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# FEDERAL REGISTER

VOLUME 7 NUMBER 143

Washington, Wednesday, July 22, 1942

**The President**

**EXECUTIVE ORDER 9203**

**AUTHORIZING THE PROCUREMENT DIVISION TO USE MANILA FIBER ACQUIRED PURSUANT TO ACT OF JUNE 7, 1939**

WHEREAS the Procurement Division of the Treasury Department has acquired by purchase stocks of Manila fiber pursuant to the provisions of the act of June 7, 1939 (53 Stat. 811); and

WHEREAS the Chairman of the War Production Board has reported to me that a shortage of stocks of Manila fiber suitable for cordage appears to be imminent; and

WHEREAS the United States is now at war:

NOW, THEREFORE, by virtue of the authority vested in me as President of the United States by section 4 of the said act of June 7, 1939, it is ordered as follows:

The Procurement Division of the Treasury Department is hereby authorized to make use of such Manila fiber by sale or other disposition to the United States Navy, to the United Kingdom, or to Canadian manufacturers designated by the Government of the Dominion of Canada, in such amounts as may be determined from time to time by the Chairman of the War Production Board to be necessary to promote the national defense.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,  
July 20, 1942.

[F. R. Doc. 42-6922; Filed, July 21, 1942;  
11:29 a. m.]

**Regulations**

**TITLE 6—AGRICULTURAL CREDIT  
Chapter I—Farm Credit Administration  
PART 29—THE FEDERAL LAND BANK OF WICHITA**

**RELEASE OF PERSONAL LIABILITY FEES  
Correction**

Paragraphs (a) and (b) of § 29.7, appearing on page 5328 of the issue for

Tuesday, July 14, 1942, should read as follows:

(a) Single Federal Land Bank or Land Bank Commissioner Loans:

If no appraisal is required..... \$ 7.50  
If appraisal is required..... 17.50

(b) Joint Federal Land Bank and Land Bank Commissioner Loans:

If no appraisal is required..... \$10.00  
If appraisal is required..... 20.00

**TITLE 29—LABOR**

**Chapter V—Wage and Hour Division**

**PART 605—MINIMUM WAGE RATE IN THE WOMEN'S APPAREL INDUSTRY**

**RESTRICTION OF INDUSTRIAL HOME WORK**

Whereas the Administrator of the Wage and Hour Division of the United States Department of Labor by Part 605, Chapter V, Title 29, Code of Federal Regulations issued a wage order for the Women's Apparel Industry establishing for such industry a minimum wage rate of 40 cents per hour, effective September 29, 1941, published in the FEDERAL REGISTER September 13, 1941; and

Whereas such wage order was issued upon the basis of the recommendation of Industry Committee No. 27 for the Women's Apparel Industry, appointed under Administrative Order No. 103, and after a hearing held in Washington, D. C., on July 28 and 29, 1941, for the purpose of taking evidence on the recommendation of Industry Committee No. 27 for the Women's Apparel Industry, and on the further question of whether prohibition, restriction or regulation of home work is necessary to carry out the purpose of any order issued carrying such recommendation into effect; and

Whereas in considering the evidence on the recommendation of Industry Committee No. 27 for the Women's Apparel Industry and on the further question of such regulation of home work the Administrator deferred making a decision in respect to industrial home work and did not include in such wage order

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**THE PRESIDENT**

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any provision relating to home work; and

Whereas after notices published in the FEDERAL REGISTER on November 18, 1941, December 30, 1941, January 20, 1942, and February 11, 1942, Major Robert N. Campbell, the presiding officer designated by the Administrator, held a public hearing for the purpose of taking further evidence on the question of prohibition, restriction or regulation of home work under the wage order approving and carrying into effect the recommendation of Industry Committee No. 27 for the Women's Apparel Industry, at New York City, New York on March 5 and 6, 1942, at which all interested persons were given an opportunity to be heard; and

Whereas the complete record of the proceeding before the presiding officer has been transmitted to the Administrator; and

Whereas after notice published in the FEDERAL REGISTER on April 7, 1942, announcing that all persons who appeared at the hearing held on March 5 and 6, 1942, were given leave to file briefs with the Administrator, and that the Administrator would hear oral argument upon

the complete record of said hearing, the Administrator heard the oral argument of all such persons as had made appearance at said hearing and were desirous of being heard, on April 27, 1942, New York City, New York; and

Whereas, the Administrator upon reviewing all the evidence adduced in this proceeding and giving consideration to the provisions of the Act with special reference to section 8 (f), which provides as follows:

Orders issued under this section shall \* \* \* contain such terms and conditions as the Administrator finds necessary to carry out the purposes of such orders, to prevent the circumvention or evasion thereof, and to safeguard the minimum wage rates established therein \* \* \*;

has concluded that it is necessary to include terms and conditions in the above-mentioned wage order for the Women's Apparel Industry with respect to industrial home work to carry out the purpose of such order to prevent the circumvention or evasion thereof, and to safeguard the minimum wage rate established therein; and

Whereas, the Administrator has set forth his decision in an opinion entitled "Findings and Opinion of the Administrator in the Matter of Industrial Home Work in the Women's Apparel Industry" dated this day, a copy of which may be had upon request addressed to the Wage and Hour Division, United States Department of Labor, 1560 Broadway, New York City, New York;

Now, therefore, it is ordered that Part 605 of Chapter V, Title 29, Code of Federal Regulations is hereby amended so as to include the following section, to be designated as § 605.7:

§ 605.7 *Restriction of home work.* No work in the Women's Apparel Industry, as defined in §§ 605.4 and 605.5, Part 605, Chapter V, Title 29, Code of Federal Regulations, shall be done in or about a home, apartment, tenement, or room in a residential establishment, after November 30, 1942, except by such persons as have obtained special home work certificates issued pursuant to applicable regulations of the Wage and Hour Division, authorizing industrial home work by any worker who was engaged in industrial home work in the Women's Apparel Industry prior to March 5, 1942, or is at any time engaged in such industrial home work under the supervision of a State Vocational Rehabilitation Agency or of a Sheltered Work Shop, as defined in § 525.1, Part 525, Chapter V, Title 29, Code of Federal Regulations, and who is unable to adjust to factory work because of age or physical or mental disability or is unable to leave because his presence is required to care for an invalid in the home.

This amendment shall become effective December 1, 1942.

Signed at New York, New York, this 8th day of July 1942.

L. METCALFE WALLING,  
Administrator.

[F. R. Doc. 42-6919; Filed, July 21, 1942; 10:36 a. m.]

16 F.R. 4701.

#### PART 605—MINIMUM WAGE RATE IN THE WOMEN'S APPAREL INDUSTRY EMPLOYMENT OF HOME WORKERS

Whereas section 8 (f) of the Fair Labor Standards Act of 1938 provides as follows:

Orders issued under this section shall \* \* \* contain such terms and conditions as the Administrator finds necessary to carry out the purposes of such orders, to prevent the circumvention or evasion thereof, and to safeguard the minimum wage rates established therein. \* \* \*

And whereas § 605.7 of the wage order for the Women's Apparel Industry issued pursuant to section 8 (f) of the Act provides as follows:

No work in the Women's Apparel Industry, as defined herein, shall be done in or about a home, apartment, tenement, or room in a residential establishment after November 30, 1942, except by such persons as have obtained special home work certificates issued pursuant to applicable regulations of the Wage and Hour Division, authorizing industrial home work by any worker who was engaged in industrial home work in the Women's Apparel Industry prior to March 5, 1942, or is at any time engaged in such industrial home work under the supervision of a State Vocational Rehabilitation Agency or of a Sheltered Workshop as defined in § 525.1, Part 525, Chapter V, Title 29, Code of Federal Regulations, and is unable to adjust to factory work because of age or physical or mental disability or is unable to leave home because his presence is required to care for an invalid in the home.

And whereas section 11 (c) of the Act provides as follows:

Every employer subject to any provision of this Act or of any order issued under this Act shall make, keep, and preserve such records of the persons employed by him and of the wages, hours, and other conditions and practices of employment maintained by him, and shall preserve such records for such periods of time, and shall make such reports therefrom to the Administrator as he shall prescribe by regulation or order as necessary or appropriate for the enforcement of the provisions of this Act or the regulations or orders thereunder.

Now, therefore, the following regulations are hereby issued. These regulations shall become effective on December 1, 1942, and shall be in force and effect until repealed or modified by regulations hereafter made and published.

**AUTHORITY:** §§ 605.100 to 605.112, inclusive, issued under 52 Stat. 1065, 1066; 29 U.S.C. 208, 211; § 605.7 *infra*.

§ 605.100 *Effective date.* The following regulations, §§ 605.100-605.112 inclusive, Chapter V, Title 29, Code of Federal Regulations, applicable to the employment of industrial home workers in the Women's Apparel Industry are hereby issued pursuant to sections 8 (f) and 11 (c) of the Fair Labor Standards Act of 1938, and § 605.7, Part 605, Chapter V, Title 29, Code of Federal Regulations. These regulations shall become effective December 1, 1942, and shall be in force and effect until repealed or modified by regulations hereafter made and published.

§ 605.101 *Definitions.* As used in these regulations, the term "industrial home work" means the production by

any person in or about a home, apartment, tenement, or room in a residential establishment, for an employer, or goods from material furnished directly by or indirectly for such employer.

The term "Women's Apparel Industry" as used herein means and includes the Women's Apparel Industry as defined by §§ 605.4 and 605.5, Part 605, Chapter V, Title 29, Code of Federal Regulations.

§ 605.102 *Applications on official forms.* Certificates authorizing the employment of industrial home workers in the Women's Apparel Industry may be issued upon the following terms and conditions upon application therefor on forms provided by the Wage and Hour Division. Such forms shall be signed by both the home worker and the employer.

§ 605.103 *Terms and conditions for the issuance of certificates.* If the application is in proper form and sets forth facts showing that the worker:

(1) (a) Was engaged in industrial home work in the Women's Apparel Industry prior to March 5, 1942; or

(b) Is or will be engaged in such industrial home work under the supervision of a State Vocational Rehabilitation Agency or of a Sheltered Workshop as defined in § 525.1, Part 525, Chapter V, Title 29, Code of Federal Regulations; and

(2) Is unable to adjust to factory work because of age or physical or mental disability; or

(3) Is unable to leave home because the worker's presence is required to care for an invalid in the home.

a certificate may be issued authorizing the applicant employer to employ the worker in industrial home work in the Women's Apparel Industry.

No home worker shall perform industrial home work for more than one employer in the Women's Apparel Industry, but home work employment in another industry shall not be a bar to the issuance of a certificate for the Women's Apparel Industry.

§ 605.104 *Investigation may be ordered to determine whether the facts justify the issuance of a certificate.* An investigation may be ordered in any case to obtain additional data or facts. A medical examination of the worker or invalid may be ordered or a certification of facts concerning eligibility for the certificate by designated officers of the State or Federal Government may be required.

§ 605.105 *Termination of certificates.* Certificates shall be valid under the terms set forth in the certificate for a period of not more than 12 months from the date of issuance or such shorter period as may be fixed in the certificate. Application for renewal of any certificate shall be filed in the same manner as an original application under these regulations.

§ 605.106 *Revocation and cancellation.* Any certificate may be revoked for cause at any time. Violation of any provision of the Fair Labor Standards Act shall be sufficient grounds for revocation of all certificates issued to an employer,

in which event no certificates shall be issued to the offending employer for a period of one year. In any proceeding for the revocation or cancellation of a certificate, interested parties shall be provided an opportunity to be heard.

§ 605.107 *Preservation of certificate.* A copy of the certificate shall be sent to the home worker, who shall keep such certificate on the premises on which the work is performed.

A copy of the certificate shall be sent to the employer, who shall keep this copy on file in the same place at which the worker's employment records are maintained.

§ 605.108 *Records and reports.* The issuance of a certificate shall not relieve the employer of the duty of maintaining the records required by Regulations, Part 516, and failure to keep such records shall be sufficient cause for the cancellation of certificates issued to such an employer.

Each employer of industrial home workers in the Women's Apparel Industry shall submit to the regional office of the Wage and Hour Division for the region in which his place of business is located on April 1 and October 1 of each year, the home work handbooks of each employee employed by him during the preceding six-month period in industrial home work in the Women's Apparel Industry. This report shall also include a list of the names, addresses, and certificate numbers of home workers for whom home work certificates have been obtained pursuant to these regulations but who were not employed in industrial home work in the Women's Apparel Industry during such period.

§ 605.109 *Wage rates.* Wages at a rate of not less than 40 cents per hour shall be paid by every employer to each of his home work employees except as subminimum employment of specific handicapped workers has been provided for by special certificates issued by the Wage and Hour Division pursuant to Regulations, Part 524. All hours worked in excess of 40 in any workweek shall be compensated for at one and one-half times the regular rate of pay.

§ 605.110 *Delegation of authority to grant, deny, or cancel a certificate.* The Administrator may from time to time designate and appoint members of his staff or State agencies as his authorized representatives with full power and authority to grant, deny, or cancel home work certificates.

§ 605.111 *Petition for review.* Any person aggrieved by the action of an authorized representative of the Administrator in granting or denying a certificate may, within 15 days thereafter or within such additional time as the Administrator for cause shown may allow, file with the Administrator a petition for review of the action of such representative praying for such relief as is desired. Such petition for review, if duly filed, will be acted upon by the Administrator or an authorized representative of the Administrator who took

no part in the proceeding being reviewed. All interested parties will be afforded an opportunity to present their views in support of or in opposition to the matters prayed for in the petition.

§ 605.112 *Petition for amendment of regulations.* Any person wishing a revision of any of the terms of the foregoing regulations may submit in writing to the Administrator a petition setting forth the changes desired and reasons for proposing them. If upon inspection of the petition the Administrator believes that reasonable cause for amendment of the rules and regulations is set forth, the Administrator will either schedule a hearing with due notice to interested persons or will make other provisions to afford interested persons opportunity to present their views in support of or in opposition to the proposed changes. The foregoing sections are issued pursuant to § 605.7 of the regulations of the Wage and Hour Division and sections 8 (f) and 11 (c) of the Fair Labor Standards Act of 1938.

Signed at New York, N. Y., this 8th day of July 1942.

L. METCALFE WALLING,  
Administrator.

[F. R. Doc. 42-6920; Filed, July 21, 1942;  
10:36 a. m.]

## TITLE 32—NATIONAL DEFENSE

### Chapter VIII—Board of Economic Warfare

[Amendment No. 9]

#### Subchapter B—Export Control

#### PART 801—GENERAL REGULATIONS

#### PART 804—INDIVIDUAL LICENSES

#### MISCELLANEOUS AMENDMENTS

Section 801.2 *Prohibited exportations*<sup>1</sup> is hereby amended in the following particulars:

In the column headed "Gen. Lic. Group", the group designation assigned to the commodity listed below (at every place where said commodity appears in said section) is amended to read as follows:

Commodity:	Gen. Lic. Group
Rochelle salts.....	1, 47

Section 804.8 *Certificates of necessity*<sup>2</sup> is hereby amended by deleting from the list in paragraph (b) thereof the following items:

Caustic soda.  
Soda ash.

(Sec. 6, 54 Stat. 714, Public Law 75, 77th Cong., Public Law 638, 77th Cong.; Order No. 3, Delegations of Authority Nos. 25 and 26, 7 F.R. 4951)

F. R. KERR,  
Export Control Branch,  
Office of Exports.

JULY 18, 1942.

[F. R. Doc. 42-6903; Filed, July 20, 1942;  
12:35 p. m.]

<sup>1</sup> 7 F.R. 4952, 5080, 5115, 5343.

<sup>2</sup> 7 F.R. 5012.



Chapter IX—War Production Board  
 Subchapter B—Director General for Operations  
 PART 940—RUBBER AND PRODUCTS AND  
 MATERIALS OF WHICH RUBBER IS A COM-  
 PONENT

[Amendment 9 to supplementary order  
 M-15-b-1']

Section 940.5 (Supplementary Order  
 M-15-b-1) is amended as follows:

1. By changing paragraph (b) (1) to read as follows:

(b) \* \* \*

List 1

- (1) Mechanical goods of the following types:

- Belting
- Hose
- Packing
- Dam and lock gate seals
- Hog scraper (beater) paddles
- Loom pickers
- Milk and milking machine equipment
- Pipe coupling rings
- Press die pads
- Printing rubber products
- Rubber lined tanks, drums and rubber protected industrial equipment
- Abrasive implements
- Mine and industry safety parts

2. By changing paragraph (b) (2) and (b) (10) to read as follows:

(b) \* \* \*

(2) Superseded by Revised List 1.

(10) Superseded by Revised List 1.

3. By attaching thereto the attached List designated "List 1—(Revised effective July 21, 1942)".

This order shall take effect as of the date of its issuance.

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

Issued this 21st day of July, 1942.

AMORY HOUGHTON,  
 Director General for Operations.

List 1

(Revised effective July 21, 1942)

Specifications for the manufacture of the following mechanical goods:

- Belting
- Hose
- Packing
- Dam and lock gate seals

<sup>1</sup> 7 F.R. 967, 2344, 2345, 2346, 2449, 2595, 2782, 3389, 4448, 5019, 5296.

- Hog scraper (beater) paddles
- Loom pickers
- Milk and milking machine equipment
- Pipe coupling rings
- Press die pads
- Printing rubber products
- Rubber lined tanks, drums and rubber protected industrial equipment
- Abrasive implements
- Mine and industry safety parts

(a) *Revocation of certain specifications.* The specifications set forth in the following lists attached to Supplementary Order No. M-15-b-1, as such lists and specifications exist as of the effective date of this revised List 1, are superseded by the specifications set forth in this revised List 1: Hose and tubing of the kinds listed, List 1; conveyor, elevator, and flat transmission belts and belting of the kinds listed, List 2; and fire hose and mill hose, List 10.

(b) *Restrictions on the use of rubber, latex, synthetic rubber, reclaimed or scrap rubber.* No person shall consume rubber, latex, synthetic rubber or reclaimed or scrap rubber in the manufacture of any of the items enumerated below except in accordance with the specifications herein prescribed, or except in the case of any War Order in connection with which there is delivered to the person manufacturing such product, a certificate signed by a contracting or inspecting official of the Army, Navy, Maritime Commission or other proper governmental agency, certifying that the use of compounds or constructions not permitted by these specifications is necessary for military or naval use, or for use on board ship.

Except as provided in the preceding paragraph, the specifications herein prescribed shall be used to fill all orders, including War Orders and orders placed by any other department or agency of the United States Government.

(c) *Specifications.*

I. COMPOUNDS

A. RUBBER COMPOUNDS

Grade	Maximum percent by volume	
	Crude rubber	Total R. H. C.
M-A.....	95	95
M-B.....	90	90
M-C.....	85	85
M-D.....	80	80
M-E.....	75	75
M-F.....	70	70

I. COMPOUNDS—Continued

A. RUBBER COMPOUNDS—Continued

Grade	Maximum percent by volume	
	Crude rubber	Total R. H. C.
M-G.....	65	75
M-G-1.....	65	65
M-H.....	60	75
M-H-1.....	60	60
M-H-2.....	60	80
M-J.....	55	75
M-J-1.....	55	55
M-K.....	50	70
M-K-1.....	50	50
M-L.....	45	65
M-L-1.....	45	45
M-M.....	40	65
M-M-1.....	40	60
M-M-2.....	40	40
M-N.....	35	65
M-N-1.....	35	60
M-O.....	30	65
M-P.....	25	65
M-P-1.....	25	60
M-P-2.....	25	25
M-Q.....	20	70
M-Q-1.....	20	60
M-Q-2.....	20	45
M-Q-3.....	20	25
M-R.....	15	60
M-R-1.....	15	55
M-R-2.....	15	20
M-R-3.....	15	15
M-S.....	10	60
M-S-1.....	10	15
M-S-2.....	8	11
M-S-3.....	6	16
M-S-4.....	4	9
M-S-5.....	3	8
M-S-6.....	2	15
M-T.....	0	50
M-T-1.....	0	6

B. SYNTHETIC RUBBER COMPOUNDS

Grades		Maximum percent by volume	
Butadiene	Chloroprene	Polysulfide	Total S. R. V.
M-SB.....	M-SN.....	M-ST.....	65
M-SB-1.....	M-SN-1.....	M-ST-1.....	60
M-SB-2.....	M-SN-2.....	M-ST-2.....	85
M-SB-3.....	M-SN-3.....	M-ST-3.....	80
M-SB-4.....	M-SN-4.....	M-ST-4.....	75
M-SB-5.....	M-SN-5.....	M-ST-5.....	70
M-SB-6.....	M-SN-6.....	M-ST-6.....	65
M-SB-7.....	M-SN-7.....	M-ST-7.....	60
M-SB-8.....	M-SN-8.....	M-ST-8.....	55
M-SB-9.....	M-SN-9.....	M-ST-9.....	50
M-SB-10.....	M-SN-10.....	M-ST-10.....	45
M-SB-11.....	M-SN-11.....	M-ST-11.....	40
M-SB-12.....	M-SN-12.....	M-ST-12.....	35
M-SB-13.....	M-SN-13.....	M-ST-13.....	30
M-SB-14.....	M-SN-14.....	M-ST-14.....	25

NOTE 1: The rubber hydrocarbon (R. H. C.) is the sum total of crude rubber and the average rubber value of reclaim expressed on a volume basis.

NOTE 2: The synthetic rubber value (S. R. V.) is the total synthetic rubber expressed on a volume basis.

NOTE 3: Where rubber or reclaim is mixed with synthetic compounds or where a mixture of synthetics is used, the R. H. C. volume plus the S. R. V. volume shall

not exceed the maximum S. R. V. by volume of the grade specified.

NOTE 4: In those products listed for rubber grades only, synthetic rubbers may be used as they become available, provided the maximum S. R. V. by volume does not exceed the maximum R. H. C. listed for the specific grade.

NOTE 5: Compounds of lower rubber and rubber hydrocarbon (R. H. C.) content may be used in manufacturing mechanical rubber products listed herewith, provided the physical requirements, where specified, are met.

NOTE 6: All compounds shall be black unless otherwise specified.

**II. Belting specifications**

NOTE: The following specifications for conveyor, elevator and transmission belting appearing in subdivisions II-A, II-B and II-C hereof, do not apply to rubber belting utilizing a solid woven carcass, provided such construction uses no more crude rubber or reclaimed rubber hydrocarbon than is permitted in laminated belting of equivalent

size and thickness; nor do they apply to constructions using combinations of fabric and other reinforcing materials, provided total rubber and rubber hydrocarbon do not exceed those which are used in an equivalent grade, fabric ply, construction belt.

**A. Conveyor belting**

**1. Compounds permitted.** Compounds for each of the grades of conveyor belting listed in Table A below shall be made from one of the grades of compounds listed in subdivision (c)-I-A of this revised List 1, the appropriate grade of compounds to be used for covers and frictions being that hereinbelow specified therefor opposite the description or designations of such class in Table A.

TABLE A

Grade of belt	Conveyor cover compound	Pulley cover compound	Friction compound	Grade specification			Combined cover gauge maximum in inches
				Average tensile range P. S. I.		Average friction range in pounds	
				Pulley cover	Conveyor cover		
No. 1.....	M-N	M-R	M-N	800-1,000	1,700-2,200	16-19	3/32
No. 2.....	M-R	M-R	M-P	800-1,000	800-1,600	12-15	3/32

NOTE 1: A skim coat of same quality as friction and no exceeding .010 shall be permitted on 42 oz. or heavier belt duck on Grade 1 only.

NOTE 2: Breaker may be used on Grade 1 only and where used is to be included in cover thickness.

NOTE 3: All friction and covers to be black only.

**2. Grades of belts permitted.** (i) All belts designed for the following uses shall be of Grade 2 quality only, and the thicknesses for each group shall not exceed those specified for such group:

**Group 1.** Sum of thicknesses of conveyor and pulley covers shall not exceed 1/8":

- Fruits
- Vegetables
- Lime slacked
- Charcoal
- Grains and seeds
- Beets
- Flour
- Soap
- Portable conveyor for handling above material

**Group 2.** Sum of thicknesses of conveyor and pulley covers shall not exceed 3/8":

- Sand
- Soil
- Soda
- Powdered stone & chemicals
- Earth
- Fine gravels to 1/2"
- Pulverized coal
- Coke breeze
- Concentrates
- Wet pulp
- Portable conveyor for handling above material

**Group 3.** Sum of thicknesses of conveyor and pulley covers shall not exceed 1/8":

- Sulphur

- Salts
- Sugar
- Small size bituminous coal up to 4"
- Small coke up to 2"
- Ashes
- Culm
- Clay
- Shells
- Gravel 1/2" to 2"
- Concrete mix
- Cement
- Lime unslacked
- Phosphate pebble
- All portable conveyors except for services in Groups 1 and 2

(ii) Either Grade 1 or Grade 2 belting may be used for belts designed for services other than specified in Groups 1, 2 & 3 above.

(iii) Conveyor belting designed for the handling of boxes, bales, bags, cases, sacks, paper, dry pulp and wood chips shall not be made in whole or in part of rubber, latex, reclaimed or scrap rubber or synthetic rubber.

**B. Elevator belting**

**1. Compounds permitted.** Compounds for each of the grades of elevator belting listed in Table B below shall be made from one of the grades of compounds listed in subdivision (c)-I-A of this specification, the appropriate grade of compounds to be used for covers and frictions being that hereinbelow specified therefor opposite the description or designation of such class in Table B.

TABLE B

Grade of belt	Pulley cover compound	Bucket cover compound	Friction compound	Grade specification			Maximum combined cover gauge in inches
				Average tensile range P. S. I.		Average friction range in pounds	
				Bucket cover	Pulley cover		
No. 1.....	M-N	M-R	M-N	800-1,000	1,700-2,200	16-19	3/16
No. 2.....	M-R	M-R	M-P	800-1,000	800-1,000	12-15	3/16

NOTE 1: A skim coat of same quality as friction and not exceeding .010 shall be permitted only on Grade 1.  
 NOTE 2: Breaker fabric may be used on Grade 1 only. When used it must be included in the cover thickness.  
 NOTE 3: All frictions and covers shall be black only.

2. Grades of belts permitted. (i) All belts designed for the following uses shall be of Grade 2 quality only, and the thicknesses for each group shall not exceed those specified for such group:

Group 1. Sum of thicknesses of the bucket & pulley covers shall not exceed 1/8":

- Pulverized coal
- Soap
- Lime slacked

Group 2. Sum of thicknesses of the bucket & pulley covers shall not exceed 1/8":

- Coke breeze
- Powdered stone & chemicals
- Concentrates
- Sand
- Clay
- Soil

Group 3. Sum of thicknesses of the bucket & pulley covers shall not exceed 1/2":

- Gravel up to 2"
- Small bituminous coal up to 2"
- Trap rock up to 2"
- Salt
- Sugar
- Cement
- Lime unslacked

Group 4. Friction surface only:  
 Grains  
 Seeds

(ii) Either Grade 1 or Grade 2 belting may be used for belts designed for services other than specified in Groups 1, 2, 3 & 4 above.

(iii) Elevator belting designed for the handling of boxes, bales, cases, sacks, paper, dry pulp and wood chips shall not be made in whole or in part of rubber, latex, reclaimed rubber, scrap rubber or synthetic rubber.

C. Flat transmission belting

Flat transmission belts and belting shall be manufactured in two grades only, as follows:

Grade of belt	Crude rubber maximum by weight in pounds	Total R. H. C. maximum by weight in pounds
No. 1.....	.46	.73
No. 2.....	.15	.47

NOTE 1: The maximum crude rubber and total R. H. C. by weight as specified above shall be based on a unit of 1,200 sq. in. per single ply of fabric.

NOTE 2: All flat belts and belting designed to transmit power to any farm machinery and equipment shall be Grade 2 quality, except those designed to transmit power to Hammermills which may be Grade 1.

NOTE 3: Grade 1 belting is permitted with 1/32" Grade M-N rubber cover when designed for service under severe chemical conditions. No rubber covers are permitted for belts designed for any other service.

NOTE 4: All compounds except seaming rubber shall be black only.

NOTE 5: No rubber or reclaim shall be used in the manufacture of loom harness strapping.

D. Vee belts

1. Vee belts shall be manufactured in two grades only, as follows:

Grade of belt	Crude rubber maximum by volume of total belt	Total R. H. C. maximum by volume of total belt
No. 1.....	Percent 40	Percent 55
No. 2.....	Percent 1	Percent 50

NOTE 1: The crude rubber and R. H. C. is based on total volume of belt. In determining the belt volume the published nominal cross-sectional dimensions shall be used where these exist and mold cross-sectional dimensions shall be used in all other cases. The percentage calculations shall be based on the volume of net finished belt but manufacturing waste shall be included in the crude rubber and R. H. C. contents.

NOTE 2: All compounds shall be black only except cord treatments.

2. All belts of the following classifications shall be of Grade 2 quality only:

F. H. P.

Belts designed for replacement for passenger automobiles.

Belts designed for replacement for trucks under 1 1/2 tons.

Agricultural belts except those of C section and larger, double Vee and round belts of any section, designed for use for agricultural machinery. Farm tractor belts not included.

Household equipment belts.

III. Hose specifications

The tube, friction, layers, fillers and covers for each of the following types of hose shall be made from one of the grades of compounds listed in subdivision (c)-I-A or (c)-I-B of this revised List 1, the appropriate grade of compound to be used being that hereinbelow specified therefor opposite description or designation of such type.

Hose furnished to these specifications for hose shall be inspected and tested in accordance with A. S. T. M. Method D-380, latest revision.

A. COMMERCIAL TYPES

Type of product	Compound				Construction and/or service restrictions
	Tube	Friction	Layer or Filler	Cover	
Acid-Conducting and suction.	M-H	M-P	M-R	M-P	Tube 3/16 inch maximum; Cover, 3/16 inch maximum. Maximum wall: 1 3/64" on sizes under 3/8" I. D. 3/8" on sizes 3/8" and over.
Air brake: Truck and busses.	M-N	M-N		M-P	
Air-Curb.....	M-T	M-T		M-T	Maximum wall: 3/16 inch. Made only in 1/4" and 3/8" I. D. sizes.
Air and air tool: Industrial, grade 1.....	M-N	M-P		M-M	Maximum wall: 1 1/32" for sizes with 3/8" I. D. and smaller. 1 3/32" for sizes 3/4" I. D. to 1 1/2" I. D., inclusive. 1 1/2" for sizes 1 3/8" I. D. to 3", inclusive. 5/8" for sizes over 3" I. D. Service: Designed for use only for heavy duty service, in mines, quarries and outside construction, including shipyards where tools are oiled through the hose and abrasion on cover is severe.
Grade 2.....	M-Q-1	M-P		M-P	
Braided cover tubing.....	M-T				Maximum wall: 5/64" on sizes 3/8" I. D. and under 3/32" on sizes over 3/8" I. D.
Butane and propane.....	M-SB-9 or M-SN-9 or M-ST-6	M-SB-8 or M-SN-8 or M-ST-6		M-SB-8 or M-SN-8 or M-ST-6	Maximum wall: 7/16" on sizes 1" I. D. and under. 3/64" on sizes over 1" I. D.
Cable covering—Electric..	M-T	M-T		M-T	Maximum wall: 3/16".
Car heater.....	M-T	M-T		M-T	Maximum wall: 1 1/64".
Cement handling Cement gun, incl. grouting.	M-E	M-H	M-P	M-P	Tube: 3/16" maximum. Cover: 1/8" maximum.
Cement & material—dry..	M-E	M-N	M-P	M-P	Tube: 3/16" maximum for sizes 1" I. D. and under. 1/4" maximum for sizes over 1" I. D. Cover: 3/64" maximum all sizes. Not permitted for rock wool insulation.
Concrete placing.....	M-E	M-N	M-P	M-P	Tube: 1/2" maximum. Cover: 3/16" maximum.
Chemical.....	M-T	M-R		M-T	Maximum wall: 3/32" on sizes 3/4" I. D. and under. 1 1/32" on sizes over 3/4" I. D.
Coupling: Flexible.....	M-Q-1	M-R			Tube: 3/64" maximum.
Creamery (sanitary).....	M-Q-1	M-M		M-N	Tube: 3/64" maximum. Cover: 3/16" maximum. Service: For neat packing or food handling plants only.
Divers:					
Floating.....	M-A	M-H		M-A	Maximum wall: 5/16".
Sinking.....	M-N	M-N		M-M	Maximum wall: 5/16".
Dredging sleeves.....	M-H	M-N		M-P	Tube: 1/4" maximum. Cover: 3/64" maximum. Skim coat: Not permitted.
Expansion joints.....	M-A	M-E	M-M	M-M	Tube: 1/8" maximum for sizes 8" I. D. and under. 3/16" maximum for size over 8" I. D. Cover: 3/16" maximum all sizes. Service: Expansion joints are normally used in rigid line to absorb thrust or excessive motion or to isolate vibration and/or noise.
Fire extinguisher tubing...	M-T	M-T		M-T	Maximum wall: 3/16".
Flanged flexible pipe.....	M-E	M-N	M-P	M-P	Tube: 3/16" maximum for sizes 12" I. D. and under. 1/4" maximum sizes over 12". Cover: 3/64" maximum all sizes. Service: Rubber shall be used only in connection with metal lining. Synthetic rubber shall be used either with or without metal lining.
Fuel line, automotive, truck and bus.	M-K or M-SB-10 or M-SN-10				Maximum wall: 1 1/64" all sizes.
Fuel oil and gasoline (not service station pump hose).	M-N or M-SB-9 or M-SN-9 or M-ST-6	M-P or M-SB-9 or M-SN-9 or M-ST-6		M-N or M-SB-9 or M-SN-9 or M-ST-6	
Garden.....	M-T				Maximum wall: 5/32" (No cover permitted).
Grease—Low pressure non-industrial.	M-T	M-T		M-T	Maximum wall: 5/32".
Hydraulic brake.....	M-E	M-A		M-A	Maximum wall: 0.195 inch for 1/2" I. D., 0.230 inch for 3/8" I. D., 0. D.: To fill available 1 time couplings.
Hydraulic control and industrial grease—High pressure.	M-M or M-SB-9 or M-SN-9	M-M or M-SB-9 or M-SN-9		M-P or M-SB-9 or M-SN-9	

## A. COMMERCIAL TYPES—Continued

Type of product	Compound				Construction and/or service restrictions
	Tube	Friction	Layer or Filler	Cover	
Medium pressure.....	M-M or M-SB-9 or M-SN-9 M-M	M-M or M-SE-9 or M-SN-9		M-P or M-SB-9 or M-SN-9 M-P or M-SB-9 or M-SN-9 M-M	Maximum wall: $\frac{1}{4}$ " on sizes $\frac{3}{8}$ " I. D. and under. $\frac{3}{16}$ " on sizes over $\frac{3}{8}$ " I. D.
Low pressure.....	M-M or M-SB-9 or M-SN-9 M-N			M-P or M-SB-9 or M-SN-9 M-M	Maximum wall: $\frac{3}{8}$ " all sizes.
Jetting and hydraulic.....	M-H M-E	M-P		M-M	Maximum wall: $\frac{3}{16}$ " on sizes 4" I. D. and under. $\frac{1}{16}$ " on sizes over 4" I. D. Tube: $\frac{3}{16}$ " maximum. Cover: $\frac{3}{16}$ " maximum.
Arbor-Pipe forming.....	M-H	M-H		M-P	Tube: $\frac{3}{16}$ " maximum.
Phosphate flexible.....	M-E	M-H	M-P	M-P	Tube: $\frac{3}{16}$ " maximum. Cover: $\frac{3}{16}$ " maximum.
Oil suction and discharge (a) Rough bore.....	M-M	M-N	M-P	M-P	Tube: $\frac{3}{16}$ " maximum for sizes 4" I. D. and under. $\frac{3}{64}$ " maximum for sizes over 4" I. D. Lining or layer: $\frac{1}{16}$ " maximum. Cover: $\frac{3}{32}$ " maximum all sizes.
(b) Smooth bore.....	M-SB-9 or M-SN-9 or M-ST-6	M-SB-8 or M-SN-8 or M-ST-6	M-SB-8 or M-SN-8 or M-ST-6	M-SB-8 or M-SN-8 or M-ST-6	Tube: $\frac{3}{64}$ " maximum for sizes 4" I. D. and under. $\frac{3}{64}$ " maximum for sizes over 4" I. D. Lining or layer: $\frac{1}{16}$ " maximum. Cover: $\frac{3}{32}$ " maximum.
Pinch valve.....	M-E	M-N M-H	M-P	M-P M-E	Maximum wall: $\frac{1}{2}$ " on sizes 4" I. D. and under. $\frac{5}{8}$ " on sizes over 4" I. D.
Pump and windshield wiper tubing.....	M-T	M-T		M-T	Maximum wall: $\frac{3}{64}$ " on sizes $\frac{1}{2}$ " I. D. and under. $\frac{3}{32}$ " on sizes over $\frac{1}{2}$ " I. D.
Radiator.....	M-T	M-T		M-T	Maximum wall: $\frac{3}{16}$ ".
Rotary drilling.....	M-E	M-H	M-M	M-M	Tube: $\frac{5}{32}$ " maximum. Cover: $\frac{3}{32}$ " maximum.
Sand blast.....	M-E	M-N		M-P	Tube: Under 1"- $\frac{3}{16}$ " maximum, all other $\frac{1}{4}$ ". Cover: $\frac{3}{64}$ " maximum, all sizes. Cover: $\frac{3}{16}$ " maximum.
Shaft covering, flexible.....		M-T		M-T	
Spray—agricultural: High pressure.....	M-N	M-P		M-M	Maximum wall: $\frac{3}{16}$ " on sizes under $\frac{3}{4}$ " I. D. $\frac{1}{32}$ " on $\frac{3}{4}$ " I. D. $\frac{1}{32}$ " on 1" I. D. Service: Designed for working pressure in excess of 500 P. S. I. Maximum wall: $\frac{3}{32}$ ". O. D.: To fit existing and available paint spray couplings. Color: Cover may be brown or black.
Low pressure.....	M-T M-N or M-SB-9 or M-ST-6	M-T M-P or M-SB-9 or M-ST-6		M-T M-P or M-SB-9 or M-ST-6	
Spray—paint.....					
Steam: Grade 1.....	M-E	M-E		M-E	Tube: $\frac{3}{16}$ " maximum. Cover: $\frac{3}{16}$ " maximum. Service: Designed for saturated steam pressures from 100 to 200 p. s. i. or temperatures between 338 deg. and 388 deg. F.
Grade 2.....	M-H	M-E		M-P	Tube: $\frac{1}{8}$ " maximum for sizes 1" I. D. and under. $\frac{5}{32}$ " maximum for sizes over 1" I. D. Cover: $\frac{1}{8}$ " maximum. Service: Designed for saturated steam pressures from 40 to 100 p. s. i. or temperatures between 287 deg. and 338 deg. F.
Grade 3.....	M-Q-1	M-M		M-R	Tube: $\frac{3}{64}$ " maximum. Cover: $\frac{3}{64}$ " maximum. Service: Designed for saturated steam pressure up to 40 p. s. i. or temperatures up to 287 deg. F.
Suction: Fire engine hard.....	M-T	M-R	M-T	M-T	Tube: $\frac{5}{64}$ " maximum. Layer and Filler: $\frac{1}{16}$ " maximum. Cover: $\frac{1}{16}$ " maximum.
Fire engine soft.....	M-P	M-P		M-T	Tube: $\frac{1}{16}$ " maximum.
Hard rubber.....	M-R	M-R		M-T	Tube: $\frac{1}{8}$ " maximum on sizes 1" I. D. and under. $\frac{5}{32}$ " maximum on sizes over 1". Cover: $\frac{1}{32}$ " maximum.
Rotary slush pump.....	M-N	M-P	M-P	M-P	Tube: $\frac{5}{32}$ " maximum. Cover: $\frac{1}{16}$ " maximum.
Sand suction.....	M-E	M-H	M-P	M-P	Tube: Under 12"- $\frac{1}{4}$ " maximum, 12" to 24"- $\frac{3}{8}$ " maximum. All other— $\frac{3}{4}$ ". Cover: $\frac{1}{16}$ " maximum all sizes.
Water—Smooth bore.....	M-T	M-R	M-T	M-T	Tube: $\frac{1}{32}$ " maximum 3" I. D. and under. $\frac{3}{64}$ " maximum over 3" I. D. to 6" I. D. incl. $\frac{3}{32}$ " maximum over 6" I. D. Layer and filler: $\frac{1}{16}$ " maximum. Cover: $\frac{3}{64}$ " maximum 4 $\frac{1}{2}$ " I. D. and under. $\frac{1}{16}$ " maximum over 4 $\frac{1}{2}$ " I. D.



A. COMMERCIAL TYPES—Continued

Type of product	Compound				Construction and/or service restrictions
	Tube	Friction	Layer or Filler	Cover	
Tank car and tank truck.....	M-N or M-SB-9 or M-SN-9 or M-ST-6 M-Q-1	M-P or M-SB-9 or M-SN-9 or M-ST-6 M-N	-----	M-N or M-SB-8 or M-SN-8 or M-ST-6 M-Q-1	Maximum wall: 1½" on sizes under 2" I. D. 7/16" on sizes 2" I. D. to 4" I. D. 5/8" on sizes 4" I. D. and over.
Tender tank.....			M-Q-1		Tube: 5/64" maximum. Layer: 5/64" maximum. Cover: 1/16" maximum. Maximum wall: 1 5/64" on sizes under 3/2" I. D. 5/16" on sizes 3/2" I. D. and over.
Vacuum brake (truck and bus).	M-N	M-N	-----	M-P	
Vacuum:					
Household.....	M-T	M-T	-----		Tube: 1/2" maximum. No cover permitted.
Industrial.....	M-Q-1	M-N	-----	M-P	Tube: 1/16" maximum. Cover: 1/32" maximum.
Dust collector.....	M-E	M-P	M-P	M-P	Tube: 1/8" maximum. Cover: 3/64" maximum.
Dust blower or exhaust....	M-E	M-P	M-P	M-P	Tube: 3/64" maximum. Cover: 3/64" maximum.
Water-cold.....	M-T	M-T	-----	M-T	Maximum wall: 1/4" on sizes 1" and under. 5/16" on sizes over 1" to 1½" incl. 13/32" on sizes over 1½" to 4" incl. 1/2" on sizes over 4".
Welding.....	M-P	M-P	-----	M-P (Black) M-N (Red)	Maximum wall: 1/8" on sizes 3/16" I. D. and under. 3/16" on sizes over 3/16" I. D. Color: Cover may be red or black. Twin: Twin welding hose is permitted, provided the amount of crude rubber and R. H. C. used in the construction does not exceed that of two single lines of same size and strength.

B. Fire hose and mill hose

1. The following specifications (which, with respect to the use of Rubber, are identical with Federal Emergency Alternate Specifications E-ZZ-H-451a) shall apply to the manufacture of fire hose and mill hose.

2. Fire hose and mill hose shall be manufactured only in the following sizes and the maximum amount of Rubber per 100 feet for each size shall not be greater than the amount specified for each size as follows:

Nominal size:	Maximum amount of rubber permitted, per 100 feet
	Pounds
1½ inches.....	4
2½ inches.....	7
3 inches.....	8.5
3½ inches.....	10

3. The rubber lining shall be made either from calendered sheets of not less than three plies lap-jointed and vulcanized into one solid body, or from a single ply extruded tube. The lap joints of calendered tubes shall be as small as is consistent with best manufacturing practice.

4. The rubber lining shall be of a thickness not less than .04 of an inch at any point when measured on specimens

buffed just to the point where the fabric impressions left by the jacket are removed.

5. Each set of hose couplings shall be provided with three rubber gaskets of good quality. One gasket shall fit accurately the swivel of the couplings, and one (not less than 1/8 of an inch thick) shall be placed under the end of each expansion ring. When the coupling is made up snugly, as in service, the gasket in the swivel shall not be compressed to such an extent as to project beyond the inside surface of the coupling.

6. The hose shall have an internal diameter as shown by a tapered plug gauge of not less than the nominal size of the hose, except that in the case of 2½ inch hose, the internal diameter so measured shall not be less than 2 1/8 inches.

7. Unless otherwise specified, hose shall be furnished in lengths averaging not less than 50 feet, measured from back to back of couplings and under a pressure of 10 pounds per square inch. No length before sampling shall be less than 48 feet.

8. The hose with couplings attached shall meet the following hydrostatic proof pressure test requirements without leakage in the hose or at the couplings or breaking any threads in the jacket.

	Numerical requirements for—				
	Single jacket		Double jacket		
	1½ inch	2½ inch	1½ inch	2½ inch	3 and 3½ inch
Test pressure for initial requirements—pounds per square inch.....			10	10	10
Test pressure—pounds per square inch.....	300	300	400	400	400
Test pressure for kink test—pounds per square inch.....			350	350	250
Elongation at test pressure maximum %.....			8	8	8
Twist to right—maximum degrees per foot.....			29	12.5	12.5
Twist to left—maximum degrees per foot.....	0	0	0	0	0
Warp—maximum inches.....			20	20	20
Rise—maximum inches.....			0	0	0

The kink test may be required on only one sample per 100 lengths.  
 A twist to the right is indicated by a clock wise rotation of the coupling, looking from the hose toward the coupling.  
 A twist to the left is indicated by a counter clockwise rotation. A maximum twist to the left of 2 degrees per foot will be permitted while pressure is being raised, but any final twist must be to the right.  
 Warp is defined as deviation from a straight line.

9. A three foot sample, when subject to a burst test while lying straight, shall not burst below the pressure specified in the following table:

Kind of hose:	Burst pressure pounds per square inch
Single jacket .....	450
Double jacket.....	600

10. The hose shall meet the following tests with respect to the rubber lining:

- (i) Tensile strength of at least 800 pounds per square inch when tested across the fold.
- (ii) Ultimate elongation of at least 300%.
- (iii) Tensile strength, as determined with test pieces ½ inch wide prepared from strips cut transversely across the fold which have been subjected to the action of dry heat of 158 degrees + or - 2 degrees Fahrenheit for 96 hours, shall be not less than 75% of the strength before heating.

11. The adhesion of the rubber lining to the jacket shall be such that a weight of 8 pounds suspended from a strip 1½ inches wide will cause separation at a rate not greater than 1 inch per minute. This requirement does not prohibit that construction wherein there is no adhesion between the jacket and lining along the fold, provided the surface over which there is no adhesion is not greater than 35% of the total surface.

C. Railroad hose

The tube, cover, intermediate layer and friction for each of the classes of hose listed below shall be made from one of the grades of compounds listed in subdivision (c)-I-A of this revised List 1, the appropriate grade of compound for each part being that hereinbelow specified therefor opposite the description or designation of such class in Tables A, B, C and E of this subdivision III-C. The physical properties of the compounds and tests on the hose shall meet the minimum requirements specified.

1. Air brake and air signal hose.

TABLE A

	Grade	Minimum gauge	Minimum tensile P. S. I.	Minimum elongation	Adhesion in pounds
Tube.....	M-P	0.094	800	300%	12 between tube and duck.
Friction.....	M-N				15 between plies of duck.
Cover.....	M-M	.063	1,200	300%	12 between cover and duck.

(i) *Cotton reinforcement.* The reinforcement shall consist of not less than four plies of cotton duck cut on a bias of approximately 45 degrees and applied evenly and firmly with not less than ½" lap not sewed. The plies of duck shall be well frictioned on both sides with M-N grade compound which shall firmly join the plies to the rubber tube and cover and to each other.

(ii) *Rubber caps.* Each length of hose shall have a rubber cap firmly vulcanized on each end.

(iii) *Sampling.* For each lot of 300 or less lengths of each size of hose, one extra length shall be furnished for test.

(iv) *Hydrostatic test.* The 17-in. section of hose shall be subjected to a hydrostatic pressure of 200 lbs. per sq. in. applied at the rate of not less than 100 lb. per sq. in. in 6 seconds. The expansion in circumference at this pressure shall be not more than ¼ in. for airbrake or 1/16 in. for air-signal hose. The hose shall show no leaks or other defects. After the above test, the same section of hose shall be subjected to a hydrostatic pressure of 500 lb. per sq. in. maintained for 10 minutes without leaking, bursting or showing other defects; after which the pressure shall be increased until the hose bursts, which shall not occur at a pressure less than 700 lb. per sq. in.

(v) *Dimensions and tolerances.* The dimensions and tolerances of the hose shall be as follows:

	Length in inches	Outside diameter in inches	Inside diameter in inches	Thickness of end cap, in inches
Air-brake hose:				
Maximum.....	22½	2½	1¾	⅜
Minimum.....	22	2¼	1¾	⅜
Air-signal hose:				
Maximum.....	22½	1¾	1¾	⅜
Minimum.....	22	1½	1¾	⅜

(vi) *Label.* The label shall be in accordance with AAR Specifications EM-601-42.

2. *Tender tank hose.*

TABLE B

	Grade	Minimum gauge	Minimum tensile P. S. I.	Minimum elongation	Adhesion in pounds
Tube.....	M-Q-1	0.070	600	Percent 200	10 between tube and duck.
Friction.....	M-N				12 between plies of duck.
Intermediate.....	M-Q-1	.070			10 between int. layer and duck.
Cover.....	M-Q-1	.060	600	200	10 between cover and duck.

(i) *Cotton reinforcement.* The reinforcement shall consist of plies of cotton duck cut on a bias of approximately 45 degrees and applied evenly and firmly with not less than ½" lap not sewed. The plies of duck shall be well frictioned on both sides with M-N grade compound which shall firmly joint the plies to the rubber tube, cover, and intermediate layer and to each other. A distinct intermediate layer of rubber shall be readily visible when the finished hose is cut open. At each end of the hose there shall be an extra ply of duck under the cover and extending for 6 inches from the end of the hose.

(ii) *Helical wire reinforcement.* The helical reinforcement shall be of thoroughly galvanized or copperized spring steel wire No. 9 BWG (0.148 inch). It shall be wound with not over 1 inch pitch throughout the length of the hose up to a point distant 3½" from each end of the hose. At this point the wire shall be turned to a straight line parallel with the axis of the hose and shall extend to a point 1 inch from the ends of the hose.

(iii) *Intermediate rubber layer.* The intermediate layer of rubber shall be formed completely around the wire and bonded to the duck.

(iv) *Sampling.* For lots of 25 to 100 lengths, an 18 inch prolong shall be built on one length of hose. This prolong will then be cut off by the inspector for testing. For lots less than 25, no prolong shall be supplied.

(v) *Boiling water test.* Samples of the tube, removed from the hose and buffed to a uniform thickness shall be immersed in boiling water for a period of 8 hours. After removal and drying for 24 hours the type A test specimen shall be died from the immersed sample and tested. The tensile strength shall not be less than 50% of the original.

(vi) *Bend test.* A complete length of hose shall be bent 180 degrees until two ends are parallel. The diameter of the inside of the bend shall be equal to three times the nominal inside diameter of the hose. The hose when bent in this position shall show no kinking.

(vii) *Tolerance.* (1) The inside diameter may vary by not more than 1/32" either way from that specified.

(2) The outside diameter over soft ends of hose shall conform to the following table:

Nominal inside diameter in inches	Maximum in inches	Minimum in inches
2¼.....	3¼	3¼
2½.....	3½	3¾
3.....	4	3¾
3½.....	4½	4¾
4.....	5	4¾
4½.....	5½	5¾

(viii) *Label.* The label shall be in accordance with AAR Specification EM-601-42.

3. *Cold water hose.*

TABLE C

	Grade	Minimum gauge	Minimum tensile P. S. I.	Minimum elongation	Adhesion in pounds
Tube.....	M-T	0.050	400	Percent 150	5 sizes ¾" and under. 6 over ¾". 6 all sizes. 5 sizes ¾" and under. 6 over ¾".
Friction.....	M-T				
Cover.....	M-T	.047	850	200	

(i) *Cotton reinforcement.* The reinforcement shall consist of cotton duck for wrapped hose and braided fabric for braided hose. The plies of duck shall be well frictioned on both sides with M-T grade compound which shall firmly join the plies to the reclaim rubber tube and cover and to each other. The plies of braided fabric shall be separated by a friction layer of M-T grade compound which shall firmly join the plies to the reclaim rubber tube and cover and to each other.

(ii) *Sampling.* From each lot of 1000 feet or less of each size of hose, a three foot section shall be taken for test purposes.

(iii) *Hydrostatic test, dimensions, plies and tolerances.* The straight burst, the inside and outside diameters, minimum number of plies, shall be as specified in the following Table D.

TABLE D

Size, I. D.	Outside diameter, maximum	Minimum number of plies		Straight burst, minimum
		Wrapped	Braided	
1/2	1 5/16	3	2	600
3/4	1 3/4	3	2	600
1	1 7/8	4	2	500
1 1/4	1 7/8	4	3	500
1 1/2	2 3/8	4	3	450
2	2 3/4	4	3	450
2 1/2	3 5/16	5	3	450
3	3 5/16	5	3	450
3 1/2	4 5/16	5	3	350
4	4 5/16	5	3	300

NOTE: The inside diameter may vary either way from that specified by not more than 1/32" for sizes 3/4" and smaller, and by not more than 1/16" for larger sizes.

(iv) *Label.* The label shall be in accordance with AAR Specification EM-604-42.

(v) *Color.* All compounds shall be black.

#### 4. Air, gas and oxygen hose.

TABLE E

	Grade	Minimum gauge	Minimum tensile P. S. I.	Minimum elongation	Minimum adhesion in pounds
<b>Tube:</b>				Percent	
3/8" and under	M-P	.050	600	200	7
3/16" to 1" incl.	M-Q-1	.063	600	200	8
Over 1"	M-Q-1	.078	600	200	8
<b>Friction:</b>					
3/8" and under	M-P				7
Over 3/8"	M-P				10
<b>Cover:</b>					
3/8" and under	M-P (Black)	.020	700	250	5
3/8" and under	M-N (Red)	.020	700	250	5
Over 3/8"	M-P	.063	800	250	8

NOTE: 1/2" gas and oxygen hose, if required, shall conform to same specifications as 3/8" and under for tube, friction and cover.

(i) *Cotton reinforcement.* The reinforcement shall consist of cotton duck for wrapped hose and braided fabric for braided hose. The plies of duck shall be well frictioned on both sides with M-P grade of compound which shall firmly join the plies to the rubber tube and cover and to each other. The plies of braided fabric shall be separated by a friction layer of M-P grade compound which shall firmly join the plies to rubber tube and cover and to each other.

(ii) *Sampling.* From each lot of 1,000 feet or less of each size of hose, a three foot section shall be taken for test purposes.

(iii) *Hydrostatic test, dimensions, plies and tolerances.* The straight burst, the inside and outside diameters, minimum number of plies, and tolerances and dimensions shall be as specified in the following Table F.

TABLE F

Size, I. D.	Outside diameter, maximum	Minimum number of plies		Straight burst, minimum
		Wrapped	Braided	
1/4"	5/8	4	2	900
3/16"	1 1/16	4	2	700
3/8"	3/4	4	2	600
1/2" gas and oxygen	7/8	4	2	550
1 1/2"	1 1/16	4	3	800
3/4"	1 1/32	4	3	700
1"	1 1/16	4	3	700
1 1/4"	1 5/16	5	3	600
1 1/2"	2 1/16	6	3	550

NOTE 1: The inside diameter tolerance shall be plus or minus 3/32" on sizes 3/8" and under; plus or minus 1/32" on sizes 1/2" and 3/4", and plus or minus 1/16" on sizes over 3/4".

NOTE 2: The minimum O. D. on the 1/4", 3/8" and 3/8" sizes of gas and oxygen hose shall not be less than 1/16" under the maximum specified O. D.



(iv) *Label.* The label shall be in accordance with AAR Specification EM-603-42.

(v) *Color.* All compounds shall be black except the cover on hose for acetylene-hydrogen which shall be red.

IV. Packing specifications—commercial types

Packing of the following types shall be made from one of the grades of compounds listed in subdivision (c)-I-A of this revised List 1, the appropriate grades of compound to be used being that hereinbelow specified therefor opposite description or designation of such types.

Description	Grade	Non-fabric reinforced compound	Fabric-reinforced		Construction and/or service restrictions
			Face compound	Friction compound	
Standard rubber sheet, including cut or extruded strip, gaskets or packing rings, or molded packings not elsewhere defined.	1	M-M-2			(a) Designed for use against food-stuffs or chemicals where contamination or the importing of undesirable odors or taste is to be avoided. (b) Designed for use against saturated steam at pressures in excess of 50 P. S. I. (c) Shore hard 75 minimum. (d) Color may be red or black.
Packing known heretofore as Red or Black Sheet Packing.	2	M-S			Designed for service other than lists for Grade 1. Shore hard 75 minimum.
Soft rubber sheet, including cut or extruded strip gaskets, packing rings, or molded packings not elsewhere defined.	1 2 3	M-K M-N M-P-1			Soft rubber sheets in grades 1, 2, and 3 are to be used only in packing designed for services where a grade softer than standard rubber sheet is absolutely necessary. Grade 1—Shore hard 45-55. Grade 2—Shore hard 55-65. Grade 3—Shore hard 65-75.
Cloth insertion sheet, including cut strip or gaskets.			M-S	M-R	
Strip packing: Cloth inserted	1		M-S	M-R	Special packing designed for use only for bolted tanks.
Plain	2	M-P-1			
Diaphragm sheet including cut diaphragms Supersensitive.	1		M-B	M-E	Grades 1 and 2 designed for control diaphragm service. Color of Grade 1 may be black or amber.
Standard	2		M-N	M-N	Grade 1 shall be used only in packing designed for exceedingly flexible diaphragm not exceeding 1/2 in. in thickness.
Piston packing hydraulic known heretofore as white hydraulic.				M-K	No skim coat, cushion layer, or covers permitted.
Rod packing: Duck rubber slab construction, known heretofore as low pressure ring, low pressure spiral, or cross expansion packing.			M-P-1	M-P-1	Skim coat shall not exceed 0.010 in. Covers shall not exceed 0.016 in. Cushion layers (except skim) not permitted.

Description	Fabric reinforced friction compound	Core compound	Crude rubber by weight	Construction and/or service restrictions
Rod packing: Duck-rubber	M-P-1	M-S		No skim coat, or rubber cover permitted. Made with or without central rubber core. Round or square cross section.
Rolled				
Rod packing: Molded V	M-N			Skim coats permitted. Cushion layers and rubber covers not permitted.
Shape or lip				
Rod packing: Molded channel with metal core, known as semimetallic.	M-N			Skim coats permitted. Cushion layers and rubber covers not permitted.
Rod packing: Rubber bonded			5% maximum	Color: not specified.
Plastic				
Rod packing: Rubber bonded			2% maximum	Color: not specified.
Metal foil			13% maximum	Color: not specified.
Compressed asbestos sheet				A rubber cushion or core may be used.
Rubberized woven asbestos cloth or braid, including unmolded gaskets or rod packings prepared from same:				
Metallic		M-S	10% maximum (based on weight of fabric).	
Non-metallic		M-S	13% maximum (based on weight of fabric).	

NOTE: All compounds shall be black only except where otherwise specified.

V. Dam and lock gate seal specifications

The tread, cushion, friction and coat for dam and lock gate seals shall be made from one of the grades of compounds listed in subdivision (c)-I-A of

this revised List 1, the appropriate grade of compound to be used being that hereinbelow specified therefor opposite description or designation of each construction element in Table A of this subdivision V.

TABLE A

Construction element	Compound	Minimum tensile strength in pounds per square inch	Minimum elongation	Shore hardness	Minimum ply adhesion in pounds
Tread	M-N	1,500	Percent 350	69-70	
Cushion	M-B	2,000	700	35-47	
Friction and coat	M-H				16

VI. Hog scraper (beater) paddle specifications

Compounds for each of the grades of hog scraper paddles listed in Table A of this subdivision VI shall be made from one of the compounds listed in subdivision (c)-I-A of this revised List 1, the appropriate grade of compounds to be used for covers, friction and coats being that hereinbelow specified therefor opposite the description or designation of such class in such Table A.

TABLE A

Description	Cover compound	Friction compound	Coat or skim compound
Rubber covered	M-R	M-N	M-E
Friction surface		M-N	M-E

NOTE 1: The skim or coat shall not exceed .010 inch in thickness. Where skim coats are not used, a cushion layer of same quality as the skim may be used provided it does not exceed the combined gauges of the permissible skims.

NOTE 2: Maximum combined gauges of covers shall not exceed 3/16 inch.

NOTE 3: All compounds shall be black.

VII. Loom pickers

Compounds for each of the types of loom pickers shall be made from one of the grades of compounds listed in subdivision (c)-I-A of this revised List 1, the appropriate grade of compound to be used being that hereinbelow specified therefor opposite description or designation of such type:

Type product:	Compound
Loom pickers for cotton weaving	M-P-1.
Loom pickers for rayon weaving	M-K-1.
Reversible drop box pickers for cotton or rayon	M-K-1.

NOTE: The compound specified above shall be employed only as a friction for the fabric.

VIII. Milk and milking machine equipment specifications

Compounds for each of the following type of rubber parts for milk and milking machine equipment shall be made from one of the grades of compounds listed in subdivision (c)-I-A of this revised

List 1, the appropriate grade of compound to be used being that hereinbelow specified therefor opposite description or designation of such type.

Type product:	Compound
Milking inflations	M-A.
Milking tubing (single line)	M-H-1.
Milking tubing (twin line)	M-M-1.
Bottle filler rubbers	M-H-1.
Miscellaneous parts such as special gaskets, gland rings, bowl rings, etc.	M-K.

NOTE: All compounds, except milking inflations, shall be black.

IX. Pipe coupling ring specifications

Compounds for each of the grades of pipe coupling rings listed in Table A below shall be made from one of the grades of compounds listed in subdivisions (c)-I-A and (c)-I-B of this revised List 1, the appropriate grade of compound to be used being that hereinbelow specified therefor opposite the description or designation of such grade in Table A of this subdivision IX.

TABLE A

Grade	Compound	Service restriction
1	M-H	Designed for use only for coupling rubbers having an annular section compressed in application and afterward functioning with out other means of support, and for repair clamp gaskets.
2	M-N	All other rubber couplings not specifically covered under Grade 1.
3	M-SB-8 or M-SN-6.	All couplings made from synthetic.

NOTE: No crude rubber or synthetic rubber shall be used in the manufacture of pipe coupling rings designed for handling cold, clear water (i. e., water which is not artificially heated, and which is fresh, as distinguished from salt sea water or water contaminated by sewage or other impurities).

X. Press die pad specifications

Compounds for press die pads shall be made from one of the grades of compounds listed in subdivision (c)-I-A of this revised List 1, the appropriate grade of compound to be used being that hereinbelow specified therefor opposite description or designation.

Grade	Compound	Shore durometer
No. 1	M-A	Under 40.
No. 2	M-E	40 and over.

NOTE: In order to reverse the pad so that both sides can be used, pads shall not be manufactured with the rubber compound vulcanized to a steel plate.  
NOTE: All compounds shall be black.

XI. Printing rubber products specifications

Compounds for each of the types of printing rubber products shall be made from one of the grades of compounds listed in subdivisions (c)-I-A and (c)-I-B of this revised List 1, the appropriate grade of compound to be used being that hereinbelow specified therefor opposite the description or designation of such type.

Type product	Shore durometer	Compound
Printing plate gums.	46-55	M-M-1 or M-SB-8 or M-SN-7.
Printing plate gums.	55-65	M-J-1 or M-SB-9 or M-SN-8.
Printing plate gums.	66-90	M-Q-1 or M-SB-10 or M-SN-9.
Printing plate insert and backing fabrics.		M-R-1 or M-SB-8 or M-SN-8.
Offset blankets.		M-J-1 or M-SB-7 or M-SN-6.
Newspaper blankets.		M-L-1 or M-SB-8 or M-SN-7 or M-ST-5.
Cutting rubber.		M-J-1 or M-SB-7 or M-SN-6.
Printing rolls.		M-J-1 or M-SB-7 or M-SN-6.
Engraving rubber face stock.	30-55	M-M-1 or M-SB-8 or M-SN-7.
Engraving rubber face stock.	56-75	M-N-1 or M-SB-8 or M-SN-7.
Engraving rubber face stock.	76-90	M-P-1 or M-SB-9 or M-SN-8.
Engraving rubber friction.		M-Q-1 or M-SB-8 or M-SN-7.
Engraving rubber filler.		M-Q-1 or M-SB-10 or M-SN-9.
Box die gums.		M-N-1 or M-SB-7 or M-SN-6.

NOTE 1: In any combination of compounds, any one or group of compounds may be higher in crude rubber and R. H. C. volume than the designated compound grade provided the total volume of crude rubber and R. H. C. of all compounds is not in excess of that permitted.

NOTE 2: Any synthetic rubber, if available, may be substituted on a volumetric basis for a portion of the R. H. C.

NOTE 3: The thickness of face stocks on engraving rubber shall not exceed 3/16".

XII. Rubber lined tanks, drums and rubber protected industrial equipment specifications

Compounds for each of the following types of rubber lined tanks, drums and rubber protected industrial equipment shall be made from one of the grades of compounds listed in subdivision (c)-I-A of this revised List 1, the appropriate grade of compound to be used being that hereinbelow specified therefor opposite the description or designation of such type in Table A of this subdivision XII.

TABLE A

Type of equipment	Compound	Construction and/or service restrictions
Rubber lined drums and tanks (hard or soft rubber).	M-F.	3/8" maximum thickness designed for use for temperatures up to and including 150° F. 3/16" maximum thickness designed for use for temperatures in excess of 150° F.
Rubber lined pipes and fittings.	M-F.	3/8" maximum thickness in pipes up to and including 3" diameter, regardless of anticipated temperature; also in pipes over 3" in diameter designed for use where temperature is not in excess of 150° F. 3/16" maximum thickness for pipes over 3" in diameter designed for use where temperature is in excess of 150° F.

inbelow specified therefor opposite the description or designation of such grade in Table A of this subdivision XIV.

TABLE A

Type of product	Compound	Construction
Face pieces, respirators, goggles and accessories not elsewhere listed. Corrugated tubes. Flutter valve, valve mechanisms and valve assemblies.	M-K-1	
	M-L M-B	
Hose mask hose, as required by Bureau of Mines.	Friction	Cover
	M-N	M-P
		Maximum cover, .094 inch. I. D., 1 inch only. Maximum O. D., 1 1/8 inches.

[F. R. Doc. 42-6924; Filed, July 21, 1942; 11:26 a. m.]

PART 940—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[Amendment 10 to Supplementary Order M-15-b-1]

§ 940.5 (Supplementary Order M-15-b-1) is amended as follows:

1. By changing paragraph (b) (6) to read as follows:

(6) Rubber footwear, List 6.

2. By substituting the attached List 6 for List 6 now attached to such order.

This order shall take effect as of the date of its issuance.

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

Issued this 21st day of July 1942.

AMORY HOUGHTON,  
Director General for Operations.

LIST 6

(Revised effective July 21, 1942)

Specifications for the manufacture of rubber footwear

(1) All rubber footwear shall be manufactured in black color only.

(2) No crude rubber shall be used for label plasters.

(3) Production of civilian footwear shall be confined to the following items and the average amount of crude rubber per pair used in the manufacture of each item shall not be greater than the indicated maximum weight.

<sup>1</sup> See Amendment 9, *supra*.

Item	Average weight of crude rubber per pair maximum (in pounds)
Men's short boot (14" height, square top)	1.00
Men's 4-buckle cloth farm-weight arctic	.65
Men's 4-buckle cloth lightweight arctic	.55
Boys' 3-buckle cloth lightweight arctic	.45
Youths' 3-buckle cloth lightweight arctic	.40
Women's 2-snap gaiter (rubber)	.25
Misses' 2-snap gaiter (rubber)	.25
Child's 2-snap gaiter (rubber)	.20
Men's work rubber	.50
Men's dress rubber (soft back)	.30
Men's clog	.125
Boys' dress rubber (soft back)	.25
Youths' storm rubber	.25
Women's toe rubber	.10
Growing girls' storm and women's over (maximum 16/8 heel)	.20
Misses' storm rubber	.20
Child's storm rubber	.17

(4) Production of severe occupational footwear shall be confined to the following items and the average amount of crude rubber per pair used in the manufacture of each item shall not be greater than the indicated maximum weight.

Item	Average weight of crude rubber per pair maximum (in pounds)
Men's short boot (plain toe)	1.50
Men's short boot (steel toe)	1.57
Men's storm king boot (plain toe)	2.00
Men's storm king boot (steel toe)	2.07
Men's hip boot (plain toe)	2.30
Men's hip boot (steel toe)	2.37
Men's 15" lace mine pac (plain toe)	1.50
Men's 15" lace mine pac (steel toe)	1.57
Men's workshoe (plain toe)	.25
Men's workshoe (steel toe)	1.02

(5) Variations from the average weight of crude rubber per pair maximum for civilian and severe occupational footwear are permitted as follows:

Plus 10%  
Minus Unlimited

[F. R. Doc. 42-6925; Filed, July 21, 1942; 11:26 a. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Interpretation 1 of § 944.7 of Priorities Regulation 1 as Amended June 26, 1942]

The following interpretation is hereby issued with respect to paragraph (b) of § 944.7 of Priorities Regulation No. 1, as amended June 26, 1942.<sup>1</sup>

The provisions of § 944.7 (b) of Priorities Regulation No. 1, as amended, with respect to the sequence of deliveries bearing the same preference rating, are applicable only in cases where different deliveries bearing the same preference rating cannot be made on schedule. If material supply and available facilities permit deliveries bearing the same rating

<sup>1</sup> 6 F.R. 6681; 7 F.R. 4832.

NOTE 1: The lining of tank cars is to be in accordance with I. C. C. specifications.

NOTE 2: No crude rubber shall be used in the lining of tanks, pipe, and fittings for any operation connected with the plating of materials.

NOTE 3: No crude rubber shall be used in lining or covering tanks and drums, pipe and fittings, or any other items listed in Note 7 of this subdivision XII where designed for purely abrasive services where no corrosive liquids are present.

NOTE 4: No outside rubber covering shall be permitted extending more than a vertical distance of 2" below the outside top edge of any rubber lined tank or more than 2" from the outside edge of any rubber lined cover.

NOTE 5: Where oxidizing chemicals and chemicals having a solvent action on rubber are involved, an additional 3/16" thickness may be employed.

NOTE 6: Where closed vessels or tanks operating under a vacuum of 18" of mercury or more are involved, an additional thickness of 3/16" may be used.

NOTE 7: Rubber protected fume ducts, fans, racks, frames, trays, screens, hockets, pails, dippers, agitators, funnels and measures (for handling corrosive materials and explosives), pumps, blowers, exhaustor and pump lining, valves, and valve parts, miscellaneous rubber covered industrial equipment shall employ same restrictions and compounds as "Rubber lined tanks and drums."

NOTE 8: In no case shall the thickness of any rubber lining exceed 3/16".

XIII. Abrasive implements specifications

Crude rubber may be used in the manufacture of only rubber bonded implements designed for the types of work listed below. The appropriate grade of compound to be employed is that listed as M-M-2 in subdivision (c)-I-A of this revised List 1.

- Ball and roller race.
- Cut-off and thin slotting.
- Stainless welds.
- Heat sensitive and non-ferrous alloys.
- Centerless and control.
- Soft polishing and bonded cork.
- Rubber asbestos products.
- Shank mounted.
- Disc mounted tie gum.
- Weld grinding at bottom of slots.

XIV. Mine and industry safety parts specifications

Compounds for each of the mine and industry safety parts listed below shall be made from one of the grades of compounds listed in subdivision (c)-I-A of this revised List 1, the appropriate grade of compound to be used being that here-



to be made on schedule, Regulation No. 1 does not have any particular effect on the sequence of production for such deliveries. Where it is necessary to choose between deliveries bearing the same preference ratings, deliveries to the customers who first applied or extended the rating are to be preferred and, subject to the exceptions indicated in paragraphs (c) and (d) of § 944.7, production schedules must be adjusted accordingly.

For example, suppose one customer places in January an order rated A-1-a for August delivery and a second customer places in June an order bearing the same rating for July delivery. If both deliveries cannot be made on schedule, the second customer is not permitted to get the material away from the first customer, as he could under the regulation before the recent amendment. The producer must defer production on the second order to the extent necessary to make delivery on the first order on the August delivery date. If, on the other hand, both deliveries can be made on schedule, it is not necessary to produce or make delivery on the first customer's order ahead of that of the second.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th

Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 21st day of July 1942.

AMORY HOUGHTON,  
Director General for Operations.

[F. R. Doc. 42-6923; Filed, July 21, 1942; 11:26 a. m.]

**PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM**

[Amendment 1 to Schedule "A" Attached to Priorities Regulation 13]

Part III of Schedule "A" attached to Priorities Regulation No. 13 (§ 944.34) is hereby amended with respect to the provisions relating to "Rubber Yarn and Elastic Thread" as shown on the attached schedule. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

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AMORY HOUGHTON,  
Director General for Operations.

17 F.R. 5167.

placed on a knitting or other processing machine, braider or loom.

(2) The processing or use of any rubber yarn, latex yarn or elastic thread which, prior to March 29, 1942, had been removed from the vendor's container, wrapping, packing or "put-up" and placed on quills, cones, cops, spools, bobbins, tubes, beams or warps.

(3) The sale and delivery and the processing or use of any rubber yarn, latex yarn or elastic thread which, on March 29, 1942, was in a retail merchant's stock as such, or in the possession of any individual not ordinarily engaged in the business of selling, knitting, weaving, or otherwise using such yarn or thread.

(4) The processing or use by any person of any rubber yarn, latex yarn or elastic thread to be incorporated in products required to be delivered under orders placed with that person by, or contracts held by that person with:

- (i) The War Department of the United States,
- (ii) The Navy Department of the United States,
- (iii) The United States Maritime Commission,
- (iv) The United States Coast Guard, or
- (v) Any agency of the United States Government for materials, supplies, or equipment to be delivered to or for the account of, the Government of any country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act);

Provided, however, That such rubber yarn, latex yarn or elastic thread shall be only used to the minimum extent necessary to comply with the specifications of the prime contract involved.

(5) The processing or use by any person of any covered rubber yarn, covered latex yarn, or covered elastic thread, of a count of 61 or finer, in the manufacture of:

- (i) Industrial shoes, belting and flexible metallic hose.
- (ii) Repair cords and webs.
- (iii) Surgical elastic bandage.
- (iv) Surgical stockings.
- (v) Edging for baby pants.
- (vi) Trusses (including umbilical belts).
- (vii) Webbing for respirators, hose masks, gas masks and inhalators.
- (viii) Webbing for artificial limbs.
- (ix) Industrial goggles.
- (x) Supports for abdomen, back and breast, but only to the extent permitted pursuant to General Limitation Order L-90, as such order may be amended as of the date of such processing or use.
- (xi) Sanitary belts and men's athletic supporters, but only to the extent permitted pursuant to General Limitation Order L-137, as such order may be amended as of the date of such processing or use.

AMENDMENT NO. 1 TO SCHEDULE "A"

War material	Classes of buyers to whom special sales of war materials may be made in accordance with this schedule, subject to paragraph (d)(2) of this regulation					Remarks
	Producers as defined in this regulation		Reprocessors who are authorized to buy	Wholesale dealers in the material in the form held by holder	Scrap dealers who are authorized to buy	
	Producers who produce material in the form in which it was purchased by holder	Other producers permitted to buy for an authorized use				
(1)	(2)	(3)	(4)	(5)	(6)	(7)
Rubber yarn and elastic thread.	No.....	No.....	X.....	No.....	W.O.P.*..	Only when sold as scrap.*

Wherever an asterisk (\*) appears, refer to the note in the "Remarks" column.

[F. R. Doc. 42-6902; Filed, July 20, 1942; 12:04 p. m.]

**PART 1173—RUBBER YARN AND ELASTIC THREAD**

[Amendment 4 to Conservation Order M-124]

Section 1173.1 Conservation Order M-124 is hereby amended in the following respects:

Paragraph (b) is amended to read as follows:

(b) Except as provided in Priorities Regulation No. 13 and except as pro-

17 F.R. 2472, 2580, 3234, 3932.

vided in paragraph (d) below, no person shall sell or make delivery of or purchase, order or accept delivery of any rubber yarn, latex yarn or elastic thread.

Paragraph (d) is amended to read as follows:

(d) *Exceptions to restrictions.* The restrictions imposed by paragraphs (b) and (c) above shall not apply to:

(1) The processing or use of any rubber yarn, latex yarn or elastic thread which, prior to March 29, 1942, had been



(6) The sale and delivery of any rubber yarn, latex yarn, or elastic thread, by or to the Defense Supplies Corporation, or to any person designated by it to purchase, sell, deliver and accept delivery of such yarn or thread for its account.

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

Issued this 20th day of July, 1942.

AMORY HOUGHTON,  
Director General of Operations.

[F. R. Doc. 42-6901; Filed, July 20, 1942; 12:04 p. m.]

PART 1260—TIRE MACHINERY AND EQUIPMENT

[Amendment 1 to General Limitation Order L-143]

Section 1260.1 (*General Limitation Order L-143*)<sup>1</sup> is amended by substituting "30 days" for "15 days" appearing in paragraphs (b) (1) and (b) (2) thereof.

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

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AMORY HOUGHTON,  
Director General for Operations.

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Chapter XI—Office of Price Administration

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

[Amendment 22 to Revised Tire Rationing Regulations<sup>2</sup>]

TIRES AND TUBES, RETREADING AND RECAPPING OF TIRES, AND CAMELBACK

Section 1315.405 (f) (5) is amended to read as follows:

<sup>1</sup> 7 F.R. 5126.

<sup>2</sup> 7 F.R. 1027, 1089, 2106, 2167, 2541, 2633.

Tires and Tubes for Vehicles Eligible Under List A

§ 1315.405 Eligibility classification; List A. \* \* \*

(f) A truck operated exclusively for one or more of the purposes stated in the preceding sections or for one or more of the following purposes: \* \* \*

(5) Transportation of such raw materials, semimanufactured goods, and finished products, including foods and farm products, as are essential to the war effort or to the public health and safety. No certificate shall be issued under this subparagraph for a tire or tube to be mounted on a truck, other than a common carrier, used for transportation of commodities to the ultimate consumer for personal, family, or household use, or for transportation to any person of alcoholic beverages, soft drinks and similar beverages, tobacco products, confections, candy, flowers, toys, novelties, jewelry, furs, radios, phonographs, musical instruments, or any luxury goods, or for furnishing transportation for incidental maintenance service (including the cleaning of office buildings or similar activities), or for the purpose of repairing any portable household effects, or for the purpose of providing materials or service solely for landscaping or beautification of any construction project or other establishment, except as such transportation or deliveries can be made in conjunction with and incidental to the transportation of commodities or services recognized as eligible herein without diverting the truck from its normal route or schedule. Certificates may be issued under this subparagraph for tires or tubes to equip a truck used to deliver newspapers, periodicals and books, at wholesale only.

§ 1315.1199a Effective dates of amendments. \* \* \*

(v) Amendment No. 22 (§ 1315.405) to Revised Tire Rationing Regulations shall become effective July 28, 1942.

(Pub. Law 421, 77th Cong., Jan. 30, 1942, O.P.M. Supp. Order No. M-15c, W.P.B. Directive No. 1, Supp. Directive No. 1B, 6 F.R. 6792; 7 F.R. 121, 350, 434, 473, 562, 925, 1009, 1026)

Issued this 20th day of July 1942.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 42-6908; Filed, July 20, 1942; 5:12 p. m.]

PART 1351—FOODS AND FOOD PRODUCTS [Amendment 6 to Revised Price Schedule 53<sup>1</sup>]

FATS AND OILS

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

A new subparagraph (10) is added to paragraph (b) of § 1351.151, and a new § 1351.156a is added, as set forth below:

§ 1351.151 Maximum prices for fats and oils. \* \* \*

(b) \* \* \*

(10) On and after July 25, 1942, subparagraphs (1) to (5), both inclusive, and subparagraph (7) of this paragraph (b) shall have no application to the following fats and oils and the maximum prices thereof shall be the following prices:

(i) Imported vegetable oils, bulk—c. i. f. New York, in cents per pound, as follows:

Coconut oil:	
Crude, Manila.....	8.35
Crude, Manila, San Francisco.....	8.00
Cochin type.....	9.35
Cochin type, San Francisco.....	9.00
Refined Edible, f. o. b., New York, ex tax.....	9.85
Refined Edible, f. o. b., San Francisco, ex tax.....	9.50
Palm oil—African:	
Soft, basis 12% f. f. a.....	8.25
Semi, basis 35% f. f. a.....	8.25
Niger, or hard, basis over 45% f. f. a.....	8.25
Congo Plantation, basis 10% f. f. a.....	8.32
Malayan and Sumatra, basis 5% f. f. a.....	8.50
Palm kernel oil, crude.....	8.35
Rapeseed oil, denatured.....	11.50
Teaseed oil, crude, in drums.....	30.00

(a) The usual or normal differentials for grades above or below these prices for basic grades shall continue to apply.

(b) The usual or normal differentials for type of container shall continue to apply.

(c) The usual or normal differentials, above or below these prices, shall continue to apply for all other shipping points.

(d) Duties, processing taxes and excise taxes may be added to the above c. i. f. prices, and to the prices of refined edible coconut oil.

<sup>1</sup> 7 F.R. 1309, 1836, 2132, 3430, 3821, 4229, 4294, 4484.

(ii) *Imported vegetable oils, tank-cars—f. o. b. New York, duties and taxes paid, in cents per pound, as follows:*

Andiroba, drums, carlots.....	11.00
Babassu oil.....	11.10
Castor oil:	
No. 1.....	13.05
No. 3.....	12.75
Dehydrated, bodied.....	17.85
Cohune oil.....	11.10
Muru-muru oil.....	14.03
Oiticica oil:	
Commercial grade, liquid.....	25.00
Condensed, drums, carlots.....	23.00
Ouricuri oil.....	11.10
Pataua oil.....	40.00
Perilla oil, crude.....	24.50
Sesame oil.....	14.30
Sunflower seed oil, semi-refined.....	14.30
Tucum oil.....	12.68
Tung oil (Chinawood oil), drums, carlots.....	39.00
Ucuhuba crude vegetable tallow, barrels or drums, carlots.....	8.75

(a) The usual or normal differentials for grades above or below these prices for basic grades shall continue to apply.

(b) The usual or normal differentials for type of container shall continue to apply.

(c) The usual or normal differentials, above or below these prices, shall continue to apply for all other shipping points.

(iii) *Tallows and greases—f. o. b. producer's plant, tankcars, unless otherwise specified, as follows:*

	Titre, minimum	F. F. A. basis	M. I. U. basis (percent)	F. A. C., maximum	Cents per pound
NEW YORK					
Edible.....	41.5	1	1	5	97½
Fancy.....	41.5	4	1	7	87½
Choice.....	41	5	1	11	84
Extra.....	40.5	6	1	13	83½
Special.....	40.5	12	1	21	81½
#1 tallow.....	40.5	15	2	39	83½
No. 1 pig skin.....	34	2	1	9	9
Choice white.....	37	5	1	11	87½
A white.....	37	10	1	15	84
B white.....	36	10	2	19	81½
Yellow.....	36	15	2	37	83½
House.....	39	20	2	39	84
Brown.....	39	40	2	45	79½
Brown, drums.....	39	40	2	45	79½
Fleshing #1.....	37	10	2	15	81½
Fleshing #2.....	37	45	3	45	79½
CHICAGO					
Edible.....	41.5	1	1	5	97½
Choice.....	41	5	1	11	84
Prime packers.....	41	4	1	11	84
Special.....	40.5	10	1	19	81½
#1 tallow.....	40.5	12	2	21	83½
#3 tallow.....	40.5	20	2	37	84
#2 tallow.....	40	35	2	45	81½
Renderer's prime.....	40.5	6	1	13	85½
No. 1 pig skin.....	34	2	1	9	9
Choice white.....	37	5	1	11	87½
A white.....	37	10	1	15	84
B white.....	36	10	2	19	81½
Yellow.....	36	15	2	37	83½
Yellow country, drums.....	37	20	2	39	84
Brown.....	39	40	2	45	79½
Brown, drums.....	39	40	2	45	79½

	Titre, minimum	F. F. A. basis	M. I. U. basis (percent)	F. A. C., maximum	Cents per pound
CALIFORNIA					
Fancy.....	41.5	4	1	7	87½
Choice.....	41	5	1	11	84
Prime.....	40.5	6	1	13	83½
Special.....	37	12	2	21	81½
Yellow.....	39	20	2	39	84
Dark brown.....	39	40	2	45	79½
Dark brown, drums.....	39	40	2	45	79½

(a) Grades other than those listed above shall take their customary premium or discounts from the nearest grade described.

(b) The usual or normal differentials for type of container shall continue to apply.

(c) The maximum landed prices, with duties and taxes paid, of imported tallows and greases shall be the maximum tank-car prices of the nearest domestic grade at point of entry.

(d) Bleaching qualities do not change classifications.

(iv) *Marine animal oils—tank cars, f. o. b. American ports, all duties and taxes paid, in cents per pound, as follows:*

Whale oil, crude, No. 1.....	11.25
Sperm oil, crude, No. 1.....	7.75
Seal oil, No. 1.....	8.90
Menhaden, crude, f. o. b. producer's plant, Atlantic coast.....	8.90
Sardine oil, crude, f. o. b. producer's plant, Pacific coast.....	8.90
Sardine oil, hydrogenated 52, f. o. b. producer's plant, Pacific coast.....	10.90
Herring oil, crude, f. o. b. Seattle.....	8.90

(a) The usual or normal differentials for grades, above or below those listed, shall continue to apply.

(b) The usual or normal differentials for type of container shall continue to apply.

(c) No marine animal oil shall be sold at a premium because of its vitamin content, unless such oil is purchased for use because of its vitamin content and contains more than 75 vitamin D units per gram. If purchased for its vitamin content, it may command the usual and normal premium for such vitamin oil, which it commanded on October 1, or November 26, 1941: *Provided*, That this schedule shall not apply to any vitamin oil for which a maximum price has been or may be established by a Maximum Price Regulation.

§ 1351.156a *Application for adjustment.* Any person who has entered into or proposes to enter into a contract with the United States or any agency thereof, or a subcontract under such contract, who believes that a maximum price established by Revised Price Schedule No. 53 impedes or threatens to impede production of a commodity covered by

this schedule which is essential to the war program and which is or will be the subject of such contract or subcontract, may file an application for adjustment of the maximum prices established by this schedule, in accordance with procedural regulations which will be issued by the Office of Price Administration. Upon the filing of an application for adjustment and pending the issuance of an order granting or denying such applications, contracts or subcontracts may be entered into, or offered to be entered into, and deliveries may be made, at the price requested in such application: *Provided*, That final settlement shall be made in accordance with the order and, if required, refunds shall be made.

§ 1351.159 *Effective dates of amendments.* \* \* \*

(f) Amendment No. 6 to Revised Price Schedule No. 53 shall become effective as follows:

- (1) As to § 1351.151 (b) (10) (i), (ii) and (iv), and § 1351.156a July 25, 1942;
- (2) As to § 1351.151 (b) (10) (iii) August 1, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 20th day of July 1942.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 42-6907; Filed, July 20, 1942; 5:10 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Supp. 1 to Ration Order 5A]

GASOLINE RATIONING REGULATIONS

§ 1394.2001 *Designation of unit value in gallons of gasoline.* (a) The value of the unit represented by coupons in A, B, C, D, E, R, S-1 and S-2 ration books is hereby designated and fixed as follows:

- (1) Four (4) gallons of gasoline, with respect to A, B and C book coupons;
- (2) One and five-tenths (1.5) gallons of gasoline, with respect to D book coupons;
- (3) One (1) gallon of gasoline, with respect to E book coupons, and five (5) gallons of gasoline, with respect to R book coupons;
- (4) Five (5) gallons of gasoline, with respect to S-1 or S-2 book coupons.

(b) This Supplement No. 1 (§ 1394.2001) shall become effective July 22, 1942, and shall continue in force and effect until amended by further order or direction of the Office of Price Administration (Pub. Law 421, 77th Cong., W. P. B. Directive No. 1, Supp. Dir. No. 1-H).

Issued this 20th day of July 1942.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 42-6905; Filed, July 20, 1942; 5:11 p. m.]

**PART 1499—COMMODITIES AND SERVICES**

[General Maximum Price Regulation—Amendment 16 to Supplementary Regulation 1<sup>1</sup>]

**EXCEPTIONS TO GENERAL MAXIMUM PRICE REGULATION**

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

In § 1499.26 (a) subparagraph (2) is amended to read as set forth below and subparagraph (7) is revoked:

§ 1499.26 *Exceptions for certain commodities, certain sales and deliveries.* (a) General Maximum Price Regulation shall not apply to any sale or delivery of the following commodities: \* \* \*

(2) All zinc scrap materials, except those covered by Revised Price Schedule No. 3,<sup>2</sup> including, but not limited to, zinc skimmings, zinc ashes, sal skimmings, and flue dust; all lead scrap materials, except those covered by Revised Price Schedule No. 70,<sup>3</sup> including, but not limited to, lead drosses, lead slags, lead ashes, and lead sludges; residues of tin, solder, babbitt, and type metal including, but not limited to drosses, scruffs, acidic drosses, fumes, sludges, and slags; and antimony residues, slags, skimmings, and drosses.

(e) Effective dates. \* \* \*

(17) Amendment No. 16 (§ 1499.26 (a) (2) and (7) to Supplementary Regulation No. 1 shall become effective July 25, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 20th day of July, 1942.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 42-6904; Filed, July 20, 1942; 5:12 p. m.]

**PART 1499—COMMODITIES AND SERVICES**

[General Maximum Price Regulation—Amendment 4 to Supplementary Regulation 2<sup>1</sup>]

**POSTPONEMENT OF EFFECTIVE DATES**

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

Subparagraphs (4) and (5) in § 1499.27 (a) are hereby revoked.

§ 1499.27 *Postponement of effective dates.* \* \* \*

(d) Effective dates. \* \* \*

<sup>1</sup> 7 F.R. 3158, 3488, 3892.

<sup>2</sup> 7 F.R. 1205, 1836, 2132.

<sup>3</sup> 7 F.R. 1341, 1836, 2000, 2132, 2188, 2542.

<sup>4</sup> 7 F.R. 3153, 3330, 3660, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5192, 5276.

<sup>5</sup> 7 F.R. 3489, 3751, 3782, 3904.

(3) Amendment No. 4 (§ 1499.27 (a) (4) and (5)) to Supplementary Regulation No. 2 shall become effective July 23, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 20th day of July 1942.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 42-6910; Filed, July 20, 1942; 5:13 p. m.]

**PART 1340—FUEL**

[Amendment 10 to Maximum Price Regulation 120<sup>1</sup>]

**BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT PRICES IN DISTRICT 14**

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

In § 1340.225, immediately succeeding the table in paragraph (b) (1) thereof, a new subdivision (i) is added to read as set forth below:

§ 1340.225 *Appendix N: Maximum prices for bituminous coal produced in District No. 14.* \* \* \*

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

(i) *Special price instructions.* (a) On and after May 18, 1942, the maximum price for Size Group 16 coal made by crushing Size Group 8 coal produced from the Boyd Excelsior Mine (Mine Index No. 13) of the Boyd Excelsior Operating Company and purchased for use in producing metal by combining such coal with ore, shall be \$4.75 per net ton.

§ 1340.211a *Effective dates of amendments.* \* \* \*

(k) Amendment No. 10 to Maximum Price Regulation No. 120 shall become effective July 21, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 20th day of July 1942.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 42-6909; Filed, July 20, 1942; 5:17 p. m.]

**PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS**

[Ration Order 5 B]

**GASOLINE RATIONING REGULATIONS FOR PUERTO RICO**

Pursuant to the authority vested in me by Directive No. 1 of the War Pro-

<sup>1</sup> 7 F.R. 3168, 3447, 8901, 4336, 3432, 4404.

duction Board, issued January 24, 1942, and by Supplementary Directive No. 1 J, issued June 30, 1942,

It is hereby ordered, That:

**AUTHORITY:** §§ 1394.2101 to 1394.3062, inclusive, issued under Pub. Law 671, 76th Cong., as amended by Pub. Law 89, 77th Cong., and by Pub. Law 507, 77th Cong., Pub. Law No. 421, 77th Cong., W. P. B. Directive No. 1, Supp. Dir. No. 1 J, 7 F.R. 562.

**DEFINITIONS**

§ 1394.2101 *Definitions.* (a) When used in Ration Order No. 5 B:

(1) "Board" means a War Price and Rationing Board established by the Office of Price Administration.

(2) "Bulk coupon" means any gasoline ration coupon on the face of which the word "bulk" has been printed by authority of the Office of Price Administration.

(3) "Bulk transfer" means any transfer of gasoline other than into the fuel tank of a licensed motor vehicle.

(4) "Bus" means any motor vehicle, other than a station wagon or suburban carryall, built or re-built primarily for the purpose of carrying passengers, licensed by the Department of Interior of the Insular Government of Puerto Rico to carry passengers for hire, and having a rated seating capacity of eight or more persons.

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

(6) "Dealer" means any person who operates a service station, filling station, garage, store, pump, or other place of business at which gasoline is regularly transferred directly to consumers. The term also includes any person operating a tank truck or tank wagon for transfer of gasoline directly to consumers, who does not also maintain stationary gasoline storage tanks.

(7) "Evidence" means a token which, under the provisions of Ration Order No. 5 B, represents a right to receive a transfer of gasoline.

(8) "Fleet", when the term is used in connection with a motor vehicle (whether a passenger automobile, motorcycle, truck or bus), indicates that such vehicle is one of four or more vehicles of such type, owned or leased by and operated by the same person and used principally in connection with the same occupation or related occupations.

(9) "Gasoline" means any liquid fuel, used for the propulsion of motor vehicles, aircraft, or boats by means of internal combustion engines, except liquid fuel with an octane rating of 86 or more, and except Diesel fuel, kerosene, benzene, benzol, and naphtha.

(10) "Heavy truck" means a truck duly licensed as a heavy or a heavy-public truck by the Department of Interior of the Insular Government of Puerto



Rico, or a truck not required to be so licensed which has a rated capacity of more than one ton.

(11) "Inboard motorboat" means any self-propelled water craft the motive power for which is furnished by a gasoline-operated internal combustion engine other than an outboard motor.

(12) "Intermediate distributor" means any commission agent or area representative of an oil company regularly engaged in the business of actually transferring gasoline for resale.

(13) "Inventory coupon" means a one-gallon or 100-gallon coupon issued by a Board to represent unfilled storage capacity of a dealer or intermediate distributor, or for such other purpose as may be provided in Ration Order No. 5 B.

(14) "Island of Puerto Rico" means the main island of that name and all the adjacent islands belonging to the United States, including Vieques, Cibra, Culebra, Mona, Caja de Muerto, and Santiago.

(15) "Light truck" means a truck duly licensed as a commercial or a commercial-public truck by the Department of Interior of the Insular Government of Puerto Rico, or a truck not required to be so licensed which has a rated capacity of one ton or less.

(16) "Motorcycle" means any motor vehicle designed for operation on three wheels or less, but does not include tractors.

(17) "Motor vehicle" means any rubber-borne, self-propelled conveyance the motive power for which is furnished by a gasoline-operated internal combustion engine.

(18) "Motor vehicle dealer" means any person regularly engaged in the business of selling or reselling motor vehicles and includes persons engaged in selling repossessed motor vehicles.

(19) "Motor vehicle rental agency" means any person engaged in the business of leasing motor vehicles to others, and "boat rental agency" means any person engaged in the business of leasing inboard motor boats or outboard motor boats to others.

(20) "Non-highway use" means any use of gasoline other than for the propulsion of a licensed motor vehicle or of a motor vehicle held by a motor vehicle dealer for sale or resale or of a motor vehicle operated on dealer license plates.

(21) "Occupation" means business, gainful work, or any work regularly performed by a person which contributes to the war effort or to the public welfare, and includes the pursuit of a regular and recognized course of study.

(22) "Occupational mileage" means mileage driven by a person in carrying on his occupation or to and from a place where such occupation is carried on by him.

(23) "Oil company" means any person who imports gasoline into Puerto Rico.

(24) "Passenger automobile" means any motor vehicle other than a motorcycle, built primarily for the purpose of transporting passengers and having a rated seating capacity of seven or less; and also includes station wagons and

suburban carryalls, irrespective of seating capacity.

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

(26) "Public car," or "Público," means any passenger motor vehicle licensed by the Department of Interior of the Insular Government of Puerto Rico as a public car authorized to carry passengers for hire.

(27) "Ration," as the context requires, means either a right to acquire and use gasoline, evidenced by coupons issued by a Board on the basis of an application, or the amount of gasoline acquired in exchange for such coupons.

(28) "Ration book" means any gasoline coupon book issued pursuant to Ration Order No. 5 B.

(29) "Licensed," as applied to a motor vehicle, means that such motor vehicle is duly licensed for operation on public roads or highways by the appropriate agency of the Federal Government of the United States, the Insular Government of Puerto Rico, the government of a state of the United States, or any territorial or foreign government.

(30) "Transfer" means to sell, give, exchange, lease, lend, deliver, supply, or furnish and includes the acquisition of title by will, inheritance, foreclosure or legal process; it also includes the use by any dealer or intermediate distributor, of any gasoline held for transfer; but does not include the creation of a security interest or security title involving no change of possession. Delivery to a carrier for shipment, or by a carrier in completion of a shipment, shall not be deemed to be a transfer to or by such carrier.

(31) "Transfer," as applied to a place of business, means any change from one person to another of the right to occupation of the premises and the right to possession and disposal of any gasoline stocks on hand, whether or not the transferor continues on the premises in another capacity. The term shall include, but not by way of limitation, a sale, lease, change in tenancy, inheritance, devise, eviction, foreclosure, or occupation by an executor, administrator, receiver, or trustee in bankruptcy, but not a mortgage or other security transfer unaccompanied by a change in the right to present possession.

(32) "Truck" means any motor vehicle, other than a motorcycle, built or re-built primarily for the purpose of transporting or hauling property or equipment.

(33) "Vehicle available for public rental" means any registered motor vehicle leased from or held for rental by a motor vehicle rental agency, but does not include a public car.

(b) Where the context so requires, words in the singular shall include the plural, words in the plural shall include the singular, and the masculine gender shall denote the feminine and neuter.

#### SCOPE OF RATION ORDER NO. 5 B

§ 1394.2151 *Territorial limitations.* Ration Order No. 5 B shall apply to the Island of Puerto Rico.

§ 1394.2152 *Scope of restrictions.* (a) Nothing in Ration Order No. 5 B shall be construed to limit the quantity of gasoline which may be required by the Army, Navy, Marine Corps, Coast Guard, the United States Maritime Commission, the Panama Canal, the Coast and Geodetic Survey, the Civil Aeronautics Authority (the National Advisory Commission for Aeronautics, and the Office of Scientific Research and Development.

#### ADMINISTRATION AND PERSONNEL

§ 1394.2201 *Personnel.* (a) Ration Order No. 5 B shall be administered by the Office of Price Administration through War Price and Rationing Boards in Puerto Rico and such other administrative personnel as it may designate.

(b) The persons referred to in paragraph (a) of this section may be assisted during the registration period by the Commissioner of Education of Puerto Rico, the city and town principals and superintendents of schools, and by the school teachers or other persons who may be appointed to act as registrars. The registrars, including the head registrars, if a head registrar is needed at the school registration site, shall be appointed jointly by the War Price and Rationing Board and the school superintendent, or if there is no superintendent, by the school principal, of the city, town, or area in which the registration is to be held. The persons mentioned in this paragraph shall serve without compensation and shall be under the supervision of the persons who appointed them.

(c) No person participating in the administration of Ration Order No. 5 B shall act officially in connection with any matter arising hereunder as to which he has any interest, by reason of business connection or relationship by blood or marriage.

§ 1394.2202 *Jurisdiction of Boards.* For the purpose of Ration Order No. 5 B, a Board shall have jurisdiction over:

(a) The issuance of Basic rations: *Provided*, That on July 22, 1942 and July 23, 1942 basic rations shall be issued only by registrars in accordance with § 1394.2253.

(b) The issuance of rations other than basic rations for motor vehicles customarily garaged or stationed in the area which the Board is designated to serve: *Provided*, That rations for fleet vehicles may be issued by the Board having jurisdiction over the area in which an office is maintained for directing the operations of such vehicles or by the Board upon which jurisdiction over such vehicles may be conferred by specific order of the Director of the Office of Price Administration for Puerto Rico.

(c) The issuance of non-highway rations:

(i) For inboard motorboats, outboard motors or non-highway vehicles customarily kept or stationed in the area which the Board is designated to serve.

(ii) For machinery or equipment located in the area which the Board is designated to serve.

(iii) For other non-highway use.

(d) The issuance of a ration to any person who shows good cause for failure



to make application to the Board having jurisdiction pursuant to the provisions of paragraph (a), (b), or (c) of this section. Any person applying for a ration for a motor vehicle pursuant to this paragraph shall furnish the Board with the address of the place (if any) where such vehicle is customarily garaged or stationed.

(e) The issuance of a ration for use with any motor vehicle, inboard motorboat, or outboard motor which is customarily garaged, stationed or kept outside of Puerto Rico.

§ 1394.2203 *Action on applications.* The Board shall render its decision on an application for a ration within ten (10) days after the date of such application. In any case of apparent emergency, such decision shall be made within forty-eight (48) hours, if possible. The Board shall promptly notify the applicant of its decision.

§ 1394.2204 *Records of applications.* (a) All applications for basic rations submitted at a school registration site shall, at the end of the registration period, be forwarded to the Board having jurisdiction over the area in which such registration site is located.

(b) Except as provided in paragraph (c) of this section, each Board shall maintain a file of all applications for gasoline rations passed upon or received by it from any other Board or from any school registration site.

(c) A Board, after passing upon an application for a service ration made in duplicate on Form OPA PRR-3 pursuant to § 1394.2404 (a), shall send the duplicate copy of such application to the Director of the Office of Price Administration for Puerto Rico.

(d) A Board, after passing upon an application for a ration for use with a motor vehicle, made before it pursuant to § 1394.2202 (d), shall forward such application to the Board having jurisdiction under paragraph (a), (b), or (c) of that section.

**BASIC RATIONS**

§ 1394.2251 *Persons entitled to basic rations.* (a) The owner or the person entitled to the use of a licensed passenger automobile or a licensed motorcycle may obtain during the period from July 23, 1942 to January 31, 1943 a basic ration for use with such vehicle, except that no basic ration shall be issued for use with a passenger automobile or motorcycle which is:

- (a) A public car, taxi, or vehicle available for public rental;
- (b) Owned or leased by a Federal, Insular, municipal, or foreign government or government agency;
- (c) Specially built or re-built as an ambulance or hearse;
- (d) Part of a fleet of passenger automobiles or motorcycles; or
- (e) Held by a motor vehicle dealer for sale or resale.

§ 1394.2252 *Basic ration books.* Class A coupon books and Class D coupon books marked "basic" shall be issued as

basic rations. Class A books shall be issued for passenger automobiles and Class D books, for motorcycles. Each basic ration book shall contain forty-

eight (48) coupons. Coupons contained in Class A books shall be valid for the transfer of gasoline to a consumer only during the periods indicated below.

The first, or outer, four coupons of page—	Valid period
1, containing coupons numbered 1.....	Aug. 1, 1942, to Aug. 15, 1942, inclusive.
2, containing coupons numbered 2.....	Sept. 1, 1942, to Sept. 15, 1942, inclusive.
3, containing coupons numbered 3.....	Oct. 1, 1942, to Oct. 15, 1942, inclusive.
4, containing coupons numbered 4.....	Nov. 1, 1942, to Nov. 15, 1942, inclusive.
5, containing coupons numbered 5.....	Dec. 1, 1942, to Dec. 15, 1942, inclusive.
6, containing coupons numbered 6.....	Jan. 1, 1943, to Jan. 15, 1943, inclusive.
The second, or inner, four coupons of page—	
1, containing coupons numbered 1.....	Aug. 16, 1942, to Aug. 31, 1942, inclusive.
2, containing coupons numbered 2.....	Sept. 16, 1942, to Sept. 30, 1942, inclusive.
3, containing coupons numbered 3.....	Oct. 16, 1942, to Oct. 31, 1942, inclusive.
4, containing coupons numbered 4.....	Nov. 16, 1942, to Nov. 30, 1942, inclusive.
5, containing coupons numbered 5.....	Dec. 16, 1942, to Dec. 31, 1942, inclusive.
6, containing coupons numbered 6.....	Jan. 16, 1943, to Jan. 31, 1943, inclusive.

Coupons in basic Class D books shall be valid for transfer of gasoline to a consumer at any time during the period from August 1, 1942 to January 31, 1943, inclusive.

§ 1394.2253 *Application for and issuance of basic ration books.* (a) Application for a basic ration book shall be made on Form OPA PRR-1, by the owner or the person entitled to the use of the vehicle or by the authorized agent of either. On July 22, 1942 and July 23, 1942, application shall be made at any designated school registration site. Thereafter application shall be made to a Board: *Provided*, That except for good cause shown for failure to apply at a school registration site, application for a Basic ration may not be made to a Board prior to August 7, 1942. A separate application shall be made for each passenger automobile or motorcycle for which a Basic ration is sought.

(b) Pursuant to such application a basic ration book shall be issued on July 22, 1942 or July 23, 1942, inclusive, by any registrar appointed under § 1394.2201 (b). After July 23, 1942, all basic rations shall be issued by Boards. The Board shall remove all expired coupons from any Class A book issued subsequent to August 15, 1942. In the case of a Class D book, the Board shall remove eight (8) coupons for each full month which has elapsed since August 1, 1942.

(c) Not more than one Basic ration may be issued for a vehicle, except as provided in § 1394.2803.

**SUPPLEMENTAL RATIONS**

§ 1394.2301 *Supplemental rations.* (a) The following coupon books may be issued by a Board as supplemental rations to an owner or person entitled to the use of a licensed passenger automobile or licensed motorcycle (other than those specified in § 1394.2302), to provide for occupational mileage driven in such vehicle by the owner or the person entitled to the use of the vehicle, to the extent that such mileage is allowed by the Board pursuant to § 1394.2304:

- (1) Class B or Class C coupon books for use with passenger automobiles.
- (2) Class D coupon books marked "supplemental" for use with motorcycles.

(b) The ration periods for which Class B and C books shall be issued shall be three months in length and shall commence on August 1, 1942 and each November 1, February 1, May 1, and August 1 thereafter.

(c) The ration period for which Supplemental Class D books shall be issued shall be six months in length and shall commence on August 1, 1942 and each February 1 and August 1 thereafter.

(d) The ration period for which each book is issued shall be noted on the cover thereof by the Board, and the coupons in such book shall authorize the transfer of gasoline to a consumer only during such period.

§ 1394.2302 *Passenger automobiles or motorcycles for which supplemental rations may not be issued.* No supplemental rations may be obtained or shall be issued for use with a passenger automobile or motorcycle which is:

- (a) A public car, taxi, or vehicle available for public rental;
- (b) Owned or leased by and operated by a Federal, Insular, municipal, or foreign government or government agency;
- (c) Specially built (or re-built) as an ambulance or hearse;
- (d) Part of a fleet of passenger automobiles or motorcycles; or
- (e) Held by a motor vehicle dealer for sale or resale.

§ 1394.2303 *Application for supplemental ration.* (a) Application for a supplemental ration for each vehicle shall be made separately to a Board on or after July 22, 1942, on Form OPA PRR-2, by the owner or person entitled to the use of a licensed passenger automobile or licensed motorcycle. Application on behalf of an individual may not be made by an agent. In the event that two or more passenger automobiles for which supplemental rations are desired are owned by persons living in the same household and related to each other by blood, marriage, or adoption, all applications for supplemental rations for such vehicles shall, except for good cause shown, be submitted at the same time.

(b) An applicant shall establish his average monthly occupational mileage required for each of the following purposes during the ration period for which such ration is valid:

(1) Driving between home and a fixed place of work in connection with the principal occupation of the applicant or principal user of the vehicle;

(2) Driving in the course of such principal occupation;

(3) Driving to and from or in the course of any other occupation or occupations for which the vehicle is used.

(c) Where two or more vehicles are used in a ride-sharing arrangement of the type described in § 1394.2304 (a), a separate application for a supplemental ration shall be made for each such vehicle, but all such applications must, except for good cause shown, be submitted at the same time. Each such application shall include only the mileage driven in the vehicle for which it is made.

§ 1394.2304 *Allowance of mileage.*

(a) No occupational mileage shall be allowed by a Board for any purpose specified in § 1394.2303 (b), unless the applicant establishes, in connection with the use of the vehicle for that purpose, either:

(1) That a bona fide ride-sharing arrangement has been made pursuant to which at least four persons (including the operator) will regularly be carried in the vehicle for the purpose of going to and from or carrying on their occupations: *Provided*, That each such person must certify to his participation in the ride-sharing arrangement by signing the application; or

(2) That no such ride-sharing arrangement can reasonably be made but that the vehicle carries as many persons as could reasonably be expected in the light of the circumstances in which and the purpose for which it is used; that transportation is needed for such purpose; and that no alternative means of transportation are available which would be reasonably adequate for such purpose.

(i) An applicant may establish that four or more persons cannot regularly be carried in the vehicle for which application is made by showing the limited capacity of the vehicle, the absence of a fixed place of work, the necessity of traveling at unusual or irregular hours, the necessity of traveling over routes not feasible for other persons who might be carried, or such other reasons as the Board may find sufficient.

(ii) An applicant may establish the lack of reasonably adequate alternative means of transportation by showing the unavailability of other public or private means of transportation; by showing that such alternative means, if available, are inadequate by reason of location, schedules or extremely overcrowded condition; by reason of physical disability of the person needing transportation; by reason of the nature of the work for which transportation is needed; or for such other reasons as the Board may find sufficient.

(iii) In the event application is made for a supplemental ration in order to permit the use of the vehicle for which application is made in the pursuit of an occupation other than a gainful occupation, and four or more persons are not regularly carried in such vehicle in connection with their occupations, the application must be certified, as indicated

thereon, by a responsible official of the organization for or under the direction of which the work is performed.

(b) Upon the basis of the application and such other facts as the Board may require, the Board shall allow mileage for any of the purposes listed in § 1394.2303 (b) for which the applicant has applied, with respect to which the applicant has established the facts required by paragraph (a) hereof. In the absence of a ride-sharing arrangement the Board shall allow only that portion of the claimed mileage with respect to which the applicant has established the inadequacy of alternative means of transportation in accordance with paragraph (a) (2) (ii) of this section. The Board shall then allow the applicant an average occupational mileage per month required by the applicant: *Provided*, That the Board may not allow an average of more than 256 miles per month for occupational mileage unless the mileage in excess of 256 miles consists of preferred mileage as defined in § 1394.2306. The total occupational mileage allowed any applicant shall not exceed 480 miles per month.

§ 1394.2305 *Issuance of supplemental rations.* (a) Supplemental rations shall be issued to provide the total mileage allowed by the Board in accordance with § 1394.2304 for the unexpired portion of the ration period for which the ration book issued is valid.

(1) In the case of a passenger automobile, the Board shall issue:

(i) In the event that the occupational mileage allowed by the Board is 256 miles per month or less, sufficient coupons in one Class B book to provide the gallonage determined by the Board to be necessary for the mileage allowed for the three-month ration period. For the purpose of determining the gallonage necessary for such mileage the Board shall conclusively presume that a passenger automobile obtains an average of 12 miles per gallon.

(ii) In the event that the mileage allowed by the Board pursuant to §§ 1394.2304 and 1394.2306 exceeds 256 miles per month, a sufficient number of coupons in one Class C book to provide the gallonage determined by the Board to be necessary for the mileage allowed for the three-month ration period. The Board shall compute the gallonage necessary for such mileage by dividing the mileage allowed by the average actual number of miles obtained per gallon in the automobile: *Provided*, That the Board shall not accept as the actual number of miles obtained per gallon a figure less than 12 miles per gallon unless it is satisfied beyond all reasonable doubt that such figure represents the average actual minimum mileage obtainable per gallon by the most efficient possible operation of the vehicle. In the event that such number of coupons determined to be necessary provides less gallonage than would be provided by a Class B book, the Board shall issue one complete Class B book, rather than a Class C book.

(2) In the case of a motorcycle, the Board shall issue sufficient coupons in one Class D book, to be marked "supple-

mental", to provide the gallonage determined by the Board to be necessary for the six-month ration period. The Board shall compute the gallonage necessary for such mileage by dividing the mileage allowed by the average actual number of miles obtained per gallon in the motorcycle: *Provided*, That the Board shall not accept as the actual number of miles obtained per gallon a figure less than 35 miles per gallon unless it is satisfied beyond all reasonable doubt that such figure represents the average actual minimum mileage obtainable per gallon by the most efficient possible operation of the motorcycle.

(b) The Board shall remove and immediately destroy all coupons in Class B, C or D books in excess of the number to be issued hereunder.

§ 1394.2306 *Preferred mileage.* The mileage driven, in a passenger automobile or motorcycle, necessary for carrying out one or more of the following purposes shall be deemed preferred mileage:

(a) By a duly elected or appointed agent, officer, representative, or employee of a Federal, Insular, municipal, or foreign government or government agency for performing the official business or carrying out an official function of such government or government agency in a passenger automobile or motorcycle now owned or leased by such government or government agency.

(1) For the purpose of this paragraph:

(i) Daily or periodic travel between home or lodgings and a fixed place of work shall not be deemed performance of official business or carrying out an official function;

(ii) Travel by duly elected members of the Insular legislature between their places of residence and San Juan, Puerto Rico, for the sole purpose of attending the legislative sessions, shall be deemed the carrying out of an official function.

(b) For the transportation of mail on behalf of the United States Government, in a passenger automobile or motorcycle not owned or leased by such government.

(c) By public school teachers or officials for the performance of official duties which require travel from school to school.

(d) For the wholesale delivery of newspapers.

(e) By a licensed physician, surgeon, osteopath, chiropractor, midwife, or veterinarian, or by a public health nurse, for making necessary professional calls or rendering necessary professional services; or by a licensed funeral director or embalmer, for rendering services necessary in connection with the preparation for interment and the interment of deceased persons.

(f) By a regularly practicing minister of any religious faith who actually serves a congregation, or by any religious practitioner qualified to minister to the religious needs of the members of a congregation, for giving religious comfort, assistance, advice or instruction.

(g) By a farmer, for transporting farm products and necessary farm supplies between farm and market, shipping point or point of delivery, or between one farm establishment and another.



(h) By members of the armed forces of the United States for transportation to, from, or between places at which their duties are performed, and between their residences and places at which their duties are performed.

(k) By a worker (including an executive, technician, or office worker, but not including salesmen) or by an employer, employer's representative or representative of a labor organization in travel to, from, within, or between the establishments or facilities listed below, for purposes necessary to the operation or functioning of such establishments or facilities or to the maintenance of peaceful industrial relations therein:

(1) Naval, military or hospital establishments or facilities;

(2) Establishments or facilities of common carriers; or of other carriers performing services essential to the community or to the war effort; or of plants engaged in the production or distribution of heat, light, power, gas, steam or water; or of irrigation, drainage, flood-control or sanitation systems; or of telephone, telegraph, radio, or other communications systems; or newspapers.

(l) By engineers, architects, technicians, supervisors, repair and maintenance men or other workers (but not including salesmen) to enable them to render services or to transport materials and equipment necessary for construction, repair, installation, or maintenance work (other than the repair or maintenance of portable household appliances); or for rendering indispensable services of a specialized nature to agricultural, extractive or industrial establishments. "Services of a specialized nature" shall include services related to the natural breeding of livestock; crop or livestock inspection in connection with the marketing or processing thereof; inspection in connection with the improvement of farm sanitation; protection of crops, livestock or farms from blights, diseases or pests; and soil conservation.

(m) By traveling salesmen engaged in the sale of necessary productive equipment for farms, factories, mines, oil wells, lumber camps and similar productive or extractive establishments, or of medical supplies, if the marketing of such equipment or supplies by salesmen is essential to the war effort.

(n) In a motorcycle, for delivery or messenger service.

#### FLEET RATIONS (FOR FLEET PASSENGER AUTOMOBILES AND MOTORCYCLES)

§ 1394.2351 *Fleet rations for passenger automobiles and motorcycles.* (a) The following coupon books and coupons, for use with licensed passenger automobiles and licensed motorcycles which are part of a fleet, shall be issued by a Board:

(1) Class B or Class C coupon books for use with passenger automobiles;

(2) Class D coupon books marked "fleet" for use with motorcycles;

(3) Bulk coupons issued pursuant to § 1394.2756.

(b) When issued as a fleet ration, Class B, C and D books shall contain the number of coupons, and shall be valid

during the periods, provided in § 1394.2301 (b) and (c). Coupons contained in such books shall authorize the transfer of gasoline to consumers only during the valid period of such books noted thereon by the Boards.

§ 1394.2352 *Persons entitled to fleet rations.* (a) Subject to the provisions of paragraph (b) hereof, the owner or the person entitled to the use of a licensed passenger automobile or a licensed motorcycle which is part of a fleet may obtain a ration providing for occupational mileage to the extent that such mileage is allowed by a Board in accordance with § 1394.2354.

(b) Such fleet ration shall not be issued and may not be obtained for use with a passenger automobile or motorcycle which is:

(1) A public car, taxi, or vehicle available for public rental;

(2) Owned or leased by and operated by a Federal, Insular, municipal, or foreign government or government agency;

(3) Specially built (or re-built) as an ambulance or hearse;

(4) Held by a motor vehicle dealer for sale or resale.

*Provided,* That nothing herein contained shall be deemed to prohibit the issuance of a ration in accordance with §§ 1394.2354 and 1394.2355 for use with a vehicle available for public rental, pursuant to the provisions of § 1394.2654 (b).

§ 1394.2353 *Application for fleet rations.* Application for fleet rations shall be made to a Board on or after July 22, 1942, on Form OPA PRR-4. An application may cover one or more vehicles and may be made by an agent. An applicant shall establish the average monthly mileage required for the use of each vehicle covered in the application in carrying on an occupation or occupations, or the average monthly mileage required for the use of each of a group of such vehicles used interchangeably for carrying on the same or a related occupation or occupations, for the three-month ration period, in the case of passenger automobiles, or for the six-month ration period, in the case of motorcycles.

§ 1394.2354 *Allowance of mileage.* (a) No occupational mileage shall be allowed by a Board unless the applicant establishes in connection with such mileage that the transportation is needed for occupational purposes and that either:

(1) No alternative means of transportation are available which would be reasonably adequate;

(i) The lack of reasonably adequate alternative means of transportation may be established in the same manner as provided in § 1394.2304 (a) (2) (ii);

(2) Or that a bona fide ride-sharing arrangement has been made in connection with the use of the vehicle or vehicles for such purposes, pursuant to which at least four persons will regularly be carried in the vehicle in connection with their occupations: *Provided,* That the names and addresses of all persons participating in the ride-sharing arrangement shall be set forth in the application.

(b) Subject to the provisions of paragraph (a) of this section, the Board shall allow the total average mileage per month determined by it to be required in the pursuit of an occupation, and shall issue a ration in accordance with the provisions of § 1394.2355 to provide such mileage: *Provided,* That the Board may not allow an average of more than 256 miles per month for any vehicle, nor an average of more than 256 miles per month per vehicle for any group of vehicles, unless the mileage in excess of 256 miles consists of preferred mileage as defined in § 1394.2306. The total occupational mileage allowed to any applicant shall not exceed more than 480 miles per month per vehicle.

§ 1394.2355 *Issuance of fleet rations.* (a) Class B, C, and D books marked "fleet" shall be issued as fleet rations to provide the total mileage allowed by the Board in the same manner as such books are issued pursuant to § 1394.2305 as supplemental rations.

#### SERVICE RATIONS

§ 1394.2401 *Service rations.* (a) The owner or the person entitled to the use of a licensed motor vehicle which is found by the Board to be in one or more of the classes listed below may obtain a service ration providing gallonage necessary for the mileage allowed by the Board for the purpose or purposes specified for each class.

(1) A public car (público), taxi, or vehicle available for public rental which on February 1, 1942 was licensed by the Department of Interior of the Insular Government of Puerto Rico to carry passengers for hire, and which is so licensed at the time of application for a ration: *Provided,* That the Board may issue a service ration for such a vehicle for which a license to carry passengers for hire was issued after February 1, 1942 if the Board is satisfied that such license was applied for in good faith: *Provided further,* That any applicant for a service ration for such vehicle which is operating in a manner other than that for which it was licensed shall not be eligible for a service ration for the vehicle. A lessee of a vehicle available for public rental may not obtain a service ration for such vehicle unless his use of the vehicle is for a purpose specified in this section.

(2) A passenger automobile owned or leased by and operated by a Federal, Insular, municipal, or foreign government or government agency, and used exclusively for the official business of such government or government agency.

(3) A bus which is part of a regular system for the transportation of persons and for which a certificate of necessity and convenience, or a franchise, has been issued by the Public Service Commission of the Insular Government of Puerto Rico.

(4) Any light or heavy truck used as a carrier of persons or property in connection with a regular business or occupation, or a light or heavy truck owned or leased by and operated by a Federal, Insular, municipal, or foreign government or government agency, and used exclusively for the official business of such government or government agency.

(5) A motor vehicle specially built or re-built as an ambulance or hearse used for the transportation of invalids, injured, sick, or deceased persons.

§ 1394.2402 *Service ration for owners of leased vehicles.* (a) No owner of a motor vehicle which is in the possession of another person under a lease or rental agreement may obtain a service ration for such vehicle more than five days prior to the expiration date of such lease or rental agreement.

§ 1394.2403 *Service ration books.* (a) Class S-1 or Class S-2 books, or, in the case of motorcycles, Class D coupon books marked "service", shall be issued as service rations.

(b) Rations periods for service rations shall be as follows:

(1) The ration period for S-1 books issued at any time for use with a public car, taxi, or vehicle available for public rental shall be two months in length and shall commence on August 1, 1942 and each October 1, December 1, February 1, April 1, June 1, and August 1, thereafter.

(2) The ration period for S-1 books issued at any time for use with light trucks shall be three and one-half months in length and shall commence on August 1, 1942, November 16, 1942, March 1, 1943, June 16, 1943, and each three and one-half months successively thereafter.

(3) The ration period for S-1 books issued at any time for use with a government passenger automobile shall be five months in length and shall commence on August 1, 1942, January 1, 1943, June 1, 1943, and each five months successively thereafter.

(4) The ration period for S-2 books issued at any time for use with buses shall be four months in length and shall commence on August 1, 1942 and each December 1, April 1, and August 1, thereafter.

(5) The ration period for S-2 books issued at any time for use with heavy trucks shall be 12 months in length and shall commence on August 1, 1942, and each August 1 thereafter.

(6) The ration period for D books marked "service" issued for use with motorcycles shall be six months in length and shall commence on August 1, 1942, and on each February 1 and August 1 thereafter.

(c) The ration period for which each coupon is issued shall be noted on the cover thereof by the Board. Coupons contained in such book shall authorize the transfer of gasoline to a consumer only during such period.

§ 1394.2404 *Application for service ration.* (a) Application for a service ration may be made to a Board by the owner or the person entitled to the use of the vehicle, or the agent of either of them, on and after July 22, 1942 on Form OPA PRR-3 in duplicate. One application form may be used for all vehicles for which the applicant seeks a service ration.

(b) The applicant shall furnish the information required by Form OPA PRR-3 with respect to the type of vehicle for which a service ration is sought. In the case of a public car (público), bus, or taxi, the applicant shall describe the

route travelled or the area served by the vehicle or vehicles for which application is made, and shall furnish such further information as the Board may deem relevant to the determination of the mileage to be allowed.

§ 1394.2405 *Issuance of service rations.* (a) Service rations shall be issued to eligible applicants in the manner indicated below.

(1) *Public cars and taxis.* Not more than one S-1 coupon book, containing 96 coupons, which shall be valid for the two-month ration period: *Provided*, That the Board may issue additional coupons in S-1 books for use with a public car or taxi for which the applicant holds, and presents at the time of application for a service ration, a certificate of necessity and convenience or a special permit to operate on a franchise from the Public Service Commission of the Insular Government of Puerto Rico. Sufficient coupons shall be issued to provide the gallonage necessary for such vehicle during the two-month ration period to cover the routes prescribed by, or to comply with the requirements of the certificate, permit, or franchise issued by, the Public Service Commission. The Board shall compute the gallonage necessary for the mileage allowed them by dividing the mileage allowed by the average actual number of miles per gallon obtained by the vehicle: *Provided*, That the Board shall not accept as the average actual number of miles obtained per gallon a figure less than 12 miles per gallon unless it is satisfied beyond all reasonable doubt that such figure represents the average actual minimum mileage obtainable by the most efficient possible operation of the vehicle.

(2) *Government passenger automobiles and motorcycles.* Sufficient coupons in not more than one S-1 coupon book in the case of an automobile, or in not more than one D coupon book marked "service," in the case of a motorcycle, or bulk coupons, if bulk coupons are requested, to provide the gallonage necessary for the minimum mileage required during the five-month ration period, in the case of a passenger automobile, or the six-month ration period, in the case of a motorcycle, solely for the performance of official government business. For the purpose of determining the gallonage necessary for the mileage allowed vehicles pursuant to this paragraph, the Board shall conclusively presume that the automobile is operated an average of twelve miles per gallon and the motorcycle, 35 miles per gallon.

(3) *Buses.* Sufficient coupons in S-2 coupon books or bulk coupons, if bulk coupons are requested, to provide the gallonage necessary for the minimum mileage required for the four-month ration period for the operation of the bus on the routes or according to the schedules prescribed for it by the Public Service Commission of the Insular Government of Puerto Rico. The Board shall compute the gallonage necessary for the mileage allowed a bus by dividing the mileage allowed by the average actual number of miles obtained per gallon by the bus: *Provided*, That the Board shall

not accept as the average actual number of miles obtained per gallon a figure less than eight miles per gallon unless it is satisfied beyond all reasonable doubt that such figure represents the average actual minimum mileage obtainable per gallon by the most efficient possible operation of the bus.

(4) *Light trucks.* Sufficient coupons in one S-1 coupon book or bulk coupons, if they are requested, to provide the gallonage necessary for the minimum mileage required by the light truck for the three-and-one-half-month ration period in carrying persons or property in connection with a regular business or occupation or if the truck is owned or leased and operated by a government or government agency, solely in connection with the official business of the government or government agency. For the purpose of determining the gallonage necessary for the mileage allowed light trucks pursuant to this paragraph the Board shall conclusively presume that the truck is operated an average of twelve miles per gallon. Only one S-1 book shall be issued for use with a light truck except in accordance with the provisions of § 1394.2406.

(5) *Heavy trucks.* Sufficient coupons in one S-2 coupon book or bulk coupons, if bulk coupons are requested, to provide the gallonage necessary for the minimum mileage required by the heavy truck for the one-year ration period in carrying persons or property in connection with a regular business or occupation, or, if the truck is owned or leased and operated by a government or government agency, solely in connection with the official business of the government. Only one S-2 book shall be issued for use with a heavy truck except in accordance with the provisions of § 1394.2406.

(6) *Ambulances and hearses.* Sufficient coupons in S-2 coupon books to provide the gallonage necessary for the minimum mileage required by the ambulance or hearse for the four-month ration period to transport invalids, injured, sick, and deceased persons.

§ 1394.2406 *Issuance of essential service rations to trucks.* (a) On or after August 15, 1942, a Board, in its discretion, may issue one or more additional S-1 books, in the case of light trucks, and one or more additional S-2 books, in the case of heavy trucks, for any truck the principal use of which is made in one or more of the following essential services:

- (1) To maintain fire-fighting services;
- (2) To maintain necessary public police services, or to enforce laws relating specifically to the protection of public health or property;
- (3) To maintain garbage disposal and other sanitation services;
- (4) To carry mail;
- (5) To transport ice, water, milk, and fuel;
- (6) To transport farm products, including sugar, coffee, fruits, and other food crops, to processing plants, storage houses, or wholesale or retail establishments, but not from retail establishments to consumers;



(7) To transport foods and food supplies to wholesale or retail establishments, but not from retail establishments to consumers;

(8) To transport medicines or medical equipment;

(9) To transport waste and scrap material;

(10) To maintain the essential services of public utilities system;

(11) To transport material and equipment for farm, highway, industrial, or government construction, maintenance, or repair.

The Board shall issue such additional coupon books only if a request therefor on the original application is signed by the applicant on or after August 15, 1942, and only if the Board is satisfied that the operation of such truck in excess of the mileage obtained by the use of an initially issued book is absolutely essential to the life, health, and safety of the people of Puerto Rico.

(b) The Board shall issue sufficient coupons in S coupon books to provide the gallonage necessary for the minimum mileage required by the truck solely in the performance of an essential service or services for the entire ration period for which the initial Service ration was issued. The Board shall compute the gallonage necessary for the mileage allowed a truck for the performance of essential services by dividing the mileage allowed by the average actual number of miles obtained per gallon in the truck: *Provided*, That the Board shall not accept as the average actual number of miles obtained per gallon a figure less than 12 miles per gallon in the case of a light truck, or 10 miles per gallon, in the case of a heavy truck, unless it is satisfied beyond all reasonable doubt that such figure represents the average actual minimum mileage obtainable per gallon by the most efficient possible operation of the truck. For the purpose of determining the essential trucking mileage in the entire ration period for which coupons should be issued in addition to those initially issued, the Board shall assume that the initially issued coupons represent gallonage sufficient for the number of miles actually obtained or obtainable rather than the number of miles which the Board at any time presumed would be obtained.

(c) The Board shall remove and destroy all coupons in Class S books in excess of the number to be issued hereunder.

#### SPECIAL RATIONS

§ 1394.2451 *Application for special ration.* (a) The owner or person entitled to the use of a motor vehicle, or of a motorboat or outboard motor, who finds that transportation in such vehicle, or boat, is necessary for one or more of the purposes specified in paragraph (b) of this section, and who finds that a ration issued for such vehicle or boat is not sufficient to permit its necessary use for such purpose, may apply to a Board for a special ration. Application for a special ration on behalf of an individual may not be made by an agent. A

special ration may be issued for any period not exceeding six months from the date of application.

(b) Special rations may be issued in order to permit acquisition of gasoline for use in a motor vehicle, motorboat, or outboard motor for one or more of the following purposes:

(1) To obtain or render necessary medical attention or therapeutic treatment or to procure strictly necessary food and supplies;

(2) To operate a motor vehicle or motorboat held by a motor vehicle or boat dealer for sale or resale, solely for the purpose of demonstrating such vehicle or boat to prospective purchasers or for delivery after sale, or to test the motor of such vehicle, or to remove a purchased or repossessed motor vehicle or motorboat, or a vehicle or boat seized pursuant to judicial process or by a government authority, to a place of storage: *Provided*, That no ration in excess of five (5) gallons per month per vehicle or boat shall be granted for any such purpose.

(3) To move a vehicle or boat in connection with a bona fide change in a place of residence.

(c) Application shall be made on Form OPA PRR-6 and the applicant shall state, in addition to such other information as may be required:

(1) The purpose for which a special ration is sought and the period during which such ration will be needed;

(2) The type and number of ration books already issued for the vehicle, boat, or outboard motor, for which the application is made;

(3) The facts supporting the claim that transportation is necessary for the purpose;

(4) The alternative means of transportation which are available and the reasons, if any, why such alternative means are not reasonably adequate for the purpose: *Provided*, That applicants for a special ration under subparagraph (2) of paragraph (b) of this section shall not be required to establish the inadequacy of alternative means of transportation unless the ration is sought for delivery of a motor vehicle after sale thereof.

(5) The number of miles of driving or, in the case of a boat or outboard motor, the amount of gasoline claimed to be essential to the accomplishment of the purpose or purposes stated during the period for which the special ration is needed.

§ 1394.2452 *Form and issuance of special rations.* (a) The Board may grant a special ration only if it finds:

(1) That such special ration is needed by the applicant for the purpose claimed;

(2) That any ration previously issued for such vehicle, boat, or outboard motor is not reasonably adequate or cannot be used for such purpose;

(3) That transportation is necessary to the accomplishment of such purpose;

(4) That no reasonably adequate alternative means of transportation are available (except as provided with respect to special rations sought under § 1394.2451 (b) (2)).

(b) If the Board grants the application, it shall determine the quantity of gasoline which is essential to the applicant for the period for which such ration is sought for the purpose or purposes stated and shall issue a coupon book or books of any appropriate class containing sufficient coupons to allow the applicant the quantity of gasoline determined by it to be essential. It shall mark "special" any book which it so issues. The Board shall remove from the book and immediately destroy any coupons in excess of the number issued.

#### NON-HIGHWAY RATIONS

##### § 1394.2501 *Non-highway rations.*

(a) Any person who requires gasoline for a non-highway purpose may obtain a Class E or Class R coupon book as a non-highway ration authorizing the transfer of the amount of gasoline required for such purpose during the six-month period for which such books shall be valid. Each non-highway ration book issued with respect to a motorboat or outboard motor for non-occupational use shall be so designated by the Board on the inside cover.

(b) The ration periods for Class E and Class R coupon books issued as non-highway rations shall be six months in length and shall commence on August 1, 1942, and on each February 1 and August 1 thereafter.

§ 1394.2502 *Application for non-highway ration.* (a) Applications for non-highway rations may be made to the Boards, on or after July 22, 1942, on Form OPA PRR-5. Application may be made by an agent.

(b) The applicant shall state the amount of gasoline needed for the six-month ration period and the Non-Highway purpose or purposes for which such gasoline is needed.

§ 1394.2503 *Issuance of non-highway rations.* (a) The Board shall determine the amount of gasoline required for the six-month ration period and shall issue to the applicant, subject to the provisions of paragraph (b) of this section, sufficient coupons in one or more Class E or Class R coupon books, or any combination or them, to provide the gallonage determined to be necessary for the six-month ration period. The Board shall remove from the book and immediately destroy any coupons in excess of the number allotted, and shall note the ration period on the cover of each book issued.

(b) If application is made for a non-highway ration for use with a motorboat or outboard motor operated wholly or in part for a non-occupational purpose, the Board shall not allow for the non-occupational purpose an amount of gasoline in excess of the number of gallons determined by the following formulae:

(1) In the case of an inboard motorboat, the number of gallons equal to four times the manufacturer's rated horsepower of the motor or motors, but in any event not more than 144 gallons for the six-month ration period.

(2) In the case of an outboard motor, the number of gallons equal to five times the manufacturer's rated horsepower of

such motor, but not in excess of 24 gallons for the six-month ration period.

(c) Except as provided in § 1394.2803 (a), no more than one non-occupational ration may be issued for an inboard motorboat or an outboard motor during any six-month ration period.

**ARMY, NAVY, AND CERTAIN OTHER AGENCIES**

§ 1394.2551 *Issuance of ration books by Office of Price Administration.* (a) Coupon books of all types designated in Ration Order No. 5B may be issued by the Director of the Office of Price Administration for Puerto Rico, in his discretion, to the Army, Navy, Marine Corps, Coast Guard and the law enforcement agencies of the United States, solely for the use of such agencies and for distribution to and use by their officers, agents, or employees in the performance of official duties which depend upon secrecy.

(b) Any agency enumerated in paragraph (a) of this section which requires coupon books for use by such officers, agents, or employees shall make application therefor to the Director of the Office of Price Administration for Puerto Rico and shall state the number and type of books required and the use for which such books are intended.

§ 1394.2552 *Acknowledgments of Delivery and Allotment Authorizations.* (a) The Army, Navy, Marine Corps, Coast Guard, and Maritime Commission of the United States may obtain gasoline in exchange for a duly executed Acknowledgment of Delivery on Form OPA R-544. Such form shall bear the signature of an authorized officer, agent, or employee of any such agencies and shall be valid as an authorization for the transfer of gasoline by any person to whom it is presented to the extent of the gallonage stated thereon.

(b) The Army, Navy, Marine Corps, and Coast Guard of the United States, may obtain gasoline, and any person authorized by one of such agencies may obtain gasoline needed for the performance of services for such agency, in exchange for an Allotment Authorization executed by an authorized officer thereof. Such Allotment Authorization shall be valid as an authorization for the transfer of gasoline by any person to whom it is presented to the extent of the gallonage stated thereon.

§ 1394.2553 *Use of gasoline obtained by Army and other exempt agencies.* (a) Gasoline obtained pursuant to § 1394.2552 may be used without restriction by the agency for which the Acknowledgment of Delivery form or allotment authorization is issued.

(b) Gasoline obtained pursuant to § 1394.2552 may not be used in a vehicle, boat, or motor not owned, leased, or operated by the agency issuing such Acknowledgment of Delivery form or Allotment Authorization unless the person obtaining such gasoline surrenders, to the officer executing such form or transferring such gasoline, valid ration coupons having a gallonage value equal to the amount of gasoline transferred or authorized to be transferred by the Acknowledgment or Allotment Authoriza-

tion. Coupons so surrendered shall be destroyed by the agency receiving them.

(c) For the purpose of this section the term "Army" shall include Post Exchanges operated by the Army of the United States, and the term "Navy" shall include Naval Stores operated by the United States Navy.

**GALLONAGE VALUE OF COUPONS**

§ 1394.2601 *Value of coupons.* (a) Each gasoline ration coupon of the class hereinafter designated shall have the following value in gallons of gasoline:

Class:	Gallons
A.....	1
B.....	4
C.....	1½
D.....	½
E.....	3
R.....	3
S-1.....	3
S-2.....	3

(b) The value of each coupon in gallons of gasoline may be changed and established from time to time by order or direction of the Office of Price Administration.

**RESTRICTIONS ON USE OF RATIONS AND GASOLINE**

§ 1394.2651 *Restrictions as to purpose.* (a) No person to whom a special ration has been issued may use or permit the use of such ration for any purpose other than the one for which it was issued. No person to whom a supplemental, service, fleet, or non-highway ration has been issued may use or permit the use of such ration for a purpose other than that for which such ration may be obtained.

§ 1394.2652 *Rations not transferable.* (a) No ration may be transferred or assigned. A ration may, however, subject to the provisions of § 1394.2654 be used by anyone entitled to use the vehicle, boat or equipment for which it was issued, if such use is for a purpose for which such ration may be obtained and so long as there is no change in ownership of such vehicle, boat or equipment.

§ 1394.2653 *Change of occupation of holder of Class C ration.* (a) The holder of a Class C ration (or of a Class D ration based on allowed mileage in excess of 256 miles per month) shall report to the issuing Board any change in the principal occupation for the pursuit of which such ration was issued. Such report shall be transmitted to the Board within five (5) days after such change and shall describe fully the nature of the new occupation, the exact type of work performed, the business or industry in which such work is performed, and the purpose, if any, for which the motor vehicle will be used in such new occupation. If, on the basis of such report, the Board finds that such motor vehicle will no longer be used for a preferred purpose listed in § 1394.2306, it shall notify such holder, in writing, that his right to such ration is to be re-examined. Such notice shall be mailed to such holder at the address shown on his application (or at the address shown on his report), and shall require him to

file a new application for a ration within ten (10) days after the mailing date shown on such notice. If no new application is filed within such time, the Board shall revoke such ration and shall recall all Class C books or coupons (or Class D books or coupons based on an allowed mileage in excess of 256 miles per month) issued in connection therewith. If a new application is filed, and if the Board determines that the motor vehicle will be used for a preferred purpose listed in § 1394.2306, it shall take no further action. If the Board finds that the vehicle will no longer be used for a preferred purpose listed in § 1394.2306, it shall revoke the ration and recall the coupons or coupon book originally issued and shall issue, in lieu thereof, such ration, if any, as it determines that the holder is entitled to receive on the basis of his new application.

§ 1394.2654 *Use of rations issued for vehicles or boats available for public rental.* (a) A motor vehicle rental agency may permit a lessee to use a Service ration issued to such agency for a vehicle leased by him, during the period of a bona fide lease for one week or less. In the case of any lease other than a bona fide lease for one week or less, the lessee may not use or be permitted to use the service ration issued to such agency for such vehicle, but shall apply for a ration on his own behalf, pursuant to the provisions of paragraph (b) of this section.

(b) A lessee of a vehicle available for public rental who leases such vehicle for a period of more than one week shall be deemed to be a person entitled to the use of such vehicle, within the meaning of §§ 1394.2303 and 1394.2352. Such lessee may apply for a ration for use of such vehicle on his own behalf, and his right to such ration shall be determined solely by the nature and extent of his use of the vehicle. Application by such lessee for a ration pursuant to §§ 1394.2303 or 1394.2353 shall be made on Form OPA PRR-4, and the allowed mileage for the vehicle shall be computed in the manner established by §§ 1394.2354 and 1394.2355 for fleet vehicles. Upon termination of the lease, any ration issued to such lessee shall expire and all coupons or coupon books issued to him shall be returned by him to the issuing Board.

(c) Each motor vehicle rental agency shall keep a record showing the name and address of each lessee, the date and duration of the lease, the mileage driven by the lessee and the number of gallons, if any, supplied to the lessee and the number of coupons (if any) in its ration books, used by the lessee during the period of the lease. The lessee shall be required to sign such record and his signature shall constitute a certification as to the truth thereof.

(d) A boat rental agency may permit a lessee to use a non-highway ration issued for an inboard motorboat or outboard motor leased to him, only during the period of a bona fide lease for one week or less. A lessee of such boat or motor who leases it for a period of more than one week may apply for a non-highway



ration on his own behalf pursuant to the provisions of § 1394.2503.

§ 1394.2655 *Restrictions on consumption of gasoline.* (a) Except as provided in §§ 1394.2652, 1394.2654 (a), and 1394.2857, no person shall consume gasoline unless such gasoline was acquired by him or on his behalf in exchange for valid coupons or evidences: *Provided, That:*

(1) Any consumer may use for non-highway purposes (other than non-occupational boat operations) gasoline owned by him and in his possession prior to August 1, 1942.

(2) Any consumer may use gasoline owned by him and in his possession prior to August 1, 1942, for the operation of a licensed motor vehicle, or for non-occupational boat operation if, at the time of transfer of such gasoline into the fuel tank of such vehicle or boat, he destroys currently valid coupons issued therefor equal in value to the number of gallons of gasoline so transferred: *Provided, That* gasoline actually placed in the fuel supply tank of such vehicle or boat prior to August 1, 1942, may be used therein without restriction.

(b) The provisions of this section shall not be applicable to the consumption of gasoline by the Army, Navy, Marine Corps, Coast Guard or Maritime Commission of the United States, or to the consumption by anyone of gasoline brought into Puerto Rico in the fuel supply tank of a vehicle, boat or equipment.

§ 1394.2656 *Restrictions on blending and use of blended gasoline.* (a) No person shall blend, dilute, or otherwise mix gasoline with any other petroleum product, and no person shall knowingly transfer or accept a transfer of, or consume, gasoline so blended, diluted, or mixed.

§ 1394.2657 *Rations for racing or exhibition purposes.* (a) No gasoline ration shall be issued, or may be used, under the provisions of this ration order, for the operation of any motor vehicle or boat in exhibitions or races for public entertainment or prizes.

§ 1394.2658 *Display of sticker.* (a) No person may use a class A, B, C, or S ration issued for a registered motor vehicle unless a sticker identifying the class of ration issued, in such form as may be prescribed by the Office of Price Administration, is affixed to and conspicuously displayed on such vehicle. Such sticker shall be displayed on such vehicle at all times. A person to whom any ration in addition to a Class A ration has been issued shall display only the sticker identifying such additional ration.

§ 1394.2659 *Restriction on use of gasoline in vehicle without ration.* (a) On and after August 1, 1942, no gasoline may be used in Puerto Rico in a motor vehicle licensed in Puerto Rico unless a valid ration has been issued and is outstanding for use with such vehicle, and a sticker, indicating that a gasoline ration has been issued, is displayed on such vehicle in accordance with § 1394.2658.

#### RENEWAL OF RATIONS AND ISSUANCE OF FURTHER RATIONS

§ 1394.2701 *Renewal of rations.* (a) Rations shall expire as provided in §§ 1394.2802 and 1394.2803. At any time within ten (10) days prior to the expiration of any ration, or at any time thereafter, application for a further ration may be made. Such application shall be made in the same manner as the original application, except as provided in paragraph (b) of this section.

(b) If there have been no substantial changes since the date of the original application in the applicant's gasoline needs, or in the nature, amount, and conditions of use of the motor vehicle for which the original ration was issued, and if such original application accurately calculated the applicant's requirements, application for a further ration other than a Basic ration may be made by executing the renewal certificate on such original application. The applicant shall, in such case, note on such renewal certificate any change in the nature or amount used since the date of the original application.

(c) When issuing a further ration prior to the expiration date of a current ration of the same class, the Board shall note on the application and on the front cover of the coupon book representing such further ration the date on which such further ration shall become valid. Such date shall be the day following the expiration date of the current ration.

(d) Except as provided in § 1394.2702, no further ration of any class may be issued for use prior to, or may be used prior to, the expiration of the current ration of such class.

§ 1394.2702 *Issuance of further ration for use prior to expiration date of current ration.* (a) Any person who finds that, due to a change in occupation or in the location of place of business or residence, or other change in circumstances, or due to seasonal variation in the amount of occupational mileage needed, or miscalculation of needs, a ration of any class other than a Basic ration issued to him fails to meet his requirements, may apply for a further ration of such class for use prior to the expiration date of his current ration. Such application shall be made in the same manner as the application for the current ration.

(b) The applicant shall append to the application a statement showing:

(1) That the current ration is insufficient to meet his needs for more than ten (10) days from the date of the application;

(2) The reason or reasons why a further ration will be needed for use prior to the expiration date of the current ration.

(c) If the Board determines that, for one or more reasons specified in paragraph (a) of this section, more mileage is needed or, in the case of a non-highway ration, more gasoline is required, than that stated in the application on the basis of which the current ration was issued, it may grant a further ration

in accordance with the provisions of § 1394.2703 (b).

§ 1394.2703 *General provisions.* (a) All of the provisions of Ration Order No. 5B applicable to the issuance of an original ration shall apply to the issuance of a further ration.

(b) When granting a further ration for use prior to the original expiration date of a current ration, pursuant to the provisions of § 1394.2702, the Board shall destroy the originally issued coupon book and shall issue another book containing coupons sufficient to provide the gallonage to which the applicant is entitled for the remainder of the period during which such book is valid.

#### GENERAL PROVISIONS WITH RESPECT TO ISSUANCE OF GASOLINE RATIONS

§ 1394.2751 *Appearances before Boards.*

(a) The Board may require any applicant for a ration to appear before it for examination and to produce such witnesses or evidence as it may deem material.

§ 1394.2752 *Presentation of license certificate.* (a) No gasoline ration, other than a ration issued pursuant to § 1394.2451 (b) (2), shall be issued for any motor vehicle other than a fleet vehicle unless a license certificate issued by the Department of Interior of the Insular Government of Puerto Rico, or a registration card or registration certificate of a state of the United States or of any foreign or territorial government, authorizing the operation of such vehicle during all or part of the period for which such ration is to be issued, is presented to the registrar or the Board.

§ 1394.2753 *Notation on license certificate.* (a) At the time of issuing a gasoline ration for a licensed motor vehicle other than a fleet vehicle, except in the case of a ration issued pursuant to § 1394.2451 (b), the person issuing such ration shall make a clear notation in ink, indelible pencil, or by typewriter, on the front of the license certificate presented by the applicant, showing the date of issuance, the class of ration and the serial number of the ration book issued.

§ 1394.2754 *Notation on ration books and applications.* (a) At the time of issuance of any ration book for a licensed motor vehicle, the person issuing such book shall, unless a fleet identification is used as provided in paragraph (b) of this section, make a clear notation on the cover thereof, in ink, indelible pencil, or by typewriter, of the license number of the vehicle for which it is issued and of the name and address of the licensed owner of such vehicle. The Board shall also make a notation on the cover of such book, other than a basic book, and on the application therefor, of the date on which it becomes valid and of its expiration date.

(b) An applicant for a gasoline ration for fleet vehicles may request the Board to note on the ration books issued the name or other identification of the fleet, in lieu of the license number of a particular vehicle. The Board may grant

such request with respect to any vehicles in the fleet which are used interchangeably and which bear a clearly discernible fleet name, identification or designation. Any book on which a fleet identification is noted may be used, interchangeably, for all vehicles in the fleet bearing such identification.

(c) At the time of issuance of a non-highway ration book, the Board shall make a clear notation on such book in ink, indelible pencil, or by typewriter, of the name and address of the applicant and of the period during which such book shall be valid. Such period shall also be noted on the application.

§ 1394.2755 *Change in motor vehicle license number.* (a) The holder of a ration book issued for a licensed motor vehicle, other than a ration book bearing a fleet identification, shall, upon any change in the license number of such vehicle, submit such ration book, together with the license certificate or registration card evidencing the new number, to a Board within five (5) days after such change for the purpose of having the notation thereon changed to correspond to the new license number. The person authorized to make the change for the Board to which such book is presented shall obliterate the license number appearing thereon; note thereon, in ink, indelible pencil, or by typewriter, the new license number issued for such vehicle, and countersign or initial the change made on the book. Notation on the new license certificate or registration card shall also be made, as prescribed in § 1394.2753.

(b) The holder of any book bearing a fleet identification shall, upon any change in the name, identification, or designation of such fleet, submit such book to the Board which issued it for appropriate modification. Upon ascertaining the new name, identification or designation of such fleet, the Board shall change the designation on such book to correspond thereto.

(c) Nothing in this section shall be construed to authorize the continued use of a ration book after a change in ownership of the vehicle for which it was issued.

(d) Any alteration on the face or cover of any ration book, unless made and countersigned by a person authorized to do so under Ration Order No. 5B, shall render such book, and the coupons therein, invalid.

§ 1394.2756 *Authorization of bulk purchase.* (a) Any person who establishes to the satisfaction of a Board that he maintains a storage tank for supplying gasoline to one or more motor vehicles or units of non-highway equipment operated by him, and that he has maintained such tank for such purposes prior to June 1, 1942, or that it is now necessary for supplying gasoline to such vehicles or for such use to maintain a storage tank or to acquire gasoline in a tank, tank truck, drum, or other container, may, when applying for a gasoline ration, request the Board to issue such ration in the form of bulk coupons, or partly in bulk coupons and partly in coupon books.

Such person may also request the Board to make a notation on any coupon books issued to him indicating that coupons in such books may be used for a bulk transfer of gasoline.

(b) If the applicant establishes the facts required by paragraph (a) hereof, the Board shall issue bulk coupons to the extent of the gallonage allowed by it for which bulk coupons are requested; *Provided*, That, with respect to applications for supplemental rations or for fleet rations for passenger automobiles or motorcycles the Board shall first determine the type, number and expiration date of the coupon books to which the applicant is entitled; it shall then issue bulk coupons, to the extent requested by the applicant, having a gallonage value equal to the value in units of the coupons in the coupon books to which the applicant is entitled and in lieu of which such bulk coupons are issued. Such bulk coupons shall expire on, and may not be used for the transfer of gasoline to a consumer after, the date on which such coupon books would expire; *Provided further*, That bulk coupons shall not be issued unless the applicant establishes the necessity for acquiring two hundred and fifty (250) gallons or more per month by such coupons.

§ 1394.2757 *Lost or destroyed coupons, or coupon books.* (a) In the event of the accidental loss, destruction or mutilation of any coupon books or bulk coupons, the holder thereof may apply for replacement thereof to the Board having jurisdiction.

(b) Such application shall be made in writing, under oath or affirmation, and shall set forth:

(1) The name and address of the applicant;

(2) The class, date and place of issuance, and expiration date of such book or coupons;

(3) A description of the motor vehicle, boat, equipment, or process for which the book or coupons were issued;

(4) A statement of the number and type of unused coupons so lost, destroyed, or mutilated;

(5) A description of the manner and circumstances of the loss, destruction, or mutilation.

(c) If the Board is satisfied that such book or coupons have been lost or destroyed, or so damaged, or mutilated as to be rendered unfit for use, it may issue, in its discretion, a duplicate book or duplicate bulk coupons of the same class and in the same quantity as those sought to be replaced. It shall clearly note on the cover of any duplicate book issued the same expiration date that appeared on the original book.

(d) No person receiving a duplicate book or coupons under paragraph (c) of this section shall use, attempt to use, or permit the use of the original book or coupons, but shall surrender such original book or coupons; if damaged or mutilated, to the Board at the time of issuance of the duplicate book. In the event that a lost book or lost coupons are found after duplicates have been issued, such original book or coupons shall be surrendered to the Board forthwith.

§ 1394.2758 *Signature on coupon book.* (a) No coupon book shall be valid until the person to whom such book is issued has signed the certification provided for therein.

#### EXPIRATION AND REVOCATION OF RATIONS

§ 1394.2801 *Surrender of expired coupons.* (a) No coupon book issued in Puerto Rico shall be valid for the transfer of gasoline to a consumer in Puerto Rico after the expiration thereof, or to any consumer at any time outside of Puerto Rico.

(b) The person to whom a ration has been issued shall, within five (5) days after the expiration thereof, surrender to the issuing Board all expired coupon books and all unused coupons representing such ration.

§ 1394.2802 *Expiration of rations.* (a) All Basic rations shall expire at midnight, January 31, 1943. All other rations shall expire at midnight of the date noted on the application or on the coupon books issued therefor.

§ 1394.2803 *Expiration of rations upon cessation of use or change in ownership.*

(a) Upon cessation of use or bona fide transfer of ownership of any vehicle, boat or equipment, any ration issued for such vehicle, boat or equipment shall expire and all unused coupons and books issued therefor shall, within five (5) days after such cessation or change, be surrendered to the issuing Board by the person to whom such ration was issued. The transferee of such vehicle, boat or equipment may apply for a gasoline ration in accordance with the applicable provisions of Ration Order No. 5B.

(b) Upon cessation of use of a ration, other than a basic ration, for a purpose for which such ration may be obtained, such ration shall expire and all unused coupons and books issued therefor shall, within five (5) days after such cessation, be surrendered to the issuing Board by the person to whom such ration was issued.

§ 1394.2804 *Denial of gasoline rations.*

(a) No person whose name has been recorded by a Board, in accordance with the provisions of section 1406 for refusal to surrender a gasoline ration book upon direction of the Board, or for failure or refusal, without good cause shown, to appear before such Board for examination, shall be entitled to obtain a ration of any type under Ration Order No. 5B while his name remains thus recorded.

§ 1394.2805 *Suspension and revocation of rations.* (a) All coupon books, bulk coupons and inventory coupons issued shall remain the property of the Office of Price Administration for Puerto Rico may suspend, cancel, revoke, or recall any ration, and may require the surrender and return of any coupon book, bulk coupon or inventory coupons during suspension or pursuant to cancellation, whenever he deems it to be in the public interest to do so.

(b) Upon certification by the Office of Defense Transportation that any person to whom a gasoline ration has been issued has been found by it to have vio-



lated an order of such Office, which now or may hereafter be made applicable to Puerto Rico, and upon recommendation by such Office that a gasoline ration issued to such person, or any part thereof, be revoked, the Director of the Office of Price Administration for Puerto Rico may revoke such ration, or such part thereof, pursuant to the provisions of paragraph (a) of this section.

§ 1394.2806. *Review by local Boards of applications for gasoline ration.* (a) Any Board may review an application for a gasoline ration of any class, made in the area over which it has jurisdiction, or referred to it by another Board in order to determine whether the holder of the ration was entitled to receive it. The Board may also require the holder of a supplemental, service, fleet, non-highway, or special ration to appear before it for examination in order to determine whether such ration is being used in accordance with the provisions of Ration Order No. 5B. The Board shall give the holder written notice of the time and place fixed for such appearance. The notice shall be deemed sufficient if mailed to the address shown on the application at least five (5) days prior to such time. The Board may designate one or more of its members to perform the functions prescribed in this section.

(b) If the Board finds that the ration holder was not entitled to receive the ration issued, or, if it finds that a ration issued is being used for a purpose other than one for which such ration may be obtained, it shall revoke such ration and shall direct that any coupons or coupon books issued therefor be surrendered to it. If it finds that the holder is entitled to a ration of a different class or quantity than that issued, it may issue such ration as it finds the holder entitled to receive pursuant to the provisions of Ration Order No. 5B in place of the ration revoked.

(c) The Board shall record the name of any ration holder who refuses to comply with a direction of the Board pursuant to paragraph (b) of this section or who fails or refuses to appear for examination in accordance with a notice sent by the Board pursuant to paragraph (a) of this section: *Provided*, That if a person whose name has been recorded for failure or refusal to appear for examination shows good cause to the Board for such failure or refusal his name shall be stricken from such record, upon compliance with the Board's direction with respect to the disposition of his ration. The Board shall notify the Director of the Office of Price Administration for Puerto Rico immediately after so recording any name and immediately after striking any name from the record. Any person whose name remains recorded shall be prohibited from securing any ration under the provisions of Ration Order No. 5B or any other gasoline ration order heretofore or hereafter promulgated by the Office of Price Administration.

#### RESTRICTION ON TRANSFERS

§ 1394.2851 *Restriction on transfer to consumers.* (a) On and after August 1,

1942, and notwithstanding the terms of any contract, agreement, or commitment, regardless of when made, no person other than a dealer, intermediate distributor or oil company shall (except as provided in §§ 1394.2553, 1394.2856 and 1394.2857) transfer or offer to transfer gasoline to a consumer, and no consumer shall accept transfer of such gasoline.

§ 1394.2852 *Transfers to consumers.* (a) On and after August 1, 1942, and notwithstanding the terms of any contract, agreement, or commitment, regardless of when made, a dealer, intermediate distributor, or oil company may transfer gasoline to a consumer in Puerto Rico, and such consumer may accept such transfer of gasoline, only in exchange for valid coupons or other evidences issued in Puerto Rico.

§ 1394.2853 *Transfer to consumers in exchange for coupons.* (a) A transfer of gasoline may be made in exchange for coupons contained in Class A, B, C, D, S-1 or S-2 books, under the following conditions:

(1) At the time of transfer, the transferor shall require presentation of the coupon book and must detach therefrom coupons having an aggregate gallonage value equal to the amount of gasoline transferred: *Provided*, That if the transferee is able to accept only a portion of the amount of gasoline represented by the gallonage value of a coupon, the transferor shall nevertheless detach an entire coupon. No transfer may be made pursuant to this paragraph in exchange for a coupon detached prior to the presentation of the coupon book to the transferor.

(2) Transfer may be made only into the fuel tank of a motor vehicle identified on the coupon book presented: *Provided*, That if such book bears a notation by a Board indicating that bulk transfer is authorized, a bulk transfer may be made in exchange for coupons in such book: *Provided further*, That bulk transfer may also be made of an amount of gasoline, not in excess of one unit, to enable a vehicle stranded for lack of fuel to reach a source of supply. In such case the transferor shall retain the ration book presented until the vehicle is brought to the place of transfer for identification.

(3) Transfer may be made only during the valid period noted on the cover of the book presented, or, in the case of a Class A book, only during the period of validity of the coupon in exchange for which the transfer is to be made.

(b) Bulk transfer may be made in exchange for coupons contained in Class E and R books, under the following conditions:

(1) At the time of transfer, the transferor must require presentation of the coupon book and must detach therefrom coupons having an aggregate gallonage value equal to the number of gallons of gasoline transferred. No transfer may be made pursuant to this paragraph in exchange for a coupon detached prior to the presentation of the coupon book to the transferor.

(2) No transfer in exchange for coupons in a Class E or R book may be made

into the fuel tank of, or knowingly made for use in, a licensed motor vehicle or a motor vehicle held by a motor vehicle dealer for sale or resale.

(c) Transfer may be made in exchange for bulk coupons. The transferor shall require surrender, at or before the time of transfer, of bulk coupons having a value in gallons equal to the number of gallons of gasoline transferred: *Provided*, That in the case of any delivery made in the absence of the transferor or his agent, by tank car or other carrier, or the absence of the transferor or his agent, coupons need not be surrendered simultaneously with delivery, but must be forwarded by the transferee to the transferor within forty-eight (48) hours after delivery.

§ 1394.2854 *Transfers in exchange for Acknowledgment of Delivery and Allotment Authorization.* (a) Transfer may be made in exchange for an Acknowledgment of Delivery or an Allotment Authorization duly executed by an appropriate officer of the armed forces of the United States in accordance with the provisions of § 1394.2552.

§ 1394.2855 *Emergency transfers.* (a) Transfer may be made in exchange for an Emergency Receipt on Form OPA R-555, which may be obtained from any dealer.

(b) Any person requiring gasoline in order to meet an emergency involving serious threat to life, health, or valuable property, may obtain such gasoline by signing an Emergency Receipt in triplicate and stating thereon the emergency purpose for which such gasoline is required and the reason why he is unable to present coupons in exchange for such gasoline. If such gasoline is required for use in a licensed motor vehicle, he shall also state the license number of the vehicle in which such gasoline is to be used.

(c) Any dealer, intermediate distributor, or oil company who has transferred gasoline in exchange for an Emergency Receipt, shall transmit such Emergency Receipt, in triplicate, to the Board having jurisdiction over the area in which his place of business is located. The Board, if it is satisfied that the transferor made a transfer, in good faith, of the amount of gasoline specified in such Emergency Receipt, shall issue to him, in exchange therefor, inventory coupons equal in gallonage value to the amount of gasoline so transferred. The Board shall retain one copy of such Receipt in its own files, shall transmit the second copy to the Board having jurisdiction over the area in which the transferee resides, as stated on the Receipt, and shall send the third copy to the Director of the Office of Price Administration for Puerto Rico.

§ 1394.2856 *Transfer of vehicle, boat or equipment.* (a) Nothing in Ration Order No. 5B shall be deemed to forbid the transfer of gasoline actually in the fuel supply tank of a vehicle, boat or equipment, in conjunction with a bona fide transfer of such vehicle, boat, or equipment itself; or the consumption by the transferee in such vehicle, boat, or equipment of gasoline actually in the

fuel supply tank thereof at the time of transfer.

§ 1394.2857 *Transfer of consumer establishments.* (a) Nothing in Ration Order No. 5B shall be deemed to forbid the transfer of gasoline actually in a storage tank or other container maintained by a consumer as part of an enterprise or establishment, in conjunction with a bona fide transfer of such enterprise or establishment itself, or a transfer of gasoline by legal process or operation of law.

(b) Any person to whom a transfer of the character described in paragraph (a) of this section is made shall forthwith report such transfer and the amount of gasoline involved to the Board having jurisdiction over the area in which such gasoline is located. Such person, if a dealer or intermediate distributor, shall surrender to the Board, together with such report, coupons or other evidences having a value equal to the number of gallons of gasoline transferred. Such person, if not a dealer or intermediate distributor, may either:

(1) Transfer all or any part of such gasoline in exchange for coupons or other evidences having a value equal to the number of gallons of gasoline so transferred: *Provided*, That such coupons or other evidences shall forthwith be surrendered by him to the Board for cancellation; or

(2) Consume such gasoline to the extent of any gasoline ration issued to him: *Provided*, That he may consume such gasoline only for the purpose for which such ration may be issued and shall surrender to the Board, for cancellation, coupons equal in value to the amount of gasoline consumed or to be consumed.

§ 1394.2858 *Transfers from fuel tank to fuel tank of vehicles and boats forbidden.* (a) No gasoline contained in the fuel tank of any licensed motor vehicle, inboard motorboat, outboard motor, or non-highway equipment shall be transferred therefrom to the fuel tank of any licensed motor vehicle, or of any inboard motorboat or outboard motor operated in Puerto Rico.

§ 1394.2859 *Discrimination by dealers and intermediate distributors.* (a) On and after August 1, 1942, no dealer or intermediate distributor shall discriminate in the transfer of gasoline among any consumers lawfully entitled to acquire gasoline under the provisions of Ration Order No. 5 B by selling only to favored consumers or classes of consumers, or only to regular customers, and refusing to sell to others who are entitled to acquire gasoline under the provisions of Ration Order No. 5 B. Nothing in this section, however, shall be construed to prohibit a dealer or intermediate distributor from adopting restrictions which apply to all consumers or from holding reserve stocks for delivery to persons presenting Acknowledgments of Delivery or Allotment Authorizations duly executed by the authorized officer of the armed forces of the United States.

#### REPLENISHMENT AND AUDIT

§ 1394.2901 *Registration of inventory and capacity.* (a) No dealer or intermediate distributor having a place of business in Puerto Rico shall make or receive any transfer of gasoline between the hours of 4:00 p. m. and midnight on July 31, 1942. During such hours every dealer shall take an actual physical inventory of his total gasoline supplies on hand and shall register, on Form OPA R-545, in duplicate, with the Board having jurisdiction of the area in which he has such place of business, at the hours provided by the Board, the following matters, together with such other information as may be required:

(b) His total inventory of gasoline on hand as of the close of business on July 31, 1942.

(c) His total gasoline storage capacity.

(d) His name, firm name, business address, and type of business.

(e) A certification as to the correctness of each of the foregoing items of information.

Separate registration shall be made by such dealer or intermediate distributor for each place of business in Puerto Rico where gasoline is transferred, and shall be made at each respective Board having jurisdiction of the area in which each such place of business is located.

§ 1394.2902 *What constitutes gasoline on hand.* (a) The registrant shall register all gasoline on hand, whether in storage tanks, tank trucks, tank cars delivered to railroad sidings, drums, or other containers, except gasoline in the fuel tank of a motor vehicle. The registrant shall not registered gasoline in transit which did not arrive at his place of business prior to the close of business on July 31, 1942. Gasoline shipped to a dealer or intermediate distributor on or prior to July 31, 1942, but received by him at any time after July 31, 1942, shall be deemed to be gasoline transferred to him subsequent to July 31, 1942, and shall require an exchange therefor of coupons or other evidences in the manner provided in §§ 1394.2907 and 1394.2909.

§ 1394.2903 *What constitutes storage capacity.* (a) The registrant shall register the total capacity of all immobile gasoline storage facilities, but not the capacity of tank trucks, tank wagons, drums, or other movable containers: *Provided, however*, That a registrant who maintains no stationary gasoline storage tanks shall register the total capacity of all his delivery facilities.

§ 1394.2904 *Issuance of registration certificates.* The Board, on determining that the information and certification submitted by the registrant are in good order, shall by authorized signature approve the same, file the duplicate, and return the original to the registrant, who shall retain it as a certificate of registration at the place of business to which it applies and shall present it as an identification at the time of transacting business with any Board.

§ 1394.2905 *Issuance of inventory coupons.* (a) The Board shall, at the time of its approval of any registration certificate, issue to the registrant inventory coupons in the amount of the difference between the total gasoline storage capacity for each place of business and the total inventory of gasoline on hand as certified by the registrant. A one-hundred gallon inventory coupon or a quantity of class A coupons may at any time subsequent to registration be exchanged at any Board in Puerto Rico by a dealer or intermediate distributor for an equivalent amount of one-gallon inventory coupons.

§ 1394.2906 *Restriction on use of inventory coupons.* (a) Every dealer and intermediate distributor shall retain all inventory coupons issued to him at the place of business for which they were issued, and shall exchange his inventory coupons only when a delivery to him exceeds the number of consumer coupons or other evidences available for exchange: *Provided, however*, That one-gallon inventory coupons may be used at any time to make up the difference between the number of gallons in any delivery and the nearest number of gallons which can be represented by the use of consumer coupons or other evidences.

§ 1394.2907 *Restriction on transfers.* (a) Except as provided in § 1394.2908 no dealer or intermediate distributor in Puerto Rico shall transfer or offer to transfer to, or shall receive a transfer of gasoline from any other dealer or intermediate distributor except in exchange for a quantity of coupons or other evidences, at or before the time of the actual delivery of the gasoline, equal in gallonage value to the amount of the gasoline so transferred.

§ 1394.2908 *Night deliveries; third party deliveries.* (a) Where an oil company or intermediate distributor elects to make delivery of gasoline during hours when the purchaser is not open for business, the purchaser shall, where the exact amount of the delivery is known in advance, mail or deliver in advance to the transferor coupons or other evidences in an equal gallonage value, or may, at the discretion of the transferor, within twenty-four (24) hours of delivery forward to the transferor an amount of coupons or other evidences equal in gallonage value to the number of gallons so delivered.

§ 1394.2909 *Upstream transfers.* Any oil company or intermediate distributor who receives a transfer or return of gasoline from a dealer or intermediate distributor in Puerto Rico, other than in connection with a transfer to him of the place of business of such dealer or intermediate distributor, shall deliver to such dealer or intermediate distributor a quantity of his accumulated coupons or other evidences equal in gallonage value to the amount of gasoline so transferred or returned.

§ 1394.2910 *Preservation of coupons; Coupon Sheets.* (a) Each dealer and in-



intermediate distributor shall affix the coupons received by him directly from consumers to a Coupon Sheet (Form OPA R-542) in the manner directed thereon. Separate coupon sheets shall be maintained for coupons of each separate type; only coupons of one class shall be attached to any one sheet.

§ 1394.2911 *Preservation of Acknowledgments.* (a) Each dealer and intermediate distributor shall attach the Acknowledgments and Allotment Authorizations delivered to him by authorized purchasers to a Summary of Acknowledgments (Form OPA R-541) on which he shall enter for each such Acknowledgment and Allotment Authorization in order the date of purchase, name of purchaser, and number of gallons sold.

§ 1394.2912 *Summary of Coupons.* (a) Each dealer and intermediate distributor shall, prior to every delivery by him of coupons or other evidences, except exchange certificates, prepare in duplicate on Form OPA R-541 a Summary of Coupons and Acknowledgments in the manner directed thereon, certifying the number of each type of coupon and the number of evidences to be delivered. The original of this summary shall be delivered by him attached to his coupons and other evidences. The copy shall be retained by him at his place of business for a period of not less than one year. Dealers and intermediate distributors shall forward such summaries to their vendors.

§ 1394.2913 *Exchange of coupons for certificates.* (a) A dealer or intermediate distributor may at any time deliver to any Board in Puerto Rico coupons or other evidences (except exchange certificates) and obtain in return a certificate or certificates equal to the gallonage value of the coupons or other evidences remitted. The remitter shall attach to such coupons or other evidences a summary of coupons and acknowledgments on Form OPA R-541. The Board shall furnish him in return an Exchange Certificate (Form OPA R-548, of which a duplicate shall be retained for the files of the Board) equal in gallonage value to the total gallonage value of the coupons or other evidences remitted by him.

§ 1394.2914 *Invalidity of Class A coupon after expiration of bi-monthly period.* (a) No dealer shall accept any coupon the period of validity of which has expired; and no such coupon shall be an evidence of any gallonage value, except on coupon sheets to which it has been attached prior to the expiration of its period of validity.

§ 1394.2915 *Certification of shortage.* (a) Dealers and intermediate distributors shall be permitted from time to time to apply on Form OPA R-549 for compensation for losses of gasoline through evaporation, handling, accident, or other extraordinary circumstances; and dealers, intermediate distributors and oil companies shall be permitted so to account for unavoidable loss of coupons. The certification of shortage shall be submitted to the Board having jurisdiction

of the area in which such dealer or intermediate distributor has the place of business to which the shortage is to be attributed, and shall show the nature and quantity of such shortage with a full explanation therefor. If, on consideration of the certification of such other facts as it may require of the applicant, the Board is satisfied that the applicant has established the fact and reasonableness of such shortage, the Board shall file the certification and issue to the applicant a quantity of inventory coupons equal to the amount of the proven loss: *Provided*, That the Board shall not issue, as compensation for a shortage resulting from shrinkage or evaporation, certificates having a gallonage value in excess of 1% of the gallonage delivered each month.

§ 1394.2916 *Records to be kept by dealers and intermediate distributors.* At the time of making delivery of gasoline to any dealer or intermediate distributor in Puerto Rico, every oil company shall furnish to such dealer or intermediate distributor an invoice, delivery ticket, or other customary evidence of transfer, showing the name and address of the purchaser and the date and quantity of the purchase; and every such purchaser shall retain at his place of business for a period of at least one year from the date of his purchase of gasoline the invoice, delivery ticket, or other evidence so furnish him.

§ 1394.2917 *Reports by oil companies.* (a) Every oil company shall, on or before the 10th day of each month, commencing with the month of September, 1942, submit to the Director of the Office of Price Administration for Puerto Rico a written report for the previous calendar month showing:

(1) The gasoline gallonage on hand at the close of business on the last day of the month preceding the month for which the report is made;

(2) The gallonage imported during the month for which the report is made;

(3) The gallonage transferred to and received from other oil companies during the month for which the report is made;

(4) The gallonage on hand at the close of business on the last day of the month for which the report is made;

(5) The gallonage transferred to the armed forces of the United States during the month for which the report is made;

(6) The gallonage transferred to intermediate distributors, dealers, or consumers during the month for which the report is made.

Every oil company shall attach to such report all evidences received in exchange for gasoline so transferred by it during the month for which the report is made. The oil company shall include in its report a reconciliation of any difference between the total gallonage reported so transferred and the total gallonage represented by the evidences attached to the report.

§ 1394.2918 *Reports by Collector of Customs.* (a) As soon after the first of each month as is practicable, commencing

with the month of August, 1942, the United States Collector of Customs for the Island of Puerto Rico shall prepare and send to the Director of the Office of Price Administration for Puerto Rico a written report for the previous calendar month containing the following information:

(1) The total gasoline gallonage imported into the Island of Puerto Rico during the previous month, and the gallonage allotted to each oil company.

(2) The total gallonage and the gallonages of each oil company exported from the Island of Puerto Rico during the previous month.

(3) The total gasoline inventory of the oil companies, and the inventory of each individual oil company, at the close of business on the last day of the month for which the report is made.

§ 1394.2919 *Explanation by oil companies.* (a) The Director of the Office of Price Administration for Puerto Rico may, at any time, request any oil company to explain a discrepancy existing between the figures supplied in its monthly report and the number of evidences turned in by it to the Office of Price Administration for Puerto Rico and the monthly report made by the Collector of Customs. Any failure or refusal to explain such discrepancies shall constitute prima facie evidence that such oil company has transferred gasoline without accepting evidences therefor.

§ 1394.2920 *Registration of new or reopened place of business.* (a) Any dealer or intermediate distributor who opens or reopens in Puerto Rico a place of business not previously registered by such dealer or intermediate distributor shall, prior to receipt or transfer of any gasoline, register such place of business in the manner provided in § 1394.2901, and shall be issued inventory coupons equal in gallonage value to the total capacity of his unfilled gasoline storage facilities as of the time of registration.

§ 1394.2921 *Cessation of business.* (a) Any dealer or intermediate distributor who ceases to operate as such, disposes of his stocks of gasoline, and closes his place of business without transferring it to another for continued operation, shall, at the time of final closing, deliver to the Board having jurisdiction of the area in which his place of business is located the original certificate of registration of such place of business and a quantity of coupons or other evidences equal in gallonage value to the total capacity of the gasoline storage facilities of such place of business.

§ 1394.2922 *Sale of place of business.* (a) Any person acquiring from a dealer or intermediate distributor a place of business already registered in accordance with the provisions of § 1394.2901 shall, prior to receipt or transfer of any gasoline, register such place of business in the manner provided in §§ 1394.2901 to 1394.2909, inclusive; except that he shall be issued inventory coupons equal in gallonage value to the total capacity of the entire gasoline storage facilities of such place of business. He shall then deliver to the transferor of such place



of business a quantity of inventory coupons equal in gallonage value to the total amount of gasoline on hand as of the time of transfer. The transferor shall deliver, to the Board having jurisdiction of the area in which the place of business transferred by him is located, the certificate of registration of such place of business, together with a quantity of coupons or other evidences equal in gallonage value to the total capacity of the entire gasoline storage facilities of such place of business.

§ 1394.2923 *Change of storage capacity.* (a) Any dealer or intermediate distributor in any manner altering the total capacity of the gasoline storage facilities of a place of business shall deliver for cancellation, to the Board having jurisdiction of the area in which such place of business is located, his original certificate of registration, and shall obtain a new certificate of registration in the manner provided by §§ 1394.2901 to 1394.2904, inclusive. The Board shall attach to its copy of the new certificate the original and copy of the cancelled certificate. Where the capacity of the gasoline storage facilities is decreased, the dealer or intermediate distributor shall furnish to the Board a quantity of coupons or other evidences equal in gallonage value to the amount of the decrease. Where the capacity of his gasoline storage facilities is increased, the Board shall issue to the dealer or intermediate distributor in the manner described in § 1394.2905 a quantity of inventory coupons equal in gallonage value to the amount of the increase.

§ 1394.2924 *Inspection of records and facilities.* (a) All records, reports, forms, accounts, or other documents required by Ration Order No. 5 B to be prepared and kept by any person, and the gasoline facilities of any person, shall be subject to the inspection of the Office of Price Administration and its employees or by such persons as the Office of Price Administration may designate for the purpose of making inspections. Such inspections may be made at the place of business of any such person during regular hours, or, in the case of matters prepared on forms of the Office of Price Administration, at any time and place designated by the Office of Price Administration.

#### ADJUSTMENTS AND APPEALS

§ 1394.2951 *Adjustment of errors made by registrars.* (a) Any person who claims that a registrar improperly refused to issue a basic ration book or made an error in issuing a basic ration book on the basis of his application, may apply to a Board, orally or in writing, for an adjustment of such error. Any person who claims that a basic ration book was denied or was incorrectly issued to him by a registrar, by reason of an error in his application, may make a new application, to a Board, for a basic ration book. Application pursuant to this paragraph shall be made to the Board having jurisdiction over the area in which such original application was made, or in which the motor vehicle for

which the application was made is customarily garaged or stationed.

(b) The Board shall obtain and examine the original application or, if such original application cannot expeditiously be found, it shall require the applicant to prepare a duplicate of such application and to certify that it is an exact duplicate thereof. If the Board finds that an error was made, by the applicant or by the registrar, it shall issue a basic ration book, or correct the book issued by the registrar, or issue a new book in place of the one issued by the registrar, or take such other action in accordance with the provisions of this order as may be necessary to correct the error. The Board shall, if it replaces a book, remove from the book issued by it coupons having gallonage value equal, as nearly as possible, to the value in gallons of the coupons found to be detached from the book to be replaced and, in the case of an A or D book, any expired coupons.

§ 1394.2952 *Appeals from decisions of Boards.* (a) An applicant may appeal to the Director of the Office of Price Administration for Puerto Rico from an adverse decision of a Board by filing with the Board a sworn statement in writing setting forth his objections to the decision and the grounds for the appeal. The statement must be filed not later than ten (10) days after receipt of notice of the decision. Within three (3) days after receipt of the statement, the Board shall send it to the Director together with its entire record on the application.

(b) The Director may request the applicant to appear before him or to furnish such additional information as he may deem pertinent. The Director shall render his decision on the appeal within five (5) days after receipt of the statement and record, and, in cases of apparent emergency, within twenty-four (24) hours, if possible. He shall promptly notify the applicant and the Board, in writing, of his decision. In the event that a decision of a Board is reversed or modified by the Director, the record shall be remanded to the Board for action consistent with his decision.

#### ENFORCEMENT

§ 1394.3001 *Criminal prosecution.* (a) Any person who knowingly falsifies an application or any other record or certificate made pursuant to or required by the terms of Ration Order No. 5 B, or who otherwise knowingly furnishes false information to a registrar, a Board, or any other agent, employe or officer of the Office of Price Administration, or who conspires with another person to perform any of the foregoing acts, may upon conviction be fined not more than \$10,000 or imprisoned for not more than ten years, or both, and shall be subject to such other penalties as may be prescribed by law.

(b) Any person who wilfully performs any act prohibited, or wilfully fails to perform any act required, by any provision of Ration Order No. 5 B may, upon conviction, be fined not more than \$10,000 and imprisoned for not more than one year, or both, and shall be

subject to such other penalties as may be prescribed by all applicable statutes.

§ 1394.3002 *Suspension orders.* (a) Any person who violates Ration Order No. 5 B may, by administrative suspension order, be prohibited from receiving any deliveries of, or selling or otherwise disposing of, any gasoline or other rationed product. Such suspension order shall be issued for such period as in the judgment of the Director of the Office of Price Administration for Puerto Rico is necessary or appropriate in the public interest and to promote the security of the Island of Puerto Rico.

#### EFFECTIVE DATE

§ 1394.3051 *Effective date.* Ration Order No. 5 B (§§ 1394.2102 to 1394.3051) shall become effective July 22, 1942.

Issued this 20th day of July 1942.

LEON HENDERSON,  
Administrator.

[F. D. Doc. 42-6911; Filed, July 20, 1942;  
5:17 p. m.]

#### PART 1418—TERRITORIES AND POSSESSIONS

[Maximum Price Regulation 183]

#### PUERTO RICO

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

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1 issued by the Office of Price Administration, Maximum Price Regulation No. 183 is hereby issued.

#### Sec.

- 1418.1 Maximum prices.
- 1418.2 Less than maximum prices.
- 1418.3 Adjustable pricing.
- 1418.4 Evasion.
- 1418.5 Records and reports.
- 1418.6 Licensing.
- 1418.7 Registration of licensees.
- 1418.8 Enforcement.
- 1418.9 Applicability of General maximum Price Regulation.
- 1418.10 Petitions for amendment and applications for adjustment.
- 1418.11 Definitions.
- 1418.12 Applicability.
- 1418.13 Effective dates.
- 1418.14 Tables of maximum prices.

AUTHORITY: §§1418.1 to 1418.14, inclusive, issued under Pub. Law 421, 77th Cong.

§ 1418.1 *Maximum prices.* (a) Maximum prices are established as follows:

(1) On and after July 20, 1942, regardless of any contract, agreement, lease, or other obligation, no person shall sell or deliver rice in the Territory of Puerto Rico and no person shall buy or receive rice in the Territory of Puerto Rico at prices higher than the maximum prices set forth in § 1418.14 (a) Table I; and no person shall agree, offer, solicit or attempt to do any of the foregoing. The provisions of this subparagraph shall not

be applicable to sales or deliveries of rice to a purchaser if prior to July 20, 1942, such rice had been received by a carrier other than a carrier owned or controlled by the seller for shipment to such purchaser.

§ 1418.2 *Less than maximum prices.* Lower prices than those set forth in this Maximum Price Regulation No. 183 may be charged, demanded, paid, or offered.

§ 1418.3 *Adjustable pricing.* Any person may offer or agree to adjust or fix prices to or at prices not in excess of the maximum prices in effect at the time of delivery. In an appropriate situation, where a petition for amendment or for adjustment or exception requires extended consideration, the Administrator may, upon application, grant permission to agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

§ 1418.4 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 183 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of, or relating to the commodities covered herein, alone or in conjunction with any other commodity or by way of commission, service, transportation, or other charge, or discount, premium, or other privilege, or by tying-agreement or other trade understanding, or otherwise.

§ 1418.5 *Records and reports—(a) Records to be kept.* (1) Every person making sales at wholesale of the commodities subject to this Maximum Price Regulation No. 183 shall, on and after the date any such commodity becomes subject to this regulation, keep for inspection by the Office of Price Administration, for a period of not less than one year, complete and accurate records of each purchase and each sale made by such person, showing the date thereof, the name and address of the buyer and seller, the direct cost thereof, the price paid or received, the mark-up charged, and the quantity purchased or sold.

(2) Every person making sales at retail of the commodities subject to this Maximum Price Regulation No. 183 shall, on and after the date any such commodity becomes subject to this regulation, keep for inspection by the Office of Price Administration, for a period of not less than one year, complete and accurate records of each purchase made by the seller, the date thereof, the name and address of the person selling to the seller, the direct cost thereof, the price paid, the quantity purchased, and the mark-up charged by the seller to the buyer.

(b) *Prices to be marked and posted.* On and after the date any commodity becomes subject to this Maximum Price Regulation No. 183, every person offering to sell at retail any such commodity shall mark the maximum price of such commodity in a manner plainly visible to and understandable by, the purchasing public. The maximum prices may be marked on the commodities themselves or may be posted at the place in the

establishment where the commodities are offered for sale, and may be posted by price lines if the selling price of each commodity is marked thereon. The maximum prices shall be indicated in the form "Ceiling Price \$-----" or "Our Ceiling \$-----".

(c) *Lists to be filed.* On or before 30 days following the date commodities become subject to this Maximum Price Regulation No. 183, every person offering to sell at retail commodities subject to this regulation, shall file with the Office of Price Administration for the Territory of Puerto Rico a list showing the maximum price for each commodity subject to this Maximum Price Regulation No. 183 then offered for sale, together with an appropriate identification of each such commodity. Such statement shall be kept up-to-date by such person by filing on the tenth day of every succeeding calendar month a statement of his maximum price for any commodity subject to this regulation newly offered for sale during the previous calendar month, together with an appropriate description or identification of the commodity.

(d) *Sales slips and receipts.* Every seller at retail of the commodities subject to this Maximum Price Regulation No. 183 who has customarily given purchasers sales slips or receipts shall continue to do so. Upon request from a purchaser, every such seller, regardless of previous custom, shall give the purchaser a receipt showing the date, the name and address of the seller, the commodity sold, and the price received for it.

§ 1418.6 *Licensing—(a) License required.* A license as a condition of selling, is hereby required of every person subject to this regulation now or hereafter selling a commodity for which a maximum price is established by this Maximum Price Regulation No. 183.

(b) *License granted.* Every person subject to this regulation now or hereafter selling a commodity for which a maximum price is established by this Maximum Price Regulation No. 183 is hereby granted a license as a condition of selling any such commodity. Such license shall be effective on the effective date of this regulation, or when any person becomes subject to the maximum price provisions of this regulation, and shall, unless suspended as provided by the Act, continue in force so long as and to the extent that said regulation or any amendment or supplement thereto remains in force.

(c) *Licensing section of General Maximum Price Regulation superseded.* This section supersedes the provisions of § 1499.16 of the General Maximum Price Regulation<sup>17</sup> insofar as said section may be applicable to persons selling any commodity for which a maximum price is established by this Maximum Price Regulation No. 183.

§ 1418.7 *Registration of licensees.* Every person hereby licensed may be required to register with the Office of Price Administration at such time and in such

<sup>17</sup> F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659.

manner as the Administrator may hereafter by regulation prescribe.

§ 1418.8 *Enforcement.* (a) Persons violating any provision of this Maximum Price Regulation No. 183 are subject to the criminal penalties, civil enforcement actions, proceedings for the suspension of licenses, and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 183, or any price schedule, regulation, or order issued by the Office of Price Administration, or of any acts or practices which constitute such a violation, are urged to communicate with the Office of Price Administration for the Territory of Puerto Rico or the principal Office in Washington, D. C.

§ 1418.9 *Applicability of General Maximum Price Regulation.* The provisions of this Maximum Price Regulation No. 183 supersede the provisions of the General Maximum Price Regulation, except as otherwise provided herein, with respect to sales or deliveries of commodities for which maximum prices are established by this regulation.

§ 1418.10 *Petitions for amendment and applications for adjustment.* Persons seeking any modification of this Maximum Price Regulation No. 183, or an adjustment or exception not provided for herein, may file petitions for amendment in accordance with the provisions of Procedural Regulation No. 1, or applications for adjustment in accordance with the provisions of Procedural Regulation No. 7,<sup>3</sup> issued by the Office of Price Administration.

§ 1418.11 *Definitions.* (a) When used in this Maximum Price Regulation No. 183, the term:

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

(2) "Sale at wholesale" means a sale by a person who receives delivery of a commodity and resells it, without substantially changing its form, to any purchaser for resale or to a commercial or industrial user.

(3) "Sale at retail" means a sale or selling to an ultimate consumer other than an industrial or commercial user, except that (i) a "sale at retail" shall not include any sale by a producer, manufacturer, or fabricator of any commodity produced, manufactured, or fabricated by him, and (ii) a "sale at retail" shall not include any sale to the United States, any other government or any of its political subdivisions, any religious, educational or charitable institution, any institution for the sick, deaf, blind, disabled, aged or insane, or any school, hospital, library or any agency of any of the foregoing.

<sup>3</sup> 7 F.R. 4779.



(4) "Direct cost to the seller" means the price which the seller paid for the commodity, less discounts allowed to the seller plus all costs of shipments actually incurred by the seller.

(5) "Sales and deliveries to buyers in the Territory of Puerto Rico" does not include sales from a seller outside the Territory of Puerto Rico to a purchaser in the Territory of Puerto Rico. Export sales, from a seller in the continental United States to a purchaser in the Territory of Puerto Rico shall be governed by the maximum prices established for export sales by the Maximum Export Price Regulation.<sup>4</sup>

(6) "Pocket" means a bag or other container of 100 pounds net of rice.

(7) "To deliver" means to transfer actual possession of the commodity to the purchaser or to any carrier, including a carrier owned or controlled by the seller, for shipment to the purchaser.

(8) "Records" include books of account, sales lists, sales slips, orders, vouchers, contracts, receipts, invoices, bills of lading, and other papers and documents.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to the terms used herein.

§ 1418.12 *Applicability.* The provisions of this Maximum Price Regulation No. 183 shall be applicable to the Territory of Puerto Rico.

§ 1418.13 *Effective dates.* (a) This Maximum Price Regulation No. 183 (§§ 1418.1 to 1418.14, inclusive) shall become effective July 20, 1942.

§ 1418.14 *Tables of maximum prices—(a) Table I: Maximum prices for rice—(1)* The maximum prices for rice sold or delivered at wholesale and retail to buyers in the Territory of Puerto Rico shall be:

(i) The direct cost of the rice to the seller,

(ii) Plus the following mark-up:

VARIETIES	Sales at wholesale (mark-up per 100 lb. bag or pocket)	Sales at retail (mark-up per pound)
Blue Rose .....	\$0.50	\$0.01
Early Prolific .....	.50	.01
Lady Wright .....	.50	.01
Zenith .....	.50	.01
American Pearl (Japan) .....	.50	.01
Calady .....	.50	.01
Rexoro .....	.70	.01
Edith .....	.70	.01
Nira .....	.70	.01
Fortuna .....	.70	.01
NON-VARIETAL CLASSES		
Screenings .....	.40	.01
Brewers .....	.35	.01

(2) The mark-ups set forth above are the maximum mark-ups for the highest grades of the varieties of rice specified. Mark-ups on lower grades of any variety specified shall not be in excess of the

mark-up for the highest grade. For a variety of rice not specified above, the mark-ups shall be the same as the mark-up for a specified variety having a direct cost in line with the direct cost of the unspecified variety. If a mark-up cannot be determined hereunder, the maximum price shall be the price established for the seller thereof by § 1499.2 and § 1499.3 of the General Maximum Price Regulation.

(3) The seller's cost and the amount of mark-up prescribed in subparagraphs (1) and (2) of this paragraph, shall be stated as separate items in the billing by the seller at wholesale. Not more than one such mark-up may be added to a sale and delivery of the same lot of rice by the wholesalers thereof and not more than one such mark-up may be added to the sale and delivery of the same lot of rice by the retailers thereof.

Issued this 20th day of July 1942.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 42-6906; Filed, July 20, 1942;  
5:10 p. m.]

### Notices

#### DEPARTMENT OF THE INTERIOR.

##### Bituminous Coal Division.

[Docket No. B-224]

JOHN A. McNULTY, JR., CODE MEMBER

#### ORDER ADOPTING PROPOSED FINDINGS OF FACT AND PROPOSED CONCLUSIONS OF LAW OF EXAMINER, AND DISMISSING COMPLAINT

This proceeding was instituted upon a complaint filed on February 12, 1942, with the Bituminous Coal Division, pursuant to sections 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937, by District Board No. 9 against John A. McNulty, Jr., a code member producer in District No. 9. The complaint alleged that the code member wilfully violated section 4 II (e) of the Act and the rules and regulations promulgated thereunder, and prayed that the Division revoke and cancel the code membership of the code member or, in its discretion, direct the code member to cease and desist from further violations of the Act.

Pursuant to an Order of the Acting Director dated March 9, 1942, and after due notice to interested persons, a hearing in this matter was held on April 20, 1942, before Charles S. Mitchell, a duly designated Examiner of the Division, at a hearing room thereof at Owensboro, Kentucky. All interested persons were afforded an opportunity to be present, adduce evidence, cross-examine witnesses, and otherwise participate fully in the hearing. John A. McNulty, Jr., appeared at the hearing.

The Examiner, on June 23, 1942, submitted his Report, Proposed Findings of Fact, Proposed Conclusions of Law, and Recommendation. He found that John A. McNulty, Jr., had not wilfully violated section 4 II (e) of the Act or the rules

and regulations thereunder or Price Instruction 5 in the Schedule of Effective Minimum Prices for District No. 9 for Truck Shipments as alleged in the complaint. He further found that code member did not fail to add to the effective minimum f. o. b. mine price the cost of transporting coal from the mine to the point at which it was delivered. Based upon his proposed findings of fact, the Examiner recommended that an order be entered dismissing the complaint.<sup>1</sup>

An opportunity was afforded to all parties to file exceptions to the Proposed Findings of Fact, Proposed Conclusions of Law, and Recommendation of the Examiner. No exceptions thereto have been filed.

The undersigned had determined that the proposed findings of fact and the proposed conclusions of law of the Examiner in this matter should be approved and adopted as the findings of fact and conclusions of law of the undersigned.

Now, therefore, it is ordered, That the said proposed findings of fact and proposed conclusions of law of the Examiner be, and they hereby are, approved and adopted as the findings of fact and conclusions of law of the undersigned.

It is further ordered, That the complaint filed by District Board No. 9 against John A. McNulty, Jr., a code member producer in District No. 9, be, and it hereby is, dismissed.

Dated: July 18, 1942.

[SEAL]

DAN H. WHEELER,  
Acting Director.

[F. R. Doc. 42-6913; Filed, July 21, 1942;  
10:56 a. m.]

#### DEPARTMENT OF LABOR.

##### Wage and Hour Division.

##### LEARNER EMPLOYMENT CERTIFICATES

##### NOTICE OF ISSUANCE

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that Special Certificates authorizing the employment of learners at hourly wages lower than the minimum wage rate applicable under section 6 of the Act are issued under

<sup>1</sup> The Examiner's Report contains some confusing expressions regarding the recommended dismissal of this matter. The code member filed an answer to the complaint wherein he denied that he had wilfully violated the price schedule and denied that he had in any way violated section 4 II (e) of the Act or the Code in failing to add the cost of transportation, and accordingly, prayed dismissal of the complaint. Code member also filed a motion to dismiss the complaint on the ground "that he is not now, nor was at the time complained of in the complaint, engaged in interstate commerce." I read the recommendation of the Examiner as not being based upon this motion filed by the code member, for he expressly stated that that motion should be denied, but as being based upon his findings that there had not been proved a violation of the effective minimum prices.

<sup>4</sup> F. R. 5054.



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

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

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

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

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

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

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

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

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

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

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

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

The employment of learners under these Certificates is limited to the terms and conditions as to the occupations, learning periods, minimum wage rates, et cetera, specified in the Determination and Order or Regulation for the industry designated above and indicated opposite the employer's name. These Certificates become effective July 20, 1942. The Certificates may be cancelled in the manner provided in the Regulations and as indicated in the Certificates. Any person aggrieved by the issuance of any of these Certificates may seek a review or reconsideration thereof.

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

#### Apparel

M. S. Kondazian & Sons, Inc., 76 Coolidge Hill Road, Watertown, Massachusetts; Mens suits, clothing, overcoats and topcoats; 5 percent (T); July 20, 1943.

Lebow Brothers, 100 West Baltimore Street, Baltimore, Maryland; Men's suits, overcoats, dress clothes, Army & Navy officer's uniforms; 10 learners (T); July 20, 1943.

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

American Athletic Co., 1630 South Flower St., Los Angeles, California; Caps and shirts; 4 learners (T); July 20, 1943.

Belgrade Dress Company, 1107 Bridge St., New Cumberland, Pennsylvania; Children's dresses; 7 learners (T); July 20, 1943.

Beverly Vogue Co., 127 East 9th Street, Los Angeles, California; Girdles, pantie girdles & foundation garments; 5 learners (T); July 20, 1943.

Chicago Sportswear Co., 317 West Adams Street, Chicago, Illinois; Skirts and sportswear; 10 learners (T); July 20, 1943.

Dixie Undergarment Co., 513-52nd Street, West New York, New Jersey; Children's underwear; 4 learners (T); July 20, 1943.

Forest City Dress Company, Forest City, Pennsylvania; Children's dresses; 20 learners (E); January 20, 1943.

Hicks-Hayward Company, 309 South Santa Fe Street, El Paso, Texas; Cotton work trousers and shirts; 10 percent (T); July 20, 1943.

The O. L. Hinds Company, 165 St. Paul Street, Burlington, Vermont; Children's playsuits and snowsuits; 10 percent (T); January 20, 1943.

The Jay Garment Co., South Meridian Street, Portland, Indiana; Jackets and worksuits, children's playclothing, men's work clothing; 10 percent (T); July 20, 1943.

Kansas City Boyswear Mfg. Co., 710 Central Street, Kansas City, Missouri; Boy's outergarments; 40 learners (E); January 20, 1943.

Kay's Sportswear, 20 Courtlandt Street, New Brunswick, New Jersey; Housecoats and linen sportswear; 5 learners (T); July 20, 1943.

M. Kutcher, 2149 North Warnock Street, Philadelphia, Pennsylvania; Infants' dresses; 5 learners (T); July 20, 1943.

Lassar and Bick Company, 127 East 9th Street, Los Angeles, California; Sport coats; 5 learners (T); January 20, 1943.

Lee-Wald Garment Co., 2314 McGee Street, Kansas City, Missouri; Jackets, slacks, shorts and suits; 10 learners (T); July 20, 1943.

Louis Lewin Company, 1108 South Fourth Street, Clinton, Indiana; Cotton work clothes; 10 learners (T); July 20, 1943.

Lusco Contracting Co., Inc., 115 South 4th Avenue, Mt. Vernon, New York; Ladies' blouses; 10 learners (T); July 20, 1943.

Mayfield Sewing Co., Mayfield, Pennsylvania; Children's dresses; 20 learners (E); January 20, 1943.

Louis Nitishin, 1301 Iturbide Street, Laredo, Texas; Children's dresses; 10 learners (T); July 20, 1943.

Nu Mode Creation, 1036 South La Brea Street, Los Angeles, California; Combination slip and brassiere; 2 learners (T); July 20, 1943.

Paul Rehfish, 4352 Melrose Avenue, Los Angeles, California; Maternity slack suits; 2 learners (T); July 20, 1943.

Rome Manufacturing Co., Second Avenue, Rome, Georgia; H. B. Twill trousers, cotton work pants, cotton work shirts and jackets; 10 percent (T); July 20, 1943.

Silvers Sportswear, 1017 South Grand Avenue, Los Angeles, California; Ladies' sportswear; 18 learners (E); November 20, 1942.

Standard Shirt Factory, 229 W. Market St., York, Pennsylvania; U. S. Marine shorts and dress shirts; 5 learners (T); July 20, 1943.

Titan Manufacturing Co., 201 North Water Street, Milwaukee, Wisconsin;

Men's trousers and shirts; 5 learners (T); July 20, 1943.

Washington Manufacturing Corp., 7 Railroad Avenue, Washington, New Jersey; Ladies' underwear; 10 percent (T); July 20, 1943.

Wolf Manufacturing Company, Inc., Chelmsford Street, Lowell, Massachusetts; children's outerwear; 4 learners (T); January 20, 1943.

#### Artificial Flower and Feather

California Artificial Flower Co., 400 Reservoir Ave., Providence, R. I.; Artificial Flowers and Feathers; 110 learners (T); August 31, 1942.

#### Gloves

Century Glove Corp., (Work Glove Division) 200 Wright Street, Newark, New Jersey; Work gloves; 30 learners (E); January 20, 1943.

Thomas Donlon Glove Shop, 108 South Washington St., Herkimer, New York; Ladies' dress gloves; 10 percent (T); July 20, 1943.

#### Hosiery

Amos & Smith Hosiery Company, Pilot Mountain, North Carolina; Full fashioned hosiery; 10 percent (T); July 20, 1943.

Bisher Hosiery Mill, Salisbury Street, Denton, North Carolina; Seamless Hosiery; 10 learners (T); March 20, 1943.

Hosiery Dept. of Mauney Mills, Inc., Railroad Avenue, Kings Mountain, North Carolina; Seamless Hosiery; 5 learners (T); July 20, 1943.

Pohatcong Hosiery Mills, Inc., Park Avenue, Washington, New Jersey; Full-fashioned hosiery; 10 percent (T); July 20, 1943.

Rodgers Hosiery Company, Inc., Brookwood Drive & Hillcrest St., Athens, Georgia; Full-fashioned hosiery; 10 percent (T); July 20, 1943.

#### Knitted Wear

Buffalo Knitting Mills, Applegate Avenue, Pen Argyl, Pennsylvania; Knitted outerwear; 10 learners (E); November 20, 1942.

Hollyvogue Knitting Mills, 1209 East 14th Street, Los Angeles, California; Knitted outerwear; 5 learners (T); July 20, 1943.

#### Textile

Copland Fabrics, Inc., Burlington, North Carolina; Rayon; 3 learners (T); July 20, 1943.

Edna Mills Corporation, Way and Harrison Streets, Reidsville, North Carolina; Cotton; 3 percent (T); July 20, 1943.

Liberty Throwing Company, Inc., Pringle and Zerby Avenue, Kingston, Pennsylvania; Rayon; 3 percent (T); July 20, 1943.

Liberty Throwing Company, Inc., Walnut and Church Streets, Nanticoke, Pennsylvania; Rayon; 3 percent (T); July 20, 1943.

Signed at New York, N. Y., this 18th day of July 1942.

MERLE D. VINCENT,  
Authorized Representative  
of the Administrator.

[F. R. Doc. 42-6912; Filed, July 21, 1942; 10:36 a. m.]

## CIVIL AERONAUTICS BOARD.

[Docket Nos. 715, 738]

PAN AMERICAN AIRWAYS, INC.

## NOTICE OF FURTHER POSTPONEMENT OF HEARING

In the matter of temporary foreign air transportation between the United States and Europe by Pan American Airways, Inc.

In the matter of the petition for removal of certain restrictions relating to air transportation between the United States and Europe by Pan American Airways, Inc.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 401 and 1001 of said Act, in the above-entitled proceeding, that public hearing now assigned to be held on July 22, 1942, is hereby postponed to July 29, 1942, 10 a. m. (Eastern War Time) in the Foyer of the Auditorium, Department of Commerce Building, 14th Street and Constitution Ave. NW., Washington, D. C., before an Examiner of the Board.

Dated Washington, D. C., July 20, 1942.  
By the Civil Aeronautics Board.

[SEAL] DARWIN CHARLES BROWN,  
Secretary.

[F. R. Doc. 42-6926; Filed, July 21, 1942;  
11:35 a. m.]

## INTERSTATE COMMERCE COMMISSION.

## ADJUSTMENT OF CONFLICT BETWEEN GENERAL MAXIMUM PRICE REGULATION AND MINIMUM RATE SCHEDULES

## NOTICE TO ALL CONTRACT CARRIERS BY MOTOR VEHICLE OR BY WATER SUBJECT TO PARTS II OF III OF THE INTERSTATE COMMERCE ACT

JULY 17, 1942.

The Office of Price Administration, in a communication dated July 11, 1942, addressed to contract carriers subject to the Interstate Commerce Act, has called their attention to the "General Maximum Price Regulation" issued by it on April 28, 1942, pursuant to the provisions of the Emergency Price Control Act of 1942, which is now scheduled to become effective August 1, 1942. In the communication mentioned, the O.P.A. refers to the procedure to be followed in filing applications for amendments to such regulation. The following is quoted from the communication:

Pursuant to the provisions of the Emergency Price Control Act of 1942, and under the terms of the General Maximum Price Regulation of April 28, 1942, the maximum charges of all carriers other than common carriers are set for each carrier at the highest March [1942] rates for the same service.

Carriers complaining of undue hardship may petition for amendment in accordance with the provisions of Procedural Regulation No. 1, a copy of which may be obtained from any of the Regional Offices listed below or from the Washington Office. Such petitions should include, along with all other pertinent information, a statement of the rates for which authorization is sought and of

the highest rates in effect during March, 1942, for the same service.

The regulation above referred to does not set aside or modify the provisions of sections 218 and 306 (e) of the Interstate Commerce Act, which require contract carriers by motor vehicle and by water, respectively, to file with the Commission schedules containing the minimum rates or charges of such carriers actually maintained and charged for transportation in interstate or foreign commerce.

In certain instances there may be a conflict between minimum rates named in the schedules filed with the Commission, and the maximum prescribed in the regulation by the Office of Price Administration. When, by the regulation of the O.P.A. a motor or water contract carrier is required to observe as a maximum rates or charges which are lower than the minimum rates or charges set out in the carrier's schedule on file with the Commission, obviously either a new schedule of minimum charges must be filed with the Commission which does not exceed the maximum basis prescribed by the O.P.A., or a conflict with the Emergency Price Control Act of 1942 will be created.

It has seemed to both the Office of Price Administration and to the Commission that it is most desirable that there should be no question of conflict between the price regulations and the Commission's orders as to minimum rates, and that a simple and expeditious procedure should be devised for the determination of a rate fair to the carrier as a minimum and to the shipper as a maximum. This requires cooperation between the two governmental agencies. The plan suggested in the communication of the Office of Price Administration is the result.

Accordingly, whenever the regulation of the O.P.A. requires the observance of a maximum charge lower than that imposed as a minimum by an effective order of this Commission, or whenever a contract carrier considers the facts justify a higher maximum basis than prescribed by the regulation, the contract carrier may file a petition with the Office of Price Administration for amendment of its regulation so as to permit the charging of the higher minimum basis prescribed by the Commission's order or the higher basis justified by the factual situation. Such petitions may be filed before or after the effective date of the regulation, August 1, 1942, but the mere filing of the petition does not set aside the regulation. As time is short, any petition for relief under the amendment should be prepared with care and filed at once.

Arrangements have been made by the Interstate Commerce Commission and the Office of Price Administration for cooperation and expeditious action in passing upon such petitions. Two copies of each petition should be mailed to the Interstate Commerce Commission, Washington, D. C., at the time the petition is sent to the Office of Price Administration. The procedure set forth in "Procedural Regulation No. 1" of the Office

of Price Administration will govern the making and filing of the petition for amendment of the regulation as to maximum rates. As stated in the communication addressed to contract carriers by the Office of Price Administration, the petition should include (1) a statement of the rates for which authorization is sought, and (2) of the highest rates in effect during March, 1942, for the same service, together with (3) a complete statement of the facts upon which applicant relies in seeking modification of the regulation.

When contract carriers are required by the regulation to reduce minimum rates or charges now on file on or before the effective date of the Regulation, contract carriers by motor vehicle may use Special Permission No. M-32403 and contract carriers by water may use Special Permission No. 10497 to make such reduced minimum rates or charges effective in schedules filed with the Commission on not less than one day's notice.

If modification of the regulation is made by the Office of Price Administration so as to become effective on the date the regulation becomes effective, these special permissions may be used for making the necessary changes in contract carrier schedules without the filing of individual applications for short notice. But when modification is authorized effective on some later date the special permissions above described may not be used, and application for any short notice desired should be filed in accordance with the Commission's applicable tariff circulars.

In instances as to which the regulation of the Office of Price Administration requires changes in the contracts of contract carriers by motor vehicle now on file with the Commission, pursuant to the Commission's findings and orders in *Contracts of Contract Carriers*, 1 M.C.C. 628, and *Filing of Contracts by Contract Carriers*, 2 M.C.C. 55, new contracts or amendments to existing contracts should be filed promptly.

[SEAL] W. P. BARTEL,  
Secretary.

[F. R. Doc. 42-6885; Filed, July 20, 1942;  
11:38 a. m.]

## RESTRICTIONS ON USE OF LIGHTING DEVICES IN COASTAL AREAS

## NOTICE TO MOTOR CARRIERS

JULY 20, 1942.

Pending the issuance by the Engineer Board of the Corps of Engineers, United States Army, of general regulations applicable to all areas, various Army commands have issued orders requiring "dimouts" in their respective coastal areas for the protection of shipping and local defense agencies have prescribed regulations designed to aid in effectuating that purpose.

As the orders and regulations referred to have various origins, it is possible they may lack uniformity and that motor carriers may experience some difficulty

in fully complying with all requirements. Nevertheless it is the duty of motor carriers subject to the Motor Carrier Safety Regulations, Revised, operating in a coastal area or areas to comply as fully as possible with Army orders and local regulations issued pursuant thereto, effective within such area or areas, which

restrict the use of lighting devices, reflectors and emergency signals. Any motor carrier complying with Army orders or local regulations promulgated in furtherance thereof with respect to "dim-out" or "blackout" requirements will not be deemed to be in violation of the pertinent regulations of the Commission.

It is important that motor carriers instruct their employees, particularly drivers, in accordance with the terms of this Notice.

[SEAL]

W. P. BARTEL,  
*Secretary.*

[F. R. Doc. 42-6886; Filed, July 20, 1942;  
11:38 a. m.]