions approved or charters issued under section 16 or section 17 of the act of June 18, 1934, as amended (25 U. S. C., secs. 476, 477).

(b) The Commissioner of Indian Affairs may approve any such ordinance or resolution which, in his judgment, is not inconsistent with the provisions of any act of Congress or of any treaty or of the tribal constitution or charter under which the ordinance or resolution was adopted, and such approval shall have the same force and effect as if given by the Secretary of the Interior. As used in this paragraph, the word "approve" includes, but is not limited to, the confirmation of an approval given by a subordinate official and the rescission of a disapproval given by a subordinate official.

(c) The Commissioner of Indian Affairs shall forward to the Secretary of the Interior, with his recommendation, any such ordinance or resolution which he believes to be inconsistent with an act of Congress or with a treaty or with the tribal constitution or charter under which the ordinance or resolution was adopted, or which, in his opinion, should be disapproved or rescinded for any other reason.

(d) In subdelegating, pursuant to section 25, the powers and duties vested in him by this section, the Commissioner of Indian Affairs shall not, where a tribal constitution or charter provides for the consideration of ordinances or resolutions by the local superintendent or other specified official of the Bureau of Indian Affairs, subject to Secretarial review, delegate power with respect to such ordinances or resolutions to the official originally passing upon such ordinances or resolutions.

(e) The authority delegated to the Commissioner of Indian Affairs in this section is in addition to, and not a limitation upon, other delegations of authority made to the Commissioner.

(Secs. 15-18 issued under 5 U. S. C., sec. 22; 25 U. S. C., secs. 1a, 2)

SEC. 19. *Litigation; Five Civilized Tribes.* The Superintendent for the Five Civilized Tribes may exercise the authority of the Secretary (a) to make determinations against the removal to the United States district court of cases in which notices have been served upon the Superintendent under section 3 of the act of April 12, 1926 (44 Stat. 239), and (b) to submit to the Department of Justice recommendations for the removal of such cases to the United States district court. (5 U. S. C., sec. 22; 25 U. S. C., secs. 1a, 2; 61 Stat. 732)

SEC. 20. *State Directors; officers in charge.* State Directors and officers in charge of areas formerly encompassed in Regions Nos. 1, 4, and 5 of the Bureau of Indian Affairs may severally exercise within their respective jurisdictions such authority as has been redelegated by the Commissioner of Indian Affairs to District Directors in the regulations appearing in 25 CFR §§ 02.3 to 02.10, as amended.

SEC. 21. *Navajo Agency.* (a) The Superintendent of the Navajo Agency also may exercise the authority described in section 20 of this order.

(b) The Superintendent may approve applications of enterprises for the economic development of the Tribe, if the indebtedness of the borrower, exclusive of indebtedness repayable in kind, will not exceed \$25,000, and he may approve modifications of applications and plans of operations theretofore approved, if the indebtedness of the borrower, exclusive of indebtedness repayable in kind, is \$25,000 or less.

SEC. 22. *Headquarters officials.* The Directors and Assistant Directors of divisions in the office of the Commissioner of Indian Affairs and the Chief Counsel and Assistant Chief Counsel of the Bureau of Indian Affairs are severally empowered to exercise the authority of the Commissioner of Indian Affairs in respect to deeds, contracts, mail, and other documents.

(Secs. 20, 21, and 22 issued under 5 U. S. C., sec. 22)

SEC. 25. *Subdelegation.* The authority conferred upon the Commissioner in this order may be subdelegated by him to the Assistant Commissioners of Indian Affairs, to District Directors of the Bureau of Indian Affairs, or to Superintendents of Indian agencies. The Commissioner also may subdelegate to the Assistant Commissioners, the District Directors, or to the Superintendents of Indian agencies the authority conferred upon the Commissioner by the general regulations appearing in 25 CFR, insofar as such authority relates to action in individual cases. Any subdelegation of authority pursuant to this section shall provide for appeals to the Commissioner, and thereafter to the Secretary of the Interior, from actions taken by District Directors and Superintendents. (5 U. S. C., sec. 22, 25 U. S. C., secs. 1a, 2, 2a)

SEC. 100. *Revocations; saving clause.* (a) This order supersedes Subpart J—Bureau of Indian Affairs, of Part 4, Title 43, Code of Federal Regulations, as

amended (Orders Nos. 2161, 2252, 2311, 2326, 2335, 2356), and Order No. 2502 (13 F. R. 8718).

(b) Subdelegations of authority which have been made pursuant to 43 CFR, Part 4, Subpart J and which are in force on the effective date of this order shall remain in force until revoked or superseded by subdelegations made under this order.

J. A. KRUG,
Secretary of the Interior.

JANUARY 11, 1949.

[F. R. Doc. 49-395; Filed, Jan. 17, 1949; 8:46 a. m.]

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

HANDLING OF WALNUTS GROWN IN CALIFORNIA, OREGON, AND WASHINGTON

ORDER DISCHARGING TRUSTEES FOR LIQUIDATION ACTION

Pursuant to the applicable provisions of Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C., 601 et seq.), hereinafter referred to as the "act," the provisions of the marketing agreement and order, as amended (7 CFR 901.1 et seq.; 7 CFR, Cum. Supp., 901.4, 901.17, 901.19; 12 F. R. 5033), regulating the handling of walnuts grown in California, Oregon, and Washington, hereinafter referred to as the "marketing agreement and order," were terminated by an order issued on July 23, 1948 (13 F. R. 4341), effective as of 11:59 p. m., P. s. t., July 31, 1948. Said order also provided for the liquidation of the assets under the aforesaid marketing agreement and order program.

The aforementioned termination and liquidation order directed, pursuant to specific provision to that effect set forth in the marketing agreement and order, that such liquidation action be handled by the Walnut Control Board, the administrative agency for operations under such regulatory program, as constituted at the effective time of the said termination action, and in accordance with the terms and conditions set forth in the marketing agreement and order, as supplemented by additional terms and conditions set forth in the aforementioned termination and liquidation order.

The members of the aforementioned Walnut Control Board as constituted at the effective time of the said termination action have, as trustees, liquidated and properly distributed, in accordance with the provisions of the said termination and liquidation order and the applicable provisions of the marketing agreement and order, all of the assets under the aforesaid regulatory program, and there is no further duty to be performed by the said trustees.

It is, therefore, hereby ordered, That the aforesaid trustees, serving as trustees pursuant to said termination and liquidation order and marketing agreement and order, be, and they hereby are, discharged and released from any further

obligation to serve as trustees pursuant to said termination and liquidation order and marketing agreement and order.

(48 Stat. 31, 670, 675; 49 Stat. 750; 50 Stat. 246; 7 U. S. C. 601 et seq.; 7 CFR 901.18)

Issued at Washington, D. C., this 12th day of January 1949.

[SEAL] A. J. LOVELAND,
Acting Secretary of Agriculture.

[F. R. Doc. 49-400; Filed, Jan. 17, 1949; 8:47 a. m.]

Rural Electrification Administration

[Administrative Order 1744]

LOAN ANNOUNCEMENT

DECEMBER 31, 1948.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
Nebraska 1F Roosevelt District Public	\$57,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 49-431; Filed, Jan. 17, 1949; 8:59 a. m.]

[Administrative Order 1745]

LOAN ANNOUNCEMENT

DECEMBER 31, 1948.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
Oklahoma, 6V, Y Caddo	\$635,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 49-432; Filed, Jan. 17, 1949; 8:59 a. m.]

[Administrative Order 1746]

LOAN ANNOUNCEMENT

DECEMBER 31, 1948.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
Alabama 46B Franklin	\$570,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 49-433; Filed, Jan. 17, 1949; 8:59 a. m.]

[Administrative Order 1747]

LOAN ANNOUNCEMENT

DECEMBER 31, 1948.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
Oklahoma 12N, P Alfalfa.....	\$740,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 49-434; Filed, Jan. 17, 1949;
8:59 a. m.]

[Administrative Order 1748]

LOAN ANNOUNCEMENT

DECEMBER 31, 1948.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
Louisiana 26A L. R. E. C.....	\$307,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 49-435; Filed, Jan. 17, 1949;
8:59 a. m.]

[Administrative Order 1749]

RESCISSION OF ALLOCATION OF FUNDS FOR
LOANS

DECEMBER 31, 1943.

I hereby amend:

(a) Administrative Order No. 1559, dated July 16, 1948 by rescinding the allocation of \$5,000 therein made for Texas 127C Gilmer.

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 49-436; Filed, Jan. 17, 1949;
8:59 a. m.]

[Administrative Order 1750]

LOAN ANNOUNCEMENT

JANUARY 4, 1949.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
Alabama 21H Cherokee.....	\$610,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 49-437; Filed, Jan. 17, 1949;
9:00 a. m.]

[Administrative Order 1751]

LOAN ANNOUNCEMENT

JANUARY 4, 1949.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
Nebraska 90B Brown.....	\$605,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 49-438; Filed, Jan. 17, 1949;
9:00 a. m.]

[Administrative Order 1752]

LOAN ANNOUNCEMENT

JANUARY 4, 1949.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
Iowa 60L Emmet-Dickinson.....	\$397,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 49-439; Filed, Jan. 17, 1949;
9:00 a. m.]

[Administrative Order 1753]

LOAN ANNOUNCEMENT

JANUARY 4, 1949.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
North Dakota 28D Williams.....	\$950,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 49-440; Filed, Jan. 17, 1949;
9:00 a. m.]

[Administrative Order 1754]

LOAN ANNOUNCEMENT

JANUARY 4, 1949.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
Wyoming 11S Lincoln.....	\$565,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 49-441; Filed, Jan. 17, 1949;
9:00 a. m.]

[Administrative Order 1755]

LOAN ANNOUNCEMENT

JANUARY 4, 1949.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
Oregon 17N Douglas.....	\$100,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 49-442; Filed, Jan. 17, 1949;
9:00 a. m.]

[Administrative Order 1756]

LOAN ANNOUNCEMENT

JANUARY 4, 1949.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
Indiana 83H Dubois.....	\$140,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 49-443; Filed, Jan. 17, 1949;
9:00 a. m.]

[Administrative Order 1757]

LOAN ANNOUNCEMENT

JANUARY 4, 1949.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
New Mexico 23B Lea.....	\$1,305,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 49-444; Filed, Jan. 17, 1949;
9:00 a. m.]

DEPARTMENT OF COMMERCE

Office of Industry Cooperation

VOLUNTARY PLAN UNDER PUBLIC LAW 395, 80TH CONGRESS FOR ALLOCATION OF PIG IRON FOR CERTAIN INDUSTRIES REQUIRING CAST IRON FOR MANUFACTURE OF PRODUCTS FOR RESIDENTIAL HOUSING

NOTICE OF PUBLIC HEARING ON PROPOSED CONTINUATION AND OTHER MATTERS

Notice is hereby given that a public hearing will be held on Monday, January 31, 1949, at 2:00 p. m., e. s. t., in the Auditorium on the street floor of the Department of Commerce Building, 14th Street, between E Street and Constitution Avenue, NW., Washington, D. C., for the purpose of affording to industry,

labor and the public generally an opportunity to present their views with respect to (1) the proposed continuation, beyond February 28, 1949, of the voluntary plan, under Public Law 395, 80th Congress, for the allocation of pig iron for certain industries requiring cast iron for the manufacture of products for residential housing, approved by the Attorney General on June 25, 1948 and by the Secretary of Commerce on June 28, 1948 and subsequently published in the FEDERAL REGISTER (13 F. R. 4400) and (2) several proposed changes in the provisions of the plan.

The proposed continuation involves two procedures. One would be effective if the present authority contained in Public Law 395 is appropriately extended. The other would be effective if the present authority contained in Public Law 395 is not extended. The two procedures are represented by documents attached hereto as Exhibits A and B. They are in draft form and are subject to revision at or after the public hearing, including any revision which may become appropriate by virtue of enactment of extension legislation before final approval of the proposed documents.

Under one procedure (Exhibit A), it is proposed to amend the existing plan to provide that, in the event of statutory extension, the plan itself will automatically continue in effect during the seven-month period March 1, 1949, through September 30, 1949, which would round out the full third calendar quarter.

Under the other procedure (Exhibit B), it is proposed that the Secretary of Commerce will make a request, with the approval of the Attorney General, for unilateral action by pig iron producers in continuing deliveries for the program during the six-month period of March 1, 1949 through August 31, 1949, in accordance with section 2 (f) of Public Law 395.

The amendment (Exhibit A) also contains proposed changes in some of the provisions of the plan. These changes include deletion of some of the housing products now covered by the plan and provision for covering additional housing products later. The deleted products are those for which pig iron allocations currently do not appear to be necessary. In addition, some of the operational details of the plan would be modified.

The proposed actions have been formulated after consultation with representatives of interested industries and Government agencies.

Any person desiring to participate in the public hearing should file a written notice of appearance with the Director of the Office of Industry Cooperation, Room 5847, Department of Commerce Building, Washington 25, D. C., not later than 5 p. m., e. s. t., on Thursday, January 27, 1949. Persons desiring to present written statements or memoranda should submit them, in triplicate, at the hearing.

[SEAL]

CHARLES SAWYER,
Secretary of Commerce.

EXHIBIT A—AMENDMENT

Proposed amendment to voluntary plan Public Law 395, 80th Congress for allocation of pig iron for certain industries requiring

cast iron for the manufacture of products for residential housing.

The Secretary of Commerce, pursuant to the authority vested in him by Public Law 395, 80th Congress, and Executive Order 9919, after consultation with representatives of the interested industries and government agencies, and after expression of the views of industry, labor and the public generally at an open public hearing held on January 24, 1949, has determined that, in order to carry out the program begun under the voluntary plan (13 F. R. 4400) entered into by pig iron producers to furnish pig iron to manufacturers of certain products for residential housing, it will be necessary, and is practicable and appropriate to the successful carrying out of the policies set forth in the said Public Law 395, that (1) pig iron producers make further deliveries of pig iron to such manufacturers beyond February 28, 1949 and (2) that certain changes be made in the existing plan to cover this and other matters.

Therefore, the above-mentioned voluntary plan is amended as follows:

a. By changing paragraph 1 of the Plan to read as follows:

1. In furtherance of the proposed program for (1) the construction of new residential housing and (2) the essential maintenance and repair of existing residential housing units, the pig iron producers participating herein will, during the period this amended Plan remains in effect, make approximately 100,000 tons of pig iron available monthly or will cause such quantity of pig iron to be made available (out of the production of their own furnaces or the furnaces of their subsidiaries or affiliates) to manufacturers (hereinafter called the Manufacturers) of the residential housing products listed in the attached Schedule, as it may be amended from time to time by the Secretary of Commerce. The Secretary of Commerce may from time to time amend the attached Schedule to include any other product for residential housing, after (1) consultation with representatives of the manufacturers of that product, with the Pig Iron Producers Advisory Task Committee, and with interested government agencies and (2) a determination by him that a sufficient supply of that product is essential to the successful carrying out of the housing program and that assistance under this plan to manufacturers of that product is essential for the production of such a supply.

b. By adding the following after the certification at the end of subparagraph 3 (a): "Except when otherwise authorized by the Office of Industry Cooperation, purchase orders shall be placed not less than two weeks before the first of the month in which delivery is required."

c. By adding the following as a new subparagraph (c) at the end of paragraph 3:

(c) Participation in the benefits of this plan shall at all times be contingent upon each Manufacturer's continued strict compliance with the provisions hereof. In the event of any actual or prospective non-compliance by any Manufacturer, the Secretary of Commerce may, after written notice to the Manufacturer, take such action as he deems warranted with respect to the Manufacturer's participation in the plan, including partial or total suspension or termination of participation privileges and notification to the participating pig iron producers not to make any or certain further shipments under the plan to such Manufacturer.

d. By adding the following at the end of paragraph 5:

However, if the time limitation of March 1, 1949 now specified in subsection 2 (b) of Public Law 395 is extended or otherwise changed by legislative action in a form which permits the continuation of this plan, the

plan shall thereupon automatically continue in effect through September 30, 1949 (or through the date specified in such legislative action if a date earlier than September 30, 1949 is so specified), subject to other applicable provisions in this plan regarding earlier termination by the Secretary of Commerce and withdrawal by any individual participant.

e. By inserting the following new paragraph at the end of the plan:

7. Any interpretation issued by the Secretary of Commerce (after consultation with the Attorney General) in writing, to clarify the meaning of any terms or provisions in this plan shall be binding upon all participants notified of such interpretation.

f. By adding the attached Schedule and making it a part of the amended plan.

After approval of this amendment by the Attorney General and by the Secretary of Commerce, and after any pig iron producer or any Manufacturer has made a written acceptance of a request by the Secretary of Commerce for compliance herewith, this amendment shall become effective as to such pig iron producer or such Manufacturer and shall be subject to the terms and conditions set forth in the original voluntary plan.

[To be signed by the Attorney General and the Secretary of Commerce upon approval.]

SCHEDULE OF RESIDENTIAL HOUSING PRODUCTS (PROPOSED)

The following are the residential housing products covered by the amended Voluntary Plan for the Allocation of Pig Iron for Certain Industries Requiring Cast Iron for the Manufacture of Products for Residential Housing:

1. Cast iron pressure pipe and/or fittings.
2. Cast iron soil pipe and/or fittings.
3. Cast iron plumbing drainage products (i. e., "plumbers specials"), including service valve, roadway, sewer and meter boxes.
4. Cast iron low pressure boilers.
5. Iron castings for warm air furnaces.

This Schedule may be amended, from time to time, by the Secretary of Commerce in accordance with the provisions of paragraph 1 of the amended Voluntary Plan.

[To be signed by the Secretary of Commerce upon approval.]

EXHIBIT B—REQUEST

Proposed request under Public Law 395, 80th Congress, for allocation of pig iron for certain industries requiring cast iron for the manufacture of products for residential housing.

The Secretary of Commerce, pursuant to the authority vested in him by Public Law 395, 80th Congress, and Executive Order 9919, after consultation with representatives of the interested industries and government agencies and after expression of the views of industry, labor and the public generally at an open public hearing held on January 24, 1949, has determined that, in order to carry out the program begun under the voluntary plan (13 F. R. 4400) entered into by pig iron producers to furnish pig iron to manufacturers of certain products for residential housing it will be necessary, and is practicable and appropriate to the successful carrying out of the policies set forth in said Public Law 395, that pig iron producers make further deliveries of pig iron to such manufacturers after the expiration of the amended plan on February 28, 1949.

Therefore, the Secretary of Commerce, in accordance with subsections 2 (c) and 2 (f) of Public Law 395, 80th Congress, and with the approval of the Attorney General, hereby requests:

1. That pig iron producers participating in the above-mentioned amended voluntary plan continue to make approximately 100,000 tons of pig iron available monthly, dur-

ing the period March 1, 1949, through August 31, 1949, on certified orders from manufacturers of the residential housing products listed in the Schedule attached to the amended plan; and that such products be made available in accordance with delivery produres established under the said amended plan.

2. That manufacturers of residential housing products listed in the Schedule attached to the above-mentioned amended voluntary plan may place purchase orders hereunder only for the quantities of pig iron products established for them individually by the Secretary of Commerce; that they put identifying certifications on such purchase orders; and that they use all of the pig iron obtained hereunder solely for the manufacture of listed residential housing products.

In the event that an amendment to the above-mentioned voluntary plan extending its effectiveness beyond February 28, 1949 takes effect pursuant to appropriate legisla-

tion, this request will be superseded by said extended plan.

[To be signed by the Attorney General and the Secretary of Commerce upon approval.]

[F. R. Doc. 49-406; Filed, Jan. 17, 1949; 8:51 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 7764, 8348, 8496, 8497]

SIoux FALLS BROADCAST ASSN., INC., ET AL.
NOTICE OF ORAL ARGUMENT

Beginning at 11:00 o'clock a. m. on Friday, February 4, 1949, the Commission will hear oral argument in Room 6121 on the following matters, in the order indicated:

ARGUMENT No. 1

Docket No.				
7764 B4-P-4645	KSOO.....	Sioux Falls Broadcast Assn., Inc., Sioux Falls, S. Dak.	CP to inc. power and change hrs etc.	1140 kc. 10 kw. unlimited.

ARGUMENT No. 2

8496 BPH-1301	New.....	Inter-City Broadcasting Co., Providence, R. I.	CP for new station.....	For FM facilities.
8497 BPH-1307	New.....	R. I. Broadcasting Co., Providence, R. I.	CP for new station.....	For FM facilities.

ARGUMENT No. 3

8348 BT-5863	New.....	United Broadcasting Corp., Pittsburgh, Pa.	CP.....	1470 kc. 1 kw. N, 5 kw. D-DA-1.
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Adopted: January 7, 1949.

[SEAL]

FEDERAL COMMUNICATIONS COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 49-408; Filed, Jan. 17, 1949; 8:55 a. m.]

[Docket Nos. 8072, 8079, 8156, 8220, 8221, 8433, 8580, 8657]

MISSION BROADCASTING CO. ET AL.

NOTICE OF ORAL ARGUMENT

Beginning at 10:00 o'clock a. m. on Friday, January 28, 1949, the Commission will hear oral argument in Room 6121 on the following matters in the order indicated:

ARGUMENT No. 1

Docket No.				
8072 B3-P-4329	KONO.....	Eugene J. Roth tr/as Mission Broadcasting Co., San Antonio, Tex.	CP to change freq. inc. pw. etc.	860 kc. 1 kw. N, 5 kw. D-DA-N, unlimited.
8079 B3-P-5591	New.....	Roy Hofheinz & W. N. Hooper, d/b as Texas Star Broadcasting Co., San Antonio, Tex.	CP for new station.	860 kc 1 kw. N, 5 kw. D-DA-N, unlimited.

ARGUMENT No. 2

8156 B5-P-5449	New.....	Desert Broadcasting Co. Inc., Phoenix, Ariz.	CP for new station.....	910 kc. 5 kw. unlimited DA-N.
8580 BP-5056	KPHO.....	Phoenix Broadcasting, Inc., Phoenix, Ariz.	CP to change freq., inc. pw. etc.	910 kc. 5 kw. unlimited DA-N.
8657 BP-6444	KRUX.....	Gene Burke Brophy, Phoenix, Ariz.	CP to change freq., inc. pw. etc.	910 kc. 5 kw. unlimited DA.

ARGUMENT No. 3

8433 BP-5659	New.....	Northeast Georgia Broadcasting Co., Gainesville, Georgia.	CP for new station.....	1400 kc. 250 w. unlimited.
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ARGUMENT No. 4

8220 B3-P-5557	New.....	Batesville Broadcasting Co., Inc., Batesville, Ark.	CP for new station.....	1340 kc. 250 w. unlimited.
8221 BP-5890	New.....	White River Valley Broadcasters, Inc., Batesville, Ark.	CP for new station.....	1340 kc. 250 w. unlimited.

Adopted: January 7, 1949.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 49-409; Filed, Jan. 17, 1949; 8:56 a. m.]

[Docket 9205, 9206]

STANDARD BROADCAST STATION KP MO ET AL.
ORDER DESIGNATING APPLICATIONS FOR CONSOLIDATED HEARING ON STATED ISSUES

In the matter of Renewal of license of Standard Broadcast Station KP MO, Pomona, California, File No. BR-1697, Docket No. 9205; and application for consent to assignment of license of Station KP MO from Myron E. Kluge and Dean H. Wickstrom d/b as Valley Broadcasting Company to Dean H. Wickstrom and Warner H. J. Sorenson d/b as Valley Broadcasting Company, File No. BAL-655, Docket No. 9206.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 7th day of January 1949;

The Commission having under consideration the above-entitled application for renewal of license of Station KP MO at Pomona, California, and the above-entitled application for assignment of license of Station KP MO; and

It appearing, that the Commission is not satisfied that it is in possession of full information with respect to the proposed assignment of license and is unable to determine from consideration of the said applications that grants of either or both of them would be in the public interest;

It is ordered, That pursuant to sections 309 (a) and 310 (b) of the Communications Act of 1934, as amended, the above-entitled applications be, and they are hereby, designated for hearing in a consolidated proceeding at a time and place to be specified by subsequent order of the Commission on the following issues:

1. To obtain full information as to a certain contract or agreement entered into by and between Myron E. Kluge and James W. Gerrard on or about December 27, 1945, and as to any other contracts, agreements or understandings between Kluge and Gerrard.

2. To obtain full information as to all contracts, agreements or understandings between Myron E. Kluge and Warner H. J. Sorenson relating to a sale or assignment of Kluge's interest in the physical properties of station KP MO and the construction permit or license thereof, with particular reference to the following:

a. A certain receipt which Kluge delivered to Sorenson on or about December 26, 1946, acknowledging receipt of \$14,000 in cashier's checks as payment for transfer of Kluge's interest.

b. The agreement dated August 20, 1947, upon which the application for assignment of license purports to be based.

c. The payment, loan or advance of funds by Sorenson to Kluge, to Dean H. Wickstrom or to the partnership of Kluge

and Wickstrom, pursuant to the agreements referred to in (a) and (b) above, or pursuant to any other agreements which the said parties may have concluded among themselves, and to determine the nature and purpose of such advances.

3. To determine whether the execution of any of the contracts, agreements or understandings referred to in Issues Nos. 1 and 2, above, the terms thereof or any acts performed pursuant thereto were in violation of section 310 (b) of the Communications Act of 1934 or in violation of the rules and regulations of the Commission, with particular reference to §§ 1.321, 1.342 and 1.343.

4. To determine whether Myron E. Kluge and Dean H. Wickstrom, or either of them, have concealed information from the Commission regarding the ownership and operations of station KPMO or have misrepresented the facts concerning such ownership in applications, reports and letters which they have, from time to time, filed with the Commission, with particular reference to the following:

a. Whether the partnership of Kluge and Wickstrom so concealed or misrepresented the facts in their applications for modification of construction permit (File No. BMP-2648), for License (File No. BL-2448), for Authority to Determine Operating Power by Direct Measurement of Antenna Power (File No. BZ-2260), for Renewal of License (File No. BR-1697) and for Consent to Assignment of License (File No. BAL-655); or have so concealed or misrepresented the facts in Financial Reports to the Commission dated September 15, 1947 and March 29, 1948.

b. Whether the licensee partnership so concealed or misrepresented these facts in a letter written to the Commission on or about June 18, 1947, or in any other letters or statements furnished to the Commission.

5. To determine whether the proposed assignee partnership and the partners therein are legally, financially, technically and otherwise qualified to own or control and to operate station KPMO.

6. To secure full information as to the plans of the proposed assignee with respect to staffing station KPMO and with respect to its programming.

7. To determine the plans of the proposed assignee and the partners therein with respect to their personal participation in the management of station KPMO and, in particular, to determine whether such partners misrepresented their intentions in this respect in the application for consent to assignment of license (File No. BAL-655).

8. To determine, in view of the facts adduced under the foregoing issues, whether the public interest, convenience or necessity would be served by granting either or both of the above-entitled applications.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 49-410; Filed, Jan. 17, 1949;
8:56 a. m.]

FEDERAL POWER COMMISSION

[Docket No. E-6182]

GULF STATES UTILITIES CO.

NOTICE OF SUPPLEMENTAL ORDER AUTHORIZING AND APPROVING ISSUANCE OF SECURITIES

JANUARY 12, 1949.

Notice is hereby given that, on January 11, 1949, the Federal Power Commission issued its order entered January 11, 1949, supplementing order of December 28, 1948 (published in the FEDERAL REGISTER on January 4, 1949 (Vol. 14, No. 2, p. 25)), authorizing and approving issuance of securities in the above-designated matter.

[SEAL]

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 49-393; Filed, Jan. 17, 1949;
8:46 a. m.]

[Docket No. G-1151]

SOUTHERN NATURAL GAS CO.

ORDER FIXING DATE OF HEARING

JANUARY 12, 1949.

On November 12, 1948, Southern Natural Gas Company (Applicant), a Delaware corporation having its principal place of business at Birmingham, Alabama, filed an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, authorizing the construction and operation of certain natural-gas facilities, subject to the jurisdiction of the Commission, as fully described in such application on file with the Commission and open to public inspection.

The Commission finds: This proceeding is a proper one for disposition under the provisions of § 1.32 (b) of the Commission's rules of practice and procedure, Applicant having requested that its application be heard under the shortened procedure provided by the aforesaid rule for non-contested proceedings, and no request to be heard, protest or petition having been filed subsequent to the giving of due notice of the filing of the application, including publication in the FEDERAL REGISTER on November 30, 1948 (13 F. R. 7318).

The Commission orders:

(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, as amended, and the Commission's rules of practice and procedure, a hearing be held on February 8, 1949, at 9:30 a. m. (e. s. t.), in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., concerning the matters involved and the issues presented by such application: *Provided, however*, That the Commission may, after a non-contested hearing, forthwith dispose of the proceeding pursuant to the provisions of § 1.32 (b) of the Commission's rules of practice and procedure.

(B) Interested State commissions may participate as provided by §§ 1.8 and 1.37

(f) of the said rules of practice and procedure.

Date of issuance: January 12, 1949.

By the Commission.

[SEAL]

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 49-394; Filed, Jan. 17, 1949;
8:46 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70-2018]

ENGINEERS PUBLIC SERVICE CO. (INC.)

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 11th day of January 1949.

Engineers Public Service Company (Incorporated), ("Engineers"), a registered holding company, having filed a declaration pursuant to section 7 of the Public Utility Holding Company Act of 1935 and the rules and regulations promulgated thereunder regarding the transaction summarized below:

Engineers proposes to issue to Irving Trust Company a short-term promissory note in the principal amount of \$850,000, dated January 27, 1949, which note will mature nine months from the issue date and will bear interest at 2¼% per annum. The declaration states that the proceeds of said note and \$50,000 of cash will be used to pay off a note in the principal amount of \$900,000 now held by Irving Trust Company and maturing January 27, 1949. Engineers, which owns 162,612 shares of the common stock of Virginia Electric and Power Company, contemplates the payment of the proposed note prior to the maturity date thereof by use of the proceeds of the sale of a part of such shares.

It is represented by Engineers that the proposed transaction is not subject to the jurisdiction of any State commission or Federal commission other than this Commission and that the expenses, consisting of counsel fees, in connection with the proposed transaction will amount to \$200.

Said declaration having been filed on December 15, 1948 and notice of filing having been duly given in the form and manner prescribed by Rule U-23, and the Commission not having received a request for a hearing with respect to said declaration within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

Engineers having requested that the Commission's order permitting said declaration to become effective be issued prior to January 17, 1949 and become effective forthwith upon issuance; and

The Commission finding with respect to said declaration that the applicable provisions of the act and of the rules and regulations thereunder are satisfied and that no adverse findings are necessary and deeming it appropriate in the public interest and in the interest of investors and consumers to permit said

declaration to become effective and to grant the request of declarant:

It is ordered, Pursuant to Rule U-23 and the applicable provisions of the act and, subject to the terms and conditions prescribed in Rule U-24, that said declaration be, and hereby is, permitted to become effective, forthwith.

By the Commission.

[SEAL] ORVAL L. DuBois,
Secretary.

[F. R. Doc. 49-396; Filed, Jan. 17, 1949;
8:46 a. m.]

[File No. 70-2020]

GENERAL PUBLIC UTILITIES CORP.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 11th day of January 1949.

General Public Utilities Corporation ("GPU"), a registered holding company, having filed a declaration, as amended, pursuant to sections 6 (a) and 7 of the Public Utility Holding Company Act of 1935 ("act") with respect to the following transactions:

(a) GPU proposes to issue and sell to four commercial banks at principal amount one-year unsecured notes in the aggregate principal amount of \$1,500,000, each of which will bear interest at the rate of 2½% per annum. The proceeds of the notes will be used (1) to prepay the principal of certain notes of GPU in the aggregate amount of \$1,200,000, which bear interest at the rate of 1½% per annum and which mature January 14, 1949; (2) to prepay the principal of certain notes of GPU in the aggregate amount of \$250,000 which bear interest at the rate of 1½% per annum and which mature February 20, 1949; and (3) to the extent of \$50,000, to provide part of the funds necessary to pay on April 3, 1949, 25% of the principal amount of notes due April 3, 1949, in the aggregate amount of \$748,800 and which bear interest at the rate of 1¾% per annum.

(b) GPU now has outstanding unsecured notes in the aggregate amount of \$748,800 which bear interest at the rate of 1¾% per annum and which mature April 3, 1949. The agreement under which the notes were issued provides that 75% of the principal amount may be renewed at maturity. GPU proposes to renew such notes on April 3, 1949, to the extent of \$561,600 thereof.

Such declaration, as amended, having been duly filed, and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said act, and the Commission not having received a request for hearing with respect to said declaration, as amended, within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding that no adverse findings are necessary with respect to the declaration, as amended, and deeming it appropriate in the public interest and in the interest of investors and consumers that said declaration, as

amended, be permitted to become effective, and deeming it appropriate to grant a request of declarant that there be no waiting period between the issuance of the Commission's order and the date the order is to become effective:

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of the act, and subject to the terms and conditions prescribed in Rule U-24, that the declaration, as amended, be and the same hereby is permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DuBois,
Secretary.

[F. R. Doc. 49-397; Filed, Jan. 17, 1949;
8:47 a. m.]

[File Nos. 70-2015, 70-2016]

JERSEY CENTRAL POWER & LIGHT CO. AND
GENERAL PUBLIC UTILITIES CORP.

ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 11th day of January 1949.

General Public Utilities Corporation ("GPU"), a registered holding company, having filed a declaration, and its subsidiary, Jersey Central Power & Light Company ("Jersey Central"), having filed an application-declaration, as amended, pursuant to the provisions of sections 6 (a) (2), 6 (b), 9 (a), 10, and 12 (b) of the Public Utility Holding Company Act of 1935 ("act") and Rule U-45 promulgated thereunder regarding the following proposed transactions:

(a) GPU will make a cash capital contribution to Jersey Central of \$1,000,000. Jersey Central will credit the \$1,000,000 to capital surplus and employ such funds for construction of facilities subsequent to October 31, 1948.

(b) Jersey Central will issue and sell, pursuant to the competitive bidding requirements of Rule U-50, \$3,500,000 principal amount of First Mortgage Bonds, --% Series, due December 1, 1978. The proceeds of the sale of the bonds, other than premium, if any, and accrued interest, will be deposited with the indenture trustee and withdrawn from time to time against the net bondable value of property additions as permitted by the terms of the existing indenture.

(c) After the completion of the financing, Jersey Central will increase the par value of the 1,053,770 outstanding shares of its common stock from \$1 per share to \$10 per share by the transfer to its common stock account of \$9,483,930 from its capital surplus account.

Such declaration and application-declaration, as amended, having been duly filed, and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said act, and the Commission not having received a request for hearing with respect to said declaration and application-declaration, as amended, within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

It appearing that the Board of Public Utility Commissioners of the State of New Jersey has issued an order expressly authorizing Jersey Central to issue and sell the \$3,500,000 principal amount of its First Mortgage Bonds but has not as yet taken action with respect to the proposal of Jersey Central to increase the par value of its common stock from \$1 per share to \$10 per share by the transfer to its common stock account of \$9,483,930 from its capital surplus account; and

The Commission finding that the requirements of the applicable provisions of the act are satisfied, and deeming it appropriate in the public interest and in the interest of investors and consumers that said declaration and application-declaration, as amended, be granted and permitted to become effective forthwith with respect to (1) the proposal of GPU to contribute to Jersey Central \$1,000,000 in cash, and (2) the proposal of Jersey Central to issue and sell \$3,500,000 principal amount of its First Mortgage Bonds:

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of the act that (1) the declaration of GPU to contribute to Jersey Central \$1,000,000 in cash, and (2) the application, as amended, of Jersey Central to issue and sell \$3,500,000 principal amount of its First Mortgage Bonds be, and hereby are, granted and permitted to become effective forthwith, subject to the terms and conditions prescribed by Rule U-24 of the general rules and regulations under the act, and subject to the further condition that the proposed issue and sale by Jersey Central of the \$3,500,000 principal amount of its First Mortgage Bonds shall not be consummated until the results of the competitive bidding pursuant to Rule U-50 shall have been made a matter of record in this proceeding and a further order shall have been entered by this Commission in the light of the record so completed, which order may contain further terms and conditions as may then be deemed appropriate, jurisdiction being reserved for this purpose.

It is further ordered, That jurisdiction is reserved with respect to the proposal of Jersey Central to increase the par value of its common stock from \$1 per share to \$10 per share by the transfer to its common stock account of \$9,483,930 from its capital surplus account.

It is further ordered, That jurisdiction be, and hereby is, reserved over the payment of the fees and expenses of all counsel.

By the Commission.

[SEAL] ORVAL L. DuBois,
Secretary.

[F. R. Doc. 49-398; Filed, Jan. 17, 1949;
8:47 a. m.]

TARIFF COMMISSION

[List No. 8-7]

RALSTON PURINA CO.

EXCLUSION FROM ENTRY

JANUARY 12, 1949.

Complaint as listed below has been filed with the Tariff Commission for investigation under the provisions of section 337 of the Tariff Act of 1930,

Name of article	Purpose of request	Date received	Name and address of complainant
Crisp rye wafers, imported under the name "Ry-King."	Exclusion from entry...	Jan. 10, 1940.	Ralston Purina Co., 835 South 8th St., St. Louis 2, Mo.

The complaint listed above is available for public inspection at the office of the Secretary, Tariff Commission Building, Eighth and E Streets N. W., Washington, D. C., where it may be read and copied by persons interested.

[SEAL] SIDNEY MORGAN,
Secretary.

[F. R. Doc. 49-399; Filed, Jan. 17, 1949;
8:47 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 12443]

ADOLPH REIMER

In re: Estate of Adolph Reimer, also known as Adolf F. H. Reimer, Adolf Reimer and Adolph F. H. Reimer, deceased. File No. D-28-9236; E. T. sec. 12074.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Herman Reimer, Marie Reimer and Edda Reimer, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the sums of \$2100.00 and \$240.00 were paid to the Attorney General of the United States by Augusta Nehls and Etta Schipper, Administratrices of the estate of Adolph Reimer, also known as Adolf F. H. Reimer, Adolf Reimer and Adolph F. H. Reimer, deceased;

3. That the said sum of \$2100.00 was accepted by the Attorney General of the United States on March 3, 1947, and the said sum of \$240.00 was accepted by the Attorney General of the United States on May 5, 1948, pursuant to the Trading With the Enemy Act, as amended;

4. That the said sums of \$2100.00 and \$240.00 are presently in the possession of the Attorney General of the United States and were property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which were evidence of ownership or control by the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

5. That to the extent that the persons identified in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

This vesting order is issued nunc pro tunc to confirm the vesting of the said property by acceptance as aforesaid.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on November 30, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 49-414; Filed, Jan. 17, 1949;
8:56 a. m.]

[Vesting Order 12444]

ADOLPH REIMER

In re: Estate of Adolph Reimer, also known as Adolf F. H. Reimer, Adolf Reimer and Adolph F. H. Reimer, deceased. File No. D-28-9236; E. T. sec. 12074.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Herman Reimer, Marie Reimer and Edda Reimer, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the persons named in subparagraph 1 hereof, and each of them, in and to the estate of Adolph Reimer, also known as Adolf F. H. Reimer, Adolf Reimer and Adolph F. H. Reimer, deceased, is property payable or deliverable to, or claimed by the aforesaid nationals of a designated enemy country (Germany);

3. That such property is in the process of administration by Etta Schipper, as Administratrix C. T. A., acting under the judicial supervision of the Surrogate's Court, New York County, New York;

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate con-

sultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on November 30, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 49-415; Filed, Jan. 17, 1949;
8:56 a. m.]

[Vesting Order 12591]

RICHARD HELLMANN AND TITLE GUARANTEE AND TRUST CO.

In re: Trust under agreement, dated October 7, 1929, between Richard Hellmann, grantor, and Title Guarantee and Trust Company, trustees. File No. F-28-3630-G-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Hugo Hellmann and Dora Hellmann, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the issue, names unknown, of Hugo Hellmann and Dora Hellmann, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

3. That all right, title, interest and claim of any kind or character whatsoever of persons identified in subparagraphs 1 and 2 hereof, and each of them, in and to and arising out of or under that certain trust agreement dated October 7, 1929, by and between Richard Hellmann, grantor, and Title Guarantee and Trust Company, trustee, presently being administered by Title Guarantee and Trust Company, 176 Broadway, New York 7, New York, trustee,

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

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof and issue, names unknown of Hugo Hellmann and Dora Hellmann are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on December 31, 1948.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 40-416; Filed, Jan. 17, 1949;
8:56 a. m.]

[Vesting Order 12611]

JOHANNA PLAUE ANGER

In re: Rights of Johanna Plau Anger under insurance contract. File No. D-28-12457-H-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Johanna Plau Anger, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That one-half the net proceeds due or to become due under the death benefit provisions of a contract of insurance evidenced by policy No. 29129, issued by the Greater Beneficial Union of Pittsburgh, Pittsburgh, Pennsylvania, to Fred F. Plau, together with the right to demand, receive and collect said net proceeds,

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

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on January 5, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 49-417; Filed, Jan. 17, 1949;
8:56 a. m.]

[Vesting Order 12612]

AUGUST BORN ET AL.

In re: Rights of August Born, or Herbert Born, Helmut Born and the domiciliary personal representatives, heirs, next of kin, legatees and distributees, names unknown of August Born, under insurance contract. File No. D-28-10688-H-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That August Born, Herbert Born and Helmut Born whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany)

2. That the domiciliary personal representatives, heirs, next of kin, legatees and distributees, names unknown, of August Born, who there is reasonable cause to believe are residents of Germany are nationals of a designated enemy country (Germany)

3. That the net proceeds due or to become due under a contract of insurance evidenced by policy No. 6399790A, issued by the Metropolitan Life Insurance Company, New York, New York, to Johanne Born, together with the right to demand, receive and collect said net proceeds,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by August Born or Herbert Born, Helmut Born and the persons identified in subparagraph 2 hereof, the aforesaid nationals of a designated enemy country (Germany)

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof and the domiciliary personal representatives, heirs, next of kin, legatees and distributees, names unknown, of August Born, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have

the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on January 5, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 49-418; Filed, Jan. 17, 1949;
8:57 a. m.]

[Vesting Order 12634]

MOKUTARO MURAKAMI

In re: Rights of Mokutaro Murakami under insurance contract. File No. F-39-4222-H-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Mokutaro Murakami, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the net proceeds due or to become due under a contract of insurance evidenced by policy No. 585,031, issued by the Sun Life Assurance Company of Canada, Montreal, Quebec, Canada, to Mokutaro Murakami, together with the right to demand, receive and collect said net proceeds (including without limitation the right to proceed for collection against branch offices and legal reserves maintained in the United States),

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

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on January 5, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 49-419; Filed, Jan. 17, 1949;
8:57 a. m.]

[Vesting Order 12635]

YUKICHI NAKAMURA

In re: Rights of Yukichi Nakamura under insurance contracts. File Nos. F-39-3887-H-1, H-2, and H-3.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Yukichi Nakamura, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the net proceeds due or to become due under contracts of insurance evidenced by policies Nos. 8 468 767, 8 241 441, and 8 762 224, issued by the New York Life Insurance Company, New York, New York, to Yukichi Nakamura, together with the right to demand, receive and collect said net proceeds,

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

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on January 5, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 49-420; Filed, Jan. 17, 1949;
8:57 a. m.]

[Vesting Order 12636]

ISAKU NAGATA

In re: Rights of Isaku Nagata under insurance contract. File No. D-39-19100-H-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Isaku Nagata, whose last known address is Japan, is a resident of

Japan and a national of a designated enemy country (Japan);

2. That the net proceeds due or to become due under a contract of insurance evidenced by policy No. 1,040,950, issued by the Sun Life Assurance Company of Canada, Montreal, Quebec, Canada, to Isaku Nagata, together with the right to demand, receive and collect said net proceeds (including without limitation the right to proceed for collection against branch offices and legal reserves maintained in the United States),

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

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on January 5, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 49-421; Filed, Jan. 17, 1949;
8:57 a. m.]

[Vesting Order 12637]

NAKAZO NISHI

In re: Rights of Nakazo Nishi or Katsuko Nishi under insurance contract. File No. F-39-4215-H-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Nakazo Nishi and Katsuko, Nishi, whose last known address is Japan, are residents of Japan and nationals of a designated enemy country (Japan);

2. That the net proceeds due or to become due under a contract of insurance evidenced by policy No. WS-130190, issued by the California-Western States Life Insurance Company, Sacramento, California, to Nakazo Nishi, together with the right to demand, receive and collect said net proceeds,

is property within the United States owned or controlled by, payable or de-

liverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by Nakazo Nishi or Katsuko Nishi, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such person be treated as nationals of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on January 5, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 49-422; Filed, Jan. 17, 1949;
8:57 a. m.]

[Vesting Order 12638]

KYUGO OHTA

In re: Rights of Kyugo Ohta under insurance contract. File No. F-39-1225-H-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Kyugo Ohta, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the net proceeds due or to become due under a contract of insurance evidenced by policy No. 7 701 438, issued by the New York Life Insurance Company, New York, New York, to Kyugo Ohta, together with the right to demand, receive and collect said net proceeds,

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

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate con-

sultation and certification, having been made and taken, and it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on January 5, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 49-423; Filed, Jan. 17, 1949;
8:58 a. m.]

[Vesting Order 12645]

UMEYO SAKODA

In re: Rights of Umeyo Sakoda under insurance contract. File No. F-39-6310-H-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Umeyo Sakoda, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the net proceeds due or to become due under a contract of insurance evidenced by policy No. WS 110583, issued by the California-Western States Life Insurance Company, Sacramento, California, to Umeyo Sakoda, together with the right to demand, receive and collect said net proceeds,

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

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on January 5, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 49-424; Filed, Jan. 17, 1949;
8:58 a. m.]

[Vesting Order 12657]

KURT MANGELSDORF

In re: Bonds owned by and debt owing to Kurt Mangelsdorf. F-28-13024-A-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Kurt Mangelsdorf, whose last known address is Postfach 134, Karlsruhe, Germany, is a resident of Germany and a national of a designated enemy country (Germany)

2. That the property described as follows:

a. Those certain bonds described in Exhibit A, attached hereto and by reference made a part hereof, registered in the name of Kurt Mangelsdorf, and presently in the custody of John W. Giesecke, Title Guaranty Building, St. Louis 1, Missouri, together with any and all rights thereunder and thereto, and

b. All those certain debts or other obligations of John W. Giesecke, Title Guaranty Building, St. Louis 1, Missouri, representing accumulated cash held for Kurt Mangelsdorf, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

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

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on January 5, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

EXHIBIT A

Description of issue	Total face value
St. Louis Southwestern Ry. Co. 1st terminal and unifying 5% due 1-1-52	\$3,000.00
St. Louis San Francisco Ry. prior lien 4% series A, due 7-1-50	2,000.00
U. S. Treasury, series E	500.00
U. S. of Mexico external 4%, due 12-1-54	500.00
Bethlehem College of Havana 1st mortgage 1%	1,000.00

[F. R. Doc. 49-426; Filed, Jan. 17, 1949;
8:58 a. m.]

[Vesting Order 12649]

SABURO SUMIDA

In re: Rights of Saburo Sumida under insurance contract. File No. D-39-19093-H-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Saburo Sumida, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the net proceeds due or to become due under a contract of insurance evidenced by policy No. 645,464, issued by The Manufacturers Life Insurance Company, Toronto, Canada, to Kaneyo Sumida, together with the right to demand, receive and collect said net proceeds (including without limitation the right to proceed for collection against branch offices and legal reserves maintained in the United States),

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

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on January 5, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 49-425; Filed, Jan. 17, 1949;
8:58 a. m.]