

Reference

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Washington, Tuesday, May 26, 1942

The President

PROCLAMATION 2557

ESTABLISHING PADRE ISLAND SEA RANGE AREA AND PRESCRIBING REGULATIONS FOR THE CONTROL THEREOF

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA
A PROCLAMATION

WHEREAS the United States is now at war, and the establishment of the sea range area hereinafter described is essential in the interests of national defense:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, by virtue of the authority vested in me as President of the United States, and as Commander-in-Chief of the Army and Navy of the United States, do hereby establish and proclaim the following-described area as the Padre Island Sea Range Area, and prescribe the following regulations for the control thereof:

PADRE ISLAND SEA RANGE AREA

All waters of the Gulf of Mexico off the Coast of Texas and of the Laguna Madre from the contour of extreme high water as shown on the latest U. S. Coast and Geodetic Survey Charts within the area described as follows:

Waters of the Gulf of Mexico between Latitude 26°45' North and Latitude 25°57'30" North, adjacent to Padre Island, Brazos Island and the Coast of Texas south thereof, and extending easterly 25 miles into the Gulf of Mexico; and all waters of Laguna Madre south of Latitude 26°45' North.

Regulations for the Control of Padre Island Sea Range Area

1. At no time shall vessels or other craft be navigated within such area unless specific permission therefor is first obtained, in the manner prescribed by him, from the Secretary of War or from the officer designated by him. Although such permission has been obtained, a

vessel entering or navigating the waters of the Padre Island Sea Range Area does so at its own risk, and shall obey all instructions received from the United States Army or other United States authority.

2. The movements of vessels within the Padre Island Sea Range Area shall be subject to supervision, either through surface craft or aircraft.

3. All United States Government authorities shall place at the disposal of the Army authorities their facilities for aiding in the enforcement of these regulations.

4. Should any vessel or person within the said Area disregard these regulations, or regulations issued pursuant hereto, or fail to obey an order of the United States Army authority, or perform any act threatening the efficiency of Army training or defenses or the safety of navigation, or take any action therein inimical to the defense of the United States, such vessel or person may be subjected to the force necessary to require compliance, and may be liable to detention or arrest, or penalties or forfeiture, in accordance with law.

The Secretary of War is charged with the enforcement of these regulations and he may prescribe such additional regulations as may be necessary to meet local conditions.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 20th day of May in the year of our Lord nineteen hundred and forty-[SEAL] two, and of the Independence of the United States of America the one hundred and sixty-sixth.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL,
Secretary of State.

[F. R. Doc. 42-4754; Filed, May 23, 1942; 11:10 a. m.]

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PROCLAMATION 2558

FIFTH REGISTRATION DAY

BY THE PRESIDENT OF THE UNITED STATES

A PROCLAMATION

WHEREAS the Selective Training and Service Act of 1940 (54 Stat. 885), as amended by the Act of December 20, 1941 (Public Law 360, 77th Cong., 55 Stat. 844), contains, in part, the following provisions:

"SEC. 2. Except as otherwise provided in this Act, it shall be the duty of every male citizen of the United States, and of every other male person residing in the United States, who, on the day or days fixed for the first or any subsequent registration, is between the ages of eighteen and sixty-five, to present himself for and submit to registration at such time or times and place or places, and in such manner and in such age group or groups, as shall be determined by rules and regulations prescribed hereunder."

"SEC. 5. (a) Commissioned officers, warrant officers, pay clerks, and enlisted men of the Regular Army, the Navy, the Marine Corps, the Coast Guard, the Coast and Geodetic Survey, the Public Health Service, the federally recognized active National Guard, the Officers' Reserve Corps, the Regular Army Reserve, the Enlisted Reserve Corps, the Naval Reserve, and the Marine Corps Reserve; cadets, United States Military Academy; midshipmen, United States Naval Academy; cadets, United States Coast Guard Academy; men who have been accepted for admittance (commencing with the academic year next succeeding such acceptance) to the United States Military Academy as cadets, to the United States Naval Academy as midshipmen, or to the United States Coast Guard Academy as cadets, but only during the continuance of such acceptance; cadets of the advanced course, senior division, Reserve Officers' Training Corps or Naval Reserve Officers' Training Corps; and diplomatic representatives, technical attachés of foreign embassies and legations, consuls general, consuls, vice consuls, and consular agents of foreign countries, and persons in other categories to be specified by the President, residing in the United States, who are not citizens of the United States, and who have not declared their intention to become citizens of the United States, shall not be required to be registered under section 2 and shall be relieved from liability for training and service under section 3 (b)."

"SEC. 10. (a) The President is authorized—

(1) to prescribe the necessary rules and regulations to carry out the provisions of this Act;"

(4) to utilize the services of any or all departments and any and all officers or agents of the United States and to accept the services of all officers and agents of the several States, Territories, and the District of Columbia and subdivisions thereof in the execution of this Act;"

"SEC. 14. (a) Every person shall be deemed to have notice of the requirements of this Act upon publication by the President of a proclamation or other public notice fixing a time for any registration under section 2."

WHEREAS Section 208 of the Coast Guard Auxiliary and Reserve Act of 1941, approved February 19, 1941 (Public Law 8, 77th Cong., 55 Stat. 9), provides, in part, as follows:

"Members of the [Coast Guard] Reserve, other than temporary members as provided for in section 207 hereof, shall receive the same exemption from registration and liability for training and service as members of the Naval Reserve * * *"

WHEREAS the first registration under the Selective Training and Service Act of 1940 took place in the continental United States October 16, 1940, in the Territory of Hawaii on October 26, 1940, in Puerto Rico on November 20, 1940, and in the Territory of Alaska on January 22, 1941, pursuant to proclamations issued by me on September 16, 1940,¹ October 1, 1940,² October 8, 1940,³ and November 12, 1940,⁴ respectively;

WHEREAS the second registration under the Selective Training and Service Act of 1940 took place in the United States, the Territories of Alaska and Hawaii, and in Puerto Rico on July 1, 1941, pursuant to proclamation issued by me on May 26, 1941;⁵

WHEREAS the third registration under the Selective Training and Service Act of 1940, as amended, took place in the United States, the Territories of Alaska and Hawaii, and in Puerto Rico on February 16, 1942, pursuant to proclamation issued by me on January 5, 1942;⁶

WHEREAS the fourth registration under the Selective Training and Service Act of 1940, as amended, took place in the United States, the Territories of Alaska and Hawaii, and in Puerto Rico on April 27, 1942, pursuant to proclamation issued by me on March 19, 1942;⁷

WHEREAS a state of war exists between the United States of America and the Empire of Japan, Germany, and Italy; and

WHEREAS this and other registrations under the Selective Training and Service Act of 1940 and the amendments thereto are advisable to insure victory, final and complete, over the enemies of the United States:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, acting under and by virtue of the authority vested in me by the Selective Training and Service Act of 1940, as amended, do proclaim the following:

1. Pursuant to the Selective Training and Service Act of 1940, as amended, the registration of male citizens of the United States and other male persons who were born on or after January 1, 1922, and on or before June 30, 1924, shall take place in the United States and the Territories of Alaska and Hawaii, and in Puerto Rico on Tuesday, the 30th day of June, 1942, between the hours of 7:00 a. m. and 9:00 p. m.

2. (a) Every male citizen of the United States, and every other male person residing in the continental United States or in the Territory of Alaska or in the Territory of Hawaii or in Puerto Rico, other than persons excepted by Section 5 (a) of the Selective Training and Service Act of 1940, as amended, and by Section 208 of the Coast Guard Auxiliary and Reserve Act of 1941, is required to and shall on June 30, 1942, present himself for and submit to registration before a duly designated registration official or selective service local board having jurisdiction in the area in which he has his permanent home or in which he may happen to be on that day if such male citizen or other male person has attained the eighteenth or the nineteenth anniversary of the day of his birth on or before June 30, 1942, or the twentieth anniversary of the day of his birth after December 31, 1941, and on or before June 30, 1942, and has not heretofore been registered under the Selective Training and Service Act of 1940, as amended, and the regulations prescribed thereunder.

(b) The duty of any person to present himself for and submit to registration in accordance with any previous proclamation issued under said Act shall not be affected by this proclamation.

(c) A person subject to registration may be registered before the day set herein for his registration if arrangements therefor are made by the local board under rules and regulations prescribed by the Director of Selective Service. Whenever such arrangements are made, public notice thereof will be given by the local board.

(d) A person subject to registration may be registered after the day fixed for his registration in case he is prevented from registering on that day by circumstances beyond his control or because he is not present in continental United States or the Territory of Alaska or the Territory of Hawaii, or Puerto Rico on that day. If he is not in the continental United States or the Territory of Alaska or the Territory of Hawaii, or Puerto Rico on the day fixed for his registration but subsequently enters any of such places, he shall as soon as possible after such entrance present himself for and submit to registration before a duly designated registration official or selective service local board. If he is in the continental United States or in the

Territory of Alaska or the Territory of Hawaii, or Puerto Rico on the day fixed for his registration but because of circumstances beyond his control is unable to present himself for and submit to registration on that day, he shall do so as soon as possible after the cause for such inability ceases to exist.

3. The registration under this proclamation shall be in accordance with the Selective Service Regulations governing registration. Every person subject to registration is required to familiarize himself with such regulations and to comply therewith.

4. I call upon the Governor of each of the several States and the Territories of Alaska and Hawaii, and of Puerto Rico, and the Board of Commissioners of the District of Columbia, and all officers and agents of the United States and all officers and agents of the several States, Territories, Puerto Rico, and the District of Columbia, and political subdivisions thereof, and all local boards and agents thereof appointed under the provisions of the Selective Training and Service Act of 1940, as amended, or the Selective Service Regulations prescribed thereunder, to do and perform all acts and services necessary to accomplish effective and complete registration.

5. In order that there may be full cooperation in carrying into effect the purposes of the Selective Training and Service Act of 1940, as amended, I urge all employers and Government agencies of all kinds—Federal, State, territorial, and local—to give those under their charge sufficient time in which to fulfill the obligations of registration incumbent upon them under the said Act and this proclamation.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 22nd day of May, in the year of our Lord nineteen hundred and forty-two [SEAL] and of the Independence of the United States the one hundred and sixty-sixth.

FRANKLIN D. ROOSEVELT

By the President:

CORDELL HULL,
Secretary of State.

[F. R. Doc. 42-4778; Filed, May 25, 1942; 10:26 a. m.]

Regulations

TITLE 22—FOREIGN RELATIONS

Chapter III—Proclaimed List of Certain Blocked Nationals

SUPPLEMENT No. 1 TO REVISION II

By virtue of the authority vested in the Secretary of State, acting in conjunction with the Secretary of the Treasury, the Attorney General, the Secretary of Commerce, the Board of Economic Warfare, and the Coordinator of Inter-American Affairs, by Proclamation 2497 of the President of July 17, 1941 (6 F.R. 3555), the

¹ 5 F.R. 3699.

² 5 F.R. 3897.

³ 5 F.R. 4061.

⁴ 5 F.R. 4477.

⁵ 6 F.R. 2599.

⁶ 7 F.R. 177.

⁷ 7 F.R. 2181.

following Supplement 1 containing certain additions to, amendments to, and deletions from The Proclaimed List of Certain Blocked Nationals, Revision II of May 12, 1942 (7 F.R. 3587), is hereby promulgated.

By direction of the President:

CORDELL HULL,
Secretary of State.

H. MORGENTHAU, Jr.,
Secretary of the Treasury.

FRANCIS BIDDLE,
Attorney General.

JESSE H. JONES,
Secretary of Commerce.

MILO PERKINS,
Executive Director,

Board of Economic Warfare.

NELSON A. ROCKEFELLER,
Coordinator of Inter-American Affairs.

MAY 22, 1942.

GENERAL NOTES.—(1) The Proclaimed List is divided into two parts: part I relates to listings in the American republics; part II relates to listings outside the American republics.

(2) In part I titles are listed in their letter-address form, word for word as written in that form, with the following exceptions:

If the title includes a full personal name, that is, a given name or initial and surname, the title is listed under the *surname*.

Personal-name prefixes such as *de, la, von,* etc., are considered as part of the surname and are the basis for listing.

The listing is made under the next word of the title when the initial word or phrase, or abbreviation thereof, is one of the following Spanish forms or similar equivalent forms in any other language:

Compañía; Cia.; Comp.
Compañía Anónima; C. A.; Comp. Anón.
Sociedad; Soc.
Sociedad Anónima; S. A.; Soc. Anón.

(3) The indication of an address for a name on the list is not intended to exclude other addresses of the same firm or individual. A listed name refers to all branches of the business in the country.

PART I—LISTINGS IN AMERICAN REPUBLICS

ADDITIONS

Argentina

Asaya, Sukeye.—Bartolomé Mitre 559, Buenos Aires.

Baehne, Paul.—Cangallo 541 y Quesada 1919, Buenos Aires.

Baylon, Olindo.—Guido 1982, Buenos Aires.

Borelli, Oscar Ricardo.—Génova 669, Ciudadela, F. C. O., B. A.

CPS (Correo Periodístico Sudamericano).—Buenos Aires.

Correo Periodístico Sudamericano.—Buenos Aires.

DNB (Deutsches Nachrichtenbüro).—Buenos Aires.

Danela, Hugo.—Pellegrini 1100, Buenos Aires.

Daponte y Cía., José (hijo).—Uspallata 2741, Buenos Aires.

Deutsches Nachrichtenbüro.—Buenos Aires.

Ferretería Germania.—Buenos Aires.

Isawa, Hiroshi.—Bartolomé Mitre 559, Buenos Aires.

Kerstan, Werner Korth.—Venezuela 663 y Martínez 1934, Buenos Aires.

La Agencia Domei.—Buenos Aires.

La Agencia Euroamérica.—Buenos Aires.

La Agencia Stefani.—Buenos Aires.

Lanz, Werner.—Gazcón 352, Buenos Aires.

López Rojas, Juan.—Corrientes 565, Buenos Aires.

Meyer y Cía S.A.C., Diego.—Corrientes 330, Buenos Aires; Avenida San Martín 222, Bahía Blanca; and all branches in Argentina.

Milani, Tomaso.—Buenos Aires.

Química Importadora y Exportadora, Sociedad Comercial y Industrial de Responsabilidad Ltda.—Gazcón 352, Buenos Aires.

Suematsu, Daizaburo.—Bartolomé Mitre 559, Buenos Aires.

TO (Transocean).—Buenos Aires.

Talleres Gráficos Bodonia S. A.—Tucumán 439, Buenos Aires.

Taufer, Willy.—Perú 169, Buenos Aires.

Taufer Hermanos.—Perú 169, Buenos Aires.

Teatro American Palace.—Córdoba 1785, Buenos Aires.

Teatro Cineac.—Corrientes 565, Buenos Aires.

Teatro General Mitre.—Corrientes 5424, Buenos Aires.

Teloni, Gaetano.—San Martín 66, Buenos Aires.

Tolentino, Gino.—San Martín 195, Buenos Aires.

Bolivia

Albert, Fritz.—Cochabamba.

Almacenes "El Globo" de Hugo Medina Santa Cruz.—Sucre and Potosí.

Bar Comercio.—Cochabamba.

Beckmann, Fritz.—Cochabamba.

Beckmann, Hans.—Cochabamba.

Brandes, Robert.—Calle Sucre, Cochabamba.

Dauelsberg, Elard.—Avenida Montés 702 (Casilla 68), La Paz, and all branches in Bolivia.

Dauelsberg, Percy.—Avenida Montés 702 (Casilla 68), La Paz.

Doelger, Hermann.—Cochabamba.

Fábrica de Salchichas Tunari.—Cochabamba.

Ferretería Mueller.—Plaza 14 de Septiembre, Cochabamba.

Flossbach, Walter.—La Paz.

Garage Beckmann.—Cochabamba.

Gasser, Gebhard.—Cochabamba.

Hochstetter, Francisco.—Sucre.

Hochstetter, Juan.—Sucre.

Hochstetter Hnos.—Sucre.

Kernkamp, George.—Cochabamba.

Kollros, Paul.—Cochabamba.

Kuhne, Werner.—Cochabamba.

Loeffler, Erick.—Potosí.

Medina Santa Cruz, Hugo.—Sucre and Potosí.

Mertens, Carlos.—Riberalta.

Moll, José O.—La Paz.

Mueller, Karl.—Plaza 14 de Septiembre, Cochabamba.

Oberlis, Alfredo.—Cochabamba.

Oberlis y Cía.—Cochabamba.

Paulsen, Christian.—Oruro.

Peñalosa, Celestino.—La Paz.

Rivero y Cía., T.—Cochabamba, Santa Cruz, and Oruro.

Sonnenschein, Adela.—Riberalta.

Sonnenschein, Carlos.—Riberalta.

Sonnenschein Hermanos.—Riberalta.

Trigo Arce, Luis.—Potosí.

Zehl, Albert.—Cochabamba and Oruro.

Zehl y Cía., Albert.—Cochabamba and Oruro.

Zobernig, Otto.—La Paz.

Brazil

Combescot, Jean.—Praia do Flamengo 284, Rio de Janeiro.

Empresa Constructora Siemens Bauunion do Brasil, S. A.—Rio de Janeiro.

Chile

Adura, José.—Avenida Independencia esquina Talca, Punta Arenas.

Barreau, Eduardo.—Picarte 382 (Casilla 540), Valdivia.

Barreau y Cía. Ltda., Eduardo.—Picarte 382 (Casilla 540), Valdivia.

Bizama Merino, Hedilberto.—Gálvez 152, Santiago.

Börger B., Max.—Calle General Cruz (Casilla 53-V), Valparaíso.

CB 93 (ex-Radio Hucke).—Huérfanos 1055, Santiago.

CE 1174 (ex-Radio Hucke).—Huérfanos 1055, Santiago.

Chenevey, Roberto.—General Salvo 348, Santiago.

De Garbado, Antonio.—Oficina Ingenio Hércules, Estación Catalina, Taltal.

Fischer, Germán.—Valdivia 367, Santiago.

Fosfato Germania Ltda., Soc.—Calle Regimiento s/n, Coquimbo.

Fritis Manzo, Román.—Casilla 50-V, Valparaíso; and Casilla 1848, Santiago.

Garbaccio, Savino.—Luis Barros B. 61, Santiago.

Geschkat, Ernesto.—Aldunate 402, Coquimbo.

Hotel Pelz.—Chacabuco 394, Valdivia.

Hotel Unión.—Letelier 477 (Casilla 91), La Unión.

Jacob y Cía., A.—Ahumada 23, Santiago, and all branches in Chile.

La Nueva Edad.—Casilla 9373, Santiago.

Leser, Hans.—Amunategui 137 (Casilla 3321), Santiago.

Lettura, Ernesto.—Serrano esquina Atacama, Taltal.

Martinic, Antonio.—O'Higgins 1046, Punta Arenas.

Mercería Central.—Picarte 321 (Casilla 279), Valdivia.

Moll, José O.—Casilla 224, Arica.

Morey C., Antonio.—Casilla 212, Coquimbo.

Osram, Fábrica de Ampolletas Eléctricas Ltda.—Avenida Vicuña Mackenna 1680, Santiago.

Piazza, Borghi y Cía., Ltda.—Subida Esperanza 9, Matadero, Valparaíso.

Piazza G., Juan Pedro.—5 Oriente 294, Viña del Mar.

Piazza y Bertucci Ltda.—Avenida Brasil 1601 (Casilla 1855), Valparaíso.

Piazza y Cía., Ltda.—Teatinos 273 (Casilla 1527), Santiago; and Avenida Brasil 1472, Valparaíso.

Relojería Barreau.—Picarte 382 (Casilla 540), Valdivia.

Schwarzenberg, Adolfo.—Picarte 321, (Casilla 279), Valdivia.

Serrano Fernández, Miguel.—Vicuña Mackenna 116, Santiago.

TO (Transocean).—Seminario 506, Santiago.
Zelenka, Guillermo (Dr.).—Casilla 4190, Santiago.
Ziener, Eric.—Casilla 2998, Santiago.

Colombia

Agencia Phillipps.—Junín 53-68, Medellín.
Almacén Bradford.—Carrera 8 No. 12-04, Bogotá.
Almacén Romano.—Carrera 8 No. 12-04, Bogotá.
Castelli Gallo, Antonio.—Carrera 8 No. 12-04, Bogotá.
Duque R., Hernando.—Calle 51 No. 51-12, Medellín.
Duque R. y Cía., Hernando.—Calle 51 No. 51-12, Medellín.
Fieid, Echenique, F. A.—Edificio Monsalve, Barranquilla.
Fiorini, Alberto Lorenzo.—Carrera 8 No. 16-43, Bogotá.
Gallo, Vicente (Jr.).—Apartado Nacional 306, Cartagena.
Gallo V., Vicente (Sr.).—Apartado Nacional 306, Cartagena.
Garage Central.—Carrera 52 No. 54-52, Medellín.
Gómez, Germán.—Junín 53-68, Medellín.
Gómez, Horacio.—Yarumal.
Luisi y Cía., U.—Calle de los Santos de Piedra (Apartado Nacional 102 y Apartado Aéreo 151), Cartagena.
Mazzel, Gino.—Calle de los Santos de Piedra (Apartado Nacional 102 y Apartado Aéreo 151), Cartagena.
Ochoa U., Luis Carlos.—Carrera 52 No. 54-52, Medellín.
Oesterreich, Richard.—Progreso, San Roque, Boyacá, Barranquilla.
Páramo, Manuel Guillermo de.—Apartado Aéreo 3844, Bogotá.
Pérez U., Laureano.—Medellín.
Puccini, Alberto L.—20 de Julio, San Blas, San Juan, Barranquilla.
Saravalle, Augusto.—Apartado Nacional 24 y Apartado Aéreo 658, Barranquilla.
Saravalle, Cesare.—Apartado Nacional 24 y Apartado Aéreo 658, Barranquilla.
Tedesco, Andrea.—Cali.
Tedesco, Filippo.—Cali.
Tedesco, Gaspare.—Cali.
Tedesco, S. A.—Calle 14 No. 5-48, Cali.
Wild, Leonardo.—Bogotá.

Costa Rica

Benedetti Gregorio, Otello.—San José.
Capra Roveri, Vittorio.—San José.
Croceri Pelaconi, Constantino.—San José.
Dondoli Burgazzi, César.—San José.
Fábrica de Café "La Económica".—San José.
Feoli D'Agostino, Nicolás.—San José.
Feoli y Cía., S. A.—San José.
Gambassi, Guido.—San José.
Marozzi Bernini, Angel.—Cartago.
Montuoro, Aristides.—San José.
Morelli Cosenza, Eugenio.—San José.
Piva Cugola, Alfio.—Guadalupe, San José.
Rimolo Rocco, José B.—San José.
Spesny, Wilhelm (Guillermo).—Apartado 1600, San José.

¹Not to be confused with Ochoa O., Luis Carlos.

Cuba

Andrade & Company, M. T.—República del Brasil 15 (Apartado 1064), Habana.
Berndes, René.—Edificio La Metropolitana, Habana.
Stein, Max.—República del Brasil 15 (Apartado 1064), Habana.

Ecuador

Aserrio Mercedes.—Guayaquil.
Burbano Zúñiga, Enrique.—Nueve de Octubre 913, Guayaquil.
Cañarte, Alvaro.—Guayaquil.
Kruger, Lottie (Mrs. J. H.).—Guayaquil.

Guatemala

Freyler, Erwin.—San Lucas, Sacatepequez.
Haese, Wilhelm.—7a Avenida Sur y 9a Calle Oriente, Guatemala, Guatemala.

Honduras

Berlioz, Jorge.—Tegucigalpa.
Bove, Cayetano (Gaetano).—Tegucigalpa.
Drawert, Max.—Marcala.
Empresa Espinosa.—Tegucigalpa.
Espinosa Valladares, Salvador.—Tegucigalpa.
Fábrica Dayton.—Tegucigalpa.
Fábrica de Camisas "Duxor."—Calle Real, Comayagua.
Fábrica de Tejidos de Juan Doborow.—Tegucigalpa.
Krone, Teodoro.—Tegucigalpa.
Motz, José R.—Choluteca.
Rossner, Roberto.—Tegucigalpa.
Vairo, Luis.—Comayagua.
Weiss, Harry.—Tegucigalpa.

Mexico

Abastecedora de Impresos, S. A.—J. M. Izázaga (San Miguel) 29, México, D. F.
Arceo R., David.—Calle 58 No. 501-A Mérida, Yucatán.
Artículos de Papelería, S. A.—Motolinia 31, México, D. F.
Baez, Raul.—Obrero Mundial 29, México, D. F.
Belck, Guillermo.—Avenida del Rastro, Quinta Pilatenco, Coyoacán.
Bork, Ewald.—Sierra Madre 265, México, D. F.
Brehme, Hugo.—Avenida Francisco I. Madero 8, México, D. F.
Campanella Hermanos.—Gante 15, México, D. F.
Combustion Engineering S. de R. L.—Edificio "La Nacional", despacho 47, Guadalajara, and all branches in Mexico.
Deutsche Zeitung von Mexico.—México, D. F.
Electromotor, S. A.—Avenida Isabel la Católica 43, México, D. F.
Eversbusch, Ricardo.—Tintoreto 39, Mixcoac, D. F.
Fischer, Juan M.—Colonia Los Alamos, México, D. F.
Foto Gante, S. A.—Gante 3-B, México, D. F.
Foto Laboratorios, S. de R. L.—Avenida Venustiano Carranza 11, Mexico, D. F.
Industria Lanera, S. A.—Mayorazgo 1439, Colonia del Valle, México, D. F.
Isafis y Knapp, Francisco.—Tuxtla Gutiérrez, Chiapas.

Kramer, Theodore.—Avenida Uruguay 51, México, D. F.
Kritzler, Hans J.—Chimalpopoca 20, México, D. F.
La Opinión.—Cullacán.
La Reacción.—Avenida Uruguay 56, despachos 207-208, México, D. F.
Martínez B., Enrique S.—Pedro Moreno 1336, Guadalajara.
Méndez, Tito.—San Martín Tecuaitlán, Puebla.
Mitre, María L. de.—Palma Norte 330-E., México, D. F.
Moreno, Víctor.—Avenida Colón 224, Guadalajara, Jalisco.
Mueller, Victor H.—Colonia Guadalupe Inn, D. F.
Ordóñez y Cía., Sucre.—Tuxtla Gutiérrez, Chiapas.
Petzold, Kurt H.—V. Carranza 548 Sur, and c/o Casa Holck, S. A., Apartado 1, Monterrey.
Plasencia G., Guillermo.—Morelos 557 Oriente, Monterrey, Nuevo León.
Posta Mex, S. de R. L.—Díaz Mirón 146, México, D. F.
Rodríguez Ascorva, Roberto.—Avenida Jalisco 96, Tacubaya, D. F.
Schmidt, Manuel.—Londres 14, México, D. F.
Schwarz, Fritz.—Armijo 46 bis (Apartado 7), San Luis Potosí.
Schwarz & Georgi.—Armijo 46 bis (Apartado 7), San Luis Potosí.
Tautimer, María Jesús Vásquez viuda de.—Avenidas 6a y 7a, Agua Prieta; and Rancho Rusballo, Colonia Morelos, Agua Prieta.
Tenería Huasteca.—Tacubaya, D. F.
Vásquez viuda de Tautimer, María Jesús.—Avenidas 6a y 7a, Agua Prieta; and Rancho Rusballo, Colonia Morelos, Agua Prieta.
Viesca, Carlos (Jr.).—J. A. de la Fuente 116, Torreón.

Nicaragua

Carpena, Felicísimo.—Managua.

Peru

Agrícola La Colmena S. A., La Cia.—Ica, Nazca, and Lima.
Agua Mineral Chuquitanta.—Avenida Progreso 965, Lima.
Berenguer, Raul.—Cuzco 1053, Lima.
Calderón, Julio O.—Judíos 254, Lima.
Campos y Cia.—Jirón Junín 569, Lima.
De la Cadena, Raquel.—J. Gonzales 280, Miraflores, Lima.
Deutz-Diesel.—Lima.
Erba, Carlo.—Lima.
Farmacia Taboada.—Unión (La Merced) 618, Lima.
Fernández, Alfredo.—Camaná 364, Lima.
Koster, Juan J.—Mollendo.
Maisch, Carlos.—Unión 1151, Lima.
Mercuriale, A.—Unión 486, Lima.
Olivos, Waldo.—Lima.
Preutsky, Jaime.—Avenida Progreso 977, Lima.
Ruiz Eldredge, Godofredo.—Avenida Petit Thouars 1033, Lima.
Salinas, Augusto.—Pierola 415, Arequipa.
Tealdo, H. L.—Unión 1151, Lima.
Vogler & Rieckhof.—Iquitos.
Yañez, Víctor.—Caridad 670, Lima.

Uruguay

Osten y Cía.—Bernardo Susviela 4174, Montevideo.

Sosa, Artigas F.—Cerrito 580, Montevideo.

Zambra, Domingo.—Pando 2664-2668, Montevideo.

Zambra, D. & B.—Pando 2664-2668, Montevideo.

Venezuela

Giugni, Angel E.—Valencia.

Giugni y Cía. Sucrs.—Constitución 300-2, Valencia.

Hellmund W. y Cía., C.—Torre a Verdes 25, Caracas.

Klaus, Hermann.—Apartado 1468, Caracas.

Muller Karger, Edgar A. (Dr.)—Apartado 365, Caracas.

AMENDMENTS

Argentina

For Iwai y Cía., Ltda.—25 de Mayo 145, Buenos Aires; substitute Iwai Argentina, S. de R. L.—Bartolomé Mitre 559, Buenos Aires.

For Kanematsu & Co., F.—Buenos Aires; substitute Kanematsu Rioplatense, S. de R. L.—Piedras 113, Buenos Aires.

For Shimozato, Minosuke.—25 de Mayo 516, Buenos Aires; substitute Shimozato, Minosuke.—Avenida Roque Sáenz Peña 616, Buenos Aires.

For Suda, K.—25 de Mayo 145, Buenos Aires; substitute Suda, Kenkichi.—Bartolomé Mitre 559, Buenos Aires.

For Yamashita Kisen Kaisha, Ltda.—25 de Mayo 516, Buenos Aires; substitute Yamashita Kisen Kaisha, Ltda.—Avenida Roque Sáenz Peña 616, Buenos Aires.

Bolivia

For Arce, Armando.—La Paz, via Arica; substitute Arce, Armando.—La Paz.

For Brito, Octavio.—La Paz; substitute Brito, Octavio Peña.—La Paz.

For Hardt & Company, E.—La Paz; substitute Hardt, E. & W.—La Paz.

For Pedregal, Daniel.—La Paz; substitute Pedregal Vela, Daniel.—La Paz.

Brazil

For Auto Distribuidora Ltda., Soc.—Rua São Euzebio 180-182, Rio de Janeiro; substitute Auto Distribuidora Ltda., Soc.—Rua Senador Euzebio 180-182, Rio de Janeiro.

For Coóperativa Agrícola Três Barras.—Jataí, São Paulo; substitute Coóperativa Agrícola Três Barras.—Assaí, via Jataí, Paraná.

For Electro-Chimica Fluminense, Cia.—Rua 1° de Março 110, Rio de Janeiro; substitute Electro-Chimica Fluminense, Cia.—Avenida Almirante Barroso 81, Rio de Janeiro.

For Fiduciaria Brasileira, Cia.—Rua da Alfândega 48, Rio de Janeiro; substitute Fiduciaria Brasileira, Cia.—Avenida Graça Aranha 26, Rio de Janeiro.

For Krebs e Cia., Ltda., W. Fonseca.—Rua da Alfândega 189, Rio de Janeiro; substitute Krebs, Fonseca e Cia., Ltda., W.—Rua da Alfândega 189, Rio de Janeiro.

For Siemens Bauunion do Brasil, Sociedade Anonyma Empresa Constructora.—

Rio de Janeiro; substitute Siemens Bauunion do Brasil S. A., Empresa Constructora.—Rio de Janeiro.

For Steubing, J. J.—Rua General Câmara 106, Rio de Janeiro; substitute Steubing, J. G.—Rua General Câmara 106, Rio de Janeiro.

Chile

For Explotadora de Manganeso, Soc. Ltda.—Nueva York 52, Santiago; and Coquimbo; substitute Explotadora de Manganeso, Soc. Ltda.—Nueva York 52 (Casilla 1137), Santiago; and Coquimbo.

Colombia

Relative to Agencias Internacionales.—Medellín, see footnote 1.

For Claussen, Herman.—Bogotá; substitute Claussen, Hermann.—Bogotá.

Relative to Joyería París.—Calle Junín Medellín, see footnote 2.

For Morocco, Francisco.—Bucaramanga; substitute Marocco, Florindo.—Bucaramanga.

For Núñez, -----; substitute Núñez B., Emilio.—Apartado Nacional 648, Barranquilla.

For Reisner, Hermann.—Bogotá; substitute Reisner, Herman.—Bogotá.

For Schmieder, Wilhelm.—Bogotá; substitute Schnieder, Wilhelm.—Bogotá.

Dominican Republic

For Agencia Antillana.—Apartado 664, Ciudad Trujillo; substitute Agencia Antillana.—Apartado 211, Ciudad Trujillo.

For Barkhausen, Hermann.—Apartado 664, Ciudad Trujillo; substitute Barkhausen, Hermann.—Apartado 211, Ciudad Trujillo.

For Barletta & Co. C. por A., Antonio.—Padre Billini 4, Ciudad Trujillo; substitute Barletta & Co., C. por A., Antonio.—Ciudad Trujillo.

For Dominican Soap Company C. por A.—Carretera Duarte, kilómetro 2 $\frac{3}{4}$, Ciudad Trujillo; substitute Dominican Soap Co. C. por A.—Ciudad Trujillo.

For Pérez, Brígido Fernando.—Edificio Copello (Apartado 404), Ciudad Trujillo; substitute Pérez, Brígido Fernando.—Azua 30 (Apartado 573), Ciudad Trujillo.

For Pérez & Co.—Edificio Copello (Apartado 404), Ciudad Trujillo; substitute Pérez & Co.—Azua 30 (Apartado 573), Ciudad Trujillo.

Haiti

For De Matteis & Co., A. (Sucr. Arthur de Matteis).—Port-au-Prince; substitute De Matteis & Co., A. (Sucr. Arthur De Matteis).—Boîte Postale 122, Port-au-Prince.

Mexico

For Ferreteria Aztlán, S. de R. L.—República Salvador 60, México, D. F.; substitute Aztlán, S. A.—República del Salvador 31-3, México, D. F.

For Foto Mantel.—Avenida Venustiano Carranza 11, México, D. F., and all branches in Mexico; substitute Foto Mantel, S. A.—Venustiano Carranza 11, México, D. F.; Hotel Comercial, Tijuana,

¹ Not to be confused with Agencias Internacionales, San Blas, Cuartel, Barranquilla.

² Owned by Carlos Leidner.

Baja California; Morelos 557 Oriente, Monterrey, Nuevo León; Avenida Colón 224, Guadalajara, Jalisco; and all other branches in Mexico.

For Salano, Felipe.—J. M. Izázaga (San Miguel) 29, México, D. F.; substitute Solana, Felipe.—J. M. Izázaga (San Miguel) 29, México, D. F.

For Umababa Baba, Tokichi.—3a Zaragoza y Fuente (Apartado 115), San Luis Potosí; substitute Umaba Baba, Tokichi.—3a Zaragoza y Fuente (Apartado 115), San Luis Potosí.

Uruguay

For Battaini de Horler, A. Carbone.—Laguna Merín 4347, Montevideo; substitute Carbone Battaini de Horler, A.—Laguna Merín 4347, Montevideo.

For El Bazar "La Sensación".—Andes 1256, Montevideo; substitute Bazar "La Sensación".—Andes 1256, Montevideo.

For Martínez, Homero.—José Hernández 2481, Montevideo; substitute Martínez, Homero A.—José Hernández 2481, Montevideo.

DELETIONS

Bolivia

Anzarut, Marco.—Cochabamba and La Paz.

Aramayo del Río, Ricardo.—Potosí and Sucre.

Gottschalk, Friedrich.—Cochabamba. Terrazas y Cía.—La Paz.

Brazil

Melhoramentos de São Paulo, Cia.—Rua Libero Badaró 443, São Paulo; and Rua Gonçalves Dias 9, Rio de Janeiro.

Raabe e Cia., Ltda.—Galeria Municipal 109-111, Porto Alegre; and Rio de Janeiro.

Chile

Antonini & Garbaccio.—Bandera 575, Santiago.

Colombia

Claussen, Guillermo.—Barranquilla. Gruetzmacher, Herbert Adolf.—Bogotá.

Gruetzmacher y Cía.—Carrera 7 No. 20-35, Bogotá.

Mesa, Francisco A.—Medellín. Mesa, Quijano y Cía.—Medellín.

"Punto Azul."—Carrera 7 No. 20-35, Bogotá.

Restaurant Miami.—Bogotá.

Schulte y Cía., G.—Apartado 449, Bogotá; and Apartado 852, Barranquilla.

Cuba

Auto Service Company.—Marina 2, Edificio Carreño, Habana.

Kolbert, Germán.—Teniente Rey 71 (Apartado 2566), Habana.

Kolbert y Cía.—Avenida del Brasil 405 (Apartado 2566), Habana.

Menasce Faraggi, Giacomo.—Habana.

Neumann, Hermann Dietrich.—Habana.

Schwilling, Herbert.

El Salvador

Bruce, Augusto.—Santa Ana.

Farmacia Salvadoreña.—Final Calle Arce, San Salvador.

Santos, Jorge (Dr.).—Final Calle Arce, San Salvador.

Mexico

Laboratorios Nutrex, S. A.—Cerrada 3a de Collima 2, México, D. F.
Química Coyoacán, S. A.—Zaragoza 19, México, D. F.

Venezuela

D'Ambrosio B., Félix.—Apartado 64, Caracas.
D'Ambrosio Hermanos Sucr.—Sur 3 Nos. 46-47 (Apartado 64), Caracas.

PART II—LISTINGS OUTSIDE AMERICAN REPUBLICS**ADDITIONS****Portugal and Possessions****Portugal**

Cappanari, Silvio.—Praca dos Restauradores 13, Lisbon.
Consignacoes e Representacoes Ltda., Soc. de.—Praca dos Restauradores 13, Lisbon.
Eberhard, Dr. Richard.—Hotel Tivoli, Lisbon.
Faria, Jose Serrao de.—Rua Brito e Cunha, Matozinhos, Oporto; and Ave. Barbosa du Bocage 126, Lisbon.
Faria & Cia., Serrao de.—Rua Nova do Almada 59, Lisbon.
Feria, Manuel de Mora.—Alhos Vedros. Figueiredo, Carlos de.—Rua das Pretas 23, and Rua da Conceicao da Gloria 9, Lisbon.
Franco & Cia. Ltda.—Rua do Almada 501, Oporto.
Heim, Willi.—c/o J. Wimmer & Co., Ave. 24 de Julho 34, and Estrada de Bemfica 71, Lisbon.
Navas, Manuel Fernandez.—Rua Rodrigues Sampaio 50, Lisbon.
Palma & Viana Ltda.—Rua dos Correiros 92, Lisbon.
Rosario, Julio Ferreira do.—Rua dos Fanqueiros 262, Lisbon.
Silva, Mario (Transportes Mecanicos).—Rua Coelho da Rocha 44, Lisbon.
Torres, Benedito.—Lisbon and Viana de Castelo.

Mozambique

Lair, Manoel Ribeiro.—Mozambique.

Portuguese Guinea

Peyrissac & Cie., Anc. Etab. Charles.—Bissau.

Spain and Possessions**Spain**

Ambrosolli.—Plaza Cataluna 9, Barcelona.
"Autogasogenos".—Marques de Cuba 23, Madrid.
C. E. R. I. Soc. Ltda.—Plaza Cataluna 9, Barcelona.
Encarnacion R. Arias.—Ave. Jose Antonio 30, Madrid.
Llorca.—Plaza Cataluna 9, Barcelona.
Martinez Ruiz, J.—Barcelo 15, Madrid.
Masi Gulolia, Miguel.—Calle del Prado 14, Madrid.
Sastre Alba, Jose.—Marques de Cuba 23, Madrid.
Scharlau, Pablo.—Aragon 219, and Calle Balmes 65, Barcelona; and Ave. Jose Antonio 25, Madrid.

Somma, Vincenzo.—Ritz Hotel, Barcelona.

Stiegler, Manfred.—Melchor de Palau 30-36, Barcelona.

Usai, Mario.—Calle Placentines 20, Apartado 431, Seville; and at Madrid.

Balearic Islands

Alzina, Lorenzo.—Hotel Royal, Palma Majorca.

"Foto Balear".—Palma Majorca.

Hausmann, Enrique.—Palma Majorca.

Orzingers, Emilio.—Palma Majorca.

Roma S. A.—Palma Majorca.

Sweden

Fabbricotti & Co. A/B, Carlo.—St. Eriksgatan 81, Stockholm.

Switzerland

Autex, A. G.—Zürich.

Bama G. m. b. H.—Muehlengraben 7, Basel.

Bishoff, Joseph.—Lausanne.

Bodmer, Albert.—Goldach, St. Gallen.

Boehringer, C. & Cie. A. G.—Spitalstr. 40, Basel.

Cassani, Karl.—Bern.

Castelletti S. A., Angelo.—Via Pasteur 1, Chiasso.

Cohen, Gabriele.—Vacallo, Chiasso.

Cohen, Gabriele, Nachfolger Federico Lupi.—Vacallo, Chiasso.

Du Bois, Dr. Georges Charles.—Peseux.

Eberhard, Dr. Richard.—Zürich.

Fer-Ulrich, Henri.—Rue du Pont 16, La Chaux-de-Fonds; and at Cheserex-Sur-Nyon, Vaud.

Furrer, Heinrich.—Bahnhofstr. 17, Zürich.

Germann, August.—Schaffhausen.

Igepha, A. G.—Loewenstr. 3, Zürich.

Industrie Bank A. G.—Bahnhofstr. 17, Zürich.

Iselin, Dr. Felix.—Basel.

Keller, Dr. Gottfried.—Aarau.

"La Metallurgie".—Mainaustr. 17, Zürich.

Meyer, Hellmuth G. (Zoppot, Zweigniederlassung Zurich).—Zürich.

Milliquet, Malinot.—Mainaustr. 17, Zürich.

Modiano S. A. "Universum".—Chiasso.

Mollwo, Carlo.—Plan Fleuri, Prilly, nr. Lausanne.

Moneta, Annibale.—Badstr. 9, Baden.

Nasoni, Figli di Luigi.—Via Emilio Bossi 11, Lugano.

Plus Accumulateurenfabrik.—Muehlengraben 3, Basel.

Schoetensack, O.—Silvahof, Jubilacumsstr. 97, Bern.

Societe Auxiliaire de Participations et de Depots S. A.—Rue d'Etraz 2, Lausanne.

Sturzenegger, Dr. H a n s.—Schaffhausen.

Wolfensperger, Theodor.—Monchal-torf.

Zloczower, Justinus.—Neuengasse 39, Bern.

Turkey

Beitlich, Franz.—Rihtim Cad. Kefezi Huseyin Han 33, P. O. Box 1136, Galata, Istanbul.

Dandria, John.—Tepebasi, Istanbul.

Fukiyama Nakamura, Japon Magazasi.—Istiklal Cad. 150, Beyoglu, Istanbul.

Haendel, Arnold-Sabri Bey.—Deutsche Orientbank, Galata, Istanbul.

Japon Magazasi, Fukiyama Nakamura.—Istiklal Cad. 150, Beyoglu, Istanbul.

Kertes, Dr. Stephan.—P. O. Box 2017, Istanbul.

Lastik, Oto.—Abdulahk Hamid Cad. 2, Taksim, Istanbul.

Londra, Oteli.—Tepebasi, Istanbul.

Madenoff, Nicholas.—Tepebasi, Istanbul.

Meyer, Y.—Tunel Cad. 29, Galata, Istanbul.

Meyer & Fils, Emil.—Tunel Cad. 29, Galata, Istanbul.

Navon, M.—Abdulahk Hamid Cad. 2, Taksim, Istanbul.

Passarge, Paul.—Istanbul.

Raymond, Raoul.—Istiklal Cad. 150, Beyoglu, Istanbul.

Sabri Bey (Arnold Haendel).—Deutsche Orientbank, Galata, Istanbul.

Ses Film.—Beyoglu, Istanbul.

Sixtus, A.—Abdulahk Hamid Cad. 2, Taksim, Istanbul.

Turkkan (formerly Michel Ioannides).—Bosfor Apartamenti 5, Ayaz Pasa, Istanbul.

U. M. N. A. K.—Umumi Nakliyat ve Komisyon Ltd.—Vakif Han 6, Galata, Istanbul.

Umumi Nakliyat ve Komisyon Ltd. (U. M. N. A. K.).—Vakif Han 6, Galata, Istanbul.

Viyana Oteli, Lokanta ve Birahanesi.—Buyuk Kabristan Sokak 113, Tepebasi, Istanbul.

Weinberg.—Buyuk Kabristan Sokak 113, Tepebasi.

AMENDMENTS**Portugal and Possessions****Portugal**

In relation to Minerio Silvicola Ltda., for Rua Cais de Santarem 32, Lisbon; substitute Rua do Comercio 8, Lisbon; and Rua Santa Catarina 377, Oporto; and all branches in Portugal.

Spain and Possessions**Spain**

In relation to Comercial Maritima de Transportes S. A., Cia.; add S. S. *Maria Amalia*.

In relation to Hispana-Africana de Reconocimientos Atlanticos S. A.; add (owners of S. S. *Sidi Ifni*).

For Karastoyanoff, Gheorghy, Madrid; substitute Karastoyanoff, Georges, Don Ramon de la Cruz 45, Madrid.

In relation to Schering S. A., Productos Quimicos, for Madrid; substitute and General Mola 9, Madrid.

Switzerland

In relation to Brugge, Rodolphe, for Geneva; substitute Ave. de Beau Sejour, Geneva.

In relation to Galvanocor A. G., for Stans, Nidwalden; substitute Lucerne.

Turkey

For Hohstrasser ve Ssi; substitute Hohstrasser ve Ssi (Hochstrasser & Co.)

DELETIONS

Portugal and Possessions

Portugal

Fabrica Portuguesa de Curtumes-Monteiro, Bessa-Ribas & Cia., Ltda.—Estrada da Circunvalação, Ameal, Oporto.

Nunes, Artur.—Rua de Belmonte 59, Oporto.

Pais & Coelho.—Pacos de Brandao, Oporto.

Angola

Faria Ltda., A. Lopes.—Mossamedes.

Mozambique

Meyer, Frida.—Mozambique.

Stern, Dr. Eduard.—Mozambique.

Portuguese Guinea

Pereira, Julio Lopes.—Bolama.

Spain

Bofill, Raul.—Calle Santa Paula 28, Seville.

Campofiori, Vittorio Siroto.—Ave. José Antonio 27, Madrid.

Switzerland

Husler, J. & Co.—Beinwil a. See.

Veenendaal, J. C.—Nueschelerstrasse 30, Zürich.

Turkey

Behar, Jules.—Kurucesme, Istanbul.

Caino, Albert C.—Eminbey Han 12, Sultanhaman, P. O. Box 162, Istanbul, and all branches in Turkey.

Karlman, Pasaji (Carlmann).—Istiklal Cad. 290, Beyoglu, Istanbul.

Seri Mekik Mensucat Fabrikasi.—Kurucesme, Istanbul.

[F. R. Doc. 42-4755; Filed, May 23, 1942; 11:25 a. m.]

TITLE 24—HOUSING CREDIT

Chapter IV—Home Owners' Loan Corporation

[Bulletin 34]

PART 408—ACCOUNTING SECTION

ACCOUNTING PROCEDURE

The date of filing which appears at the end of this document on page 2990 of the issue for April 23, 1942, should read "April 21, 1942" instead of "April 12, 1942".

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Docket No. A-1392]

PART 323—MINIMUM PRICE SCHEDULE, DISTRICT NO. 8

RELIEF GRANTED

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 8 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 8.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District 8; and

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

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

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

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 328.11 (*Alphabetical list of code members*) is amended by adding thereto Supplement R-I, § 328.21 (*Alphabetical list of code members*) is amended by adding thereto Supplement R-II, and § 328.34 (*General prices for high volatile coals in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

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

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

Relief is granted herein for Mine Index No. 5419 of Quentin Cline and Siebert Cline under the name of Gilbert Coal Company Mine, for the reason that records of the Division indicate that this is the proper mine name and that Pond Creek Mine, the name proposed in the original petition, is not.

No relief is granted herein for the coals of the Draudy Mine (Mine Index No. 604) of D. M. Evans for truck shipments for the reason appearing in the order separating that portion of Docket A-1392 relating to these coals from the rest of the Docket and designating it as Docket A-1392 Part II.

Dated: May 6, 1942.

[SEAL]

DAN H. WHEELER,
Acting Director.

§ 328.21 Alphabetical list of code members—Supplement R-II—Continued

Code member index	Mine	Seam	Base sizes								
			Lump over 4' x 6' eggs	Lump 2' and under, egg 3' x 6'	Lump 3/4" and under, egg 3' x 6'	Lump 2' x 4' eggs	Stove 3' and under, nut 2' and under	Straight mine run	2' and under, slack	3/4" and under, slack	
SUBDISTRICT NO. 4—KANAWHA—Continued											
KANAWHA COUNTY, W. VA.											
	McCowan Hurchal (Tyler Mountain Coal Yards)		5480	205	245	230	205	205	220	135	130
SUBDISTRICT NO. 6—SOUTHERN APPALACHIAN											
BELL COUNTY, KY.											
	Jackson & Tuttle			295	275	225	245	215	215	165	160
CLAY COUNTY, KY.											
	Smith, Shirley			265	245	220	205	210	210	155	150
KNOX COUNTY, KY.											
	Greene, A. M.	Wilton-Jellico #5	5430	255	235	225	205	215	215	155	150
	Greene, A. M.	Wilton-Jellico #6	5431	255	235	225	205	215	215	155	150
	Greene, A. M.	Wilton-Jellico #21	5433	255	235	225	205	215	215	155	150
	Greene, A. M.	Wilton-Jellico #24	5434	255	235	225	205	215	215	155	150
	Greene, A. M.	Wilton-Jellico #25	5436	255	235	225	205	215	215	155	150
	Greene, A. M.	Wilton-Jellico #26	5437	255	235	225	205	215	215	155	150
	Greene, A. M.	Wilton-Jellico #29	5421	255	235	225	205	215	215	155	150
	Greene, A. M.	Wilton-Jellico #30	5422	255	235	225	205	215	215	155	150
	Greene, A. M.	Wilton-Jellico #31	5423	255	235	225	205	215	215	155	150
	Greene, A. M.	Wilton-Jellico #32	5446	255	235	225	205	215	215	155	150
	Greene, A. M.	Wilton-Jellico #33	5435	255	235	225	205	215	215	155	150
LESLIE COUNTY, KY.											
	Smith, M. H. (Smith Coal Co.) No. 2		5427	275	255	220	205	210	210	155	150
CUMBERLAND COUNTY, TENN.											
	Carter, A. L.	Black Mountain	5444	250	230	205	210	185	195	136	130
SUBDISTRICT NO. 8—WILLIAMSON PIKE COUNTY, KY.											
	Cinderella Coal Corporation	New Cinderella	5418	290	270	210	235	205	200	145	140
MINGO COUNTY, W. VA.											
	Cline, Quintin & Sibert Cline	Gilbert Coal Co.	5419	255	235	225	215	205	215	180	175

1 Indicates change in mine name.
 2 Indicates change in seam designation.
 3 Indicates previously classified these size groups.
 † Indicates no classification effective for these size groups.

[F. R. Doc. 42-4729; Filed, May 22, 1942; 11:22 a. m.]

§ 328.21 Alphabetical list of code members—Supplement R-II

[Alphabetical list of code members having railway loading facilities, showing price classifications by size groups for all uses except as separately shown]

Mine Index No.	Code member	Mine name	Subdistrict No.	Low volatile seam	Shipping point	Railroad	Freight group No.	Price classification by size group No.									
								1	2	3	4	5	6	7	8	9	10
2715	Horton, Tom.	Horton & Steele	9	Red Ash	Raven, Va.	N&W	21	C	C	D	E	A	A	H	H	H	

FOR TRUCK SHIPMENTS

§ 328.34 General prices for high volatile coals in cents per net ton for shipment into all market areas—Supplement T

Code member index	Mine	Seam	Mine Index no.	Base sizes							
				Lump over 4' x 6' eggs	Lump 2' and under, egg 3' x 6'	Lump 3/4" and under, egg 3' x 6'	Lump 2' x 4' eggs	Stove 3' and under, nut 2' and under	Straight mine run	2' and under, slack	3/4" and under, slack
SUBDISTRICT NO. 1—BIG SANDY-ELKHORN											
CARTER COUNTY, KY.											
	O'Neal, James, Jr.	No. 7	5447	265	245	210	220	205	200	150	145
	Prater, Charles	No. 7	5425	265	245	210	220	205	200	150	145
FLOYD COUNTY, KY.											
	Sampson Elkhorn Coal Co., The	Calora 1	466	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)
LETCHER COUNTY, KY.											
	Consolidation Coal Company	Consolidation #207	5445	295	275	235	240	215	225	185	180
PIKE COUNTY, KY.											
	Major Elkhorn Coal Company	Major	45	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)
	Somet-Solvay Company	Henry Clay	5477	(†)	(†)	235	(†)	225	(†)	(†)	(†)
SUBDISTRICT NO. 3—HAZARD											
LETCHER COUNTY, KY.											
	Sandlick Coal Company	Belcraft	36	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)
FERRY COUNTY, KY.											
	Hensley, Elonzo	Elonzo Hensley	5450	275	255	220	225	205	210	155	150
SUBDISTRICT NO. 4—KANAWHA CLAY COUNTY, W. VA.											
	Elswick, J. H.	Coalburg	5449	245	225	220	205	180	210	145	140

[Docket No. A-1434]

**PART 343—MINIMUM PRICE SCHEDULE,
DISTRICT NO. 23**

RELIEF GRANTED

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 23 for the establishment of price classifications and minimum prices for the coals of the Springbrook No. 2 Mine (Mine Index No. 166) in District No. 23.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of the Springbrook No. 2 Mine (Mine Index No. 166) in District No. 23; and

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

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

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

NOTE.—The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 343, Minimum Price Schedule for District No. 23, and supplements thereto.

The following price classification and minimum prices shall be inserted in Price Schedule No. 1 for District No. 23:

§ 343.4 *Code member price index*—Supplement R-I. Insert the following listing in proper alphabetical order:

Producer	Mine	Mine Index No.	County	Shipping point	Subdistrict price group	Railroad	F. O. G. No.
Springbrook Mining Co.	Springbrook No. 2.....	166	King....	Briquetville (Renton)...	F	PC.....	52

**§ 343.5 *General prices; minimum prices for shipment via rail transportation*—
Supplement R-II**

[Minimum F. O. B. mine prices in cents per net ton for shipment via rail transportation into market areas shown]
[Subdistrict F—Except Cedar Mtn. Mines Co., Cedar Mountain Mine. Springbrook Mining Co.—Springbrook No. 2 Mine, Seam No. 2—King County]

Market areas	Size groups															
	2	3	4	5	7	8	9	10	11	12	13	14	15	16	22	24
238.....	430	430	425	425	450	425	425	400	375	375	350	335	335	325	300	150
240, 253, and 254.....	415	415	375	375	400	375	375	350	325	325	300	285	285	275	300	150
243.....	395	395	425	425	450	425	425	400	375	375	350	335	335	325	300	150
All others.....	465	465	425	425	450	425	425	400	375	375	350	335	335	325	300	150

TRUCK SHIPMENTS

§ 343.21 *General prices*—Supplement T

[Prices in cents per net ton for shipment into all market areas]

Code member mine name	County	Size groups															
		2	3	4	5	7	8	9	10	11	12	13	14	15	16	22	24
SUBDISTRICT F																	
Springbrook Mining Co., Springbrook No. 2.....	King.....	490	490	450	450	475	450	450	425	400	400	375	360	360	350	325	175

[F. R. Doc. 42-4728; Filed, May 22, 1942; 11:21 a. m.]

[Docket No. A-1033]

**PART 334—MINIMUM PRICE SCHEDULE,
DISTRICT NO. 14**

RELIEF GRANTED

Order approving and adopting the proposed findings of fact and proposed conclusions of law of the Examiner and granting permanent relief in the matter of the petition of District Board No. 14 for revision of the effective price classifications and minimum prices for the coals in size group 9, produced at certain mines in Production Group No. 1 of District No. 14.

A petition, pursuant to the provisions of section 4 II (d) of the Bituminous Coal Act of 1937, having been filed with the Bituminous Coal Division by District Board 14, on behalf of certain code members in Production Group 1 of District 14, requesting the raising of the price classifications and minimum prices of coals in Size Group 9 produced in said Production Group 1 to the same price classifications and minimum prices as those effective for such coals in Size Group 8;

A petition of intervention having been filed by the Ozark Coal Company;

The deposition of H. W. Collier having been taken on January 15, 1942, before a United States Commissioner in Fort Smith, Arkansas;

Pursuant to appropriate orders, a hearing having been held before W. A. Cuff on January 20 and 21, 1942, at a hearing room of the Division in Washington, D. C., at which all interested persons were afforded an opportunity to be present and participate fully in the hearing;

The Ruby Glow Mining Company having moved at the hearing for leave to become an additional party intervenor, or alternatively, for leave to be substituted as an intervenor in lieu of the Ozark Coal Company, from whom the former had acquired Mine Index No. 206, in Production Group 1, by lease on a royalty basis after the petition of intervention of the Ozark Coal Company was filed; and this motion having been referred by Examiner Cuff to the undersigned for his determination, but the Examiner having afforded the Ruby Glow Mining Company an opportunity to participate fully in the hearing;

The Examiner having submitted his Proposed Findings of Fact, Proposed Conclusions of Law, and Recommendations in this matter, dated April 15, 1942, recommending that the requested relief be granted to the extent of increasing the minimum prices of Size Group 9 coals, produced in Production Group 1, in the amount of 30 cents per ton, in lieu of the amount of 55 cents per ton requested in the petition;

Such amendment of the District 14 price schedule being required in order to effectuate the purposes of sections 4 II

¹ Previous hearings were convened in Washington on November 13 and December 4, 1941. Continuances were granted and the Examiner was redesignated.

(a) and 4 II (b) of the Act and comply in all respects with the standards thereof;

An opportunity having been afforded to all parties to file exceptions to the Examiner's Report and supporting briefs, and no such exceptions and supporting briefs having been filed;

The undersigned having determined that the Ruby Glow Mining Company should be permitted to intervene in this proceeding and that the Proposed Findings of Fact and Proposed Conclusions of Law of the Examiner should be approved and adopted as the Findings of Fact and Conclusions of Law of the undersigned;

Now, therefore, it is ordered, That the petition of the Ruby Glow Mining Company for leave to intervene be, and it hereby is, granted;

It is further ordered, That the 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 effective fifteen (15) days from the date of this order:

I. § 334.6 (*General prices*) in the Schedule of Effective Minimum Prices for District No. 14 for All Shipments Except Truck be, and it hereby is, amended as follows:

A. By adding to the Table a footnote "6" to the price of \$4.40 for Price Classification B in Size Group 9 as follows:

"Note 6. Shall be increased 30 cents per ton when shipped from Production Group 1 only."

B. By adding to the Table a footnote "7" to the price of \$4.05 for Price Classification B in Size Group 9, as follows:

"Note 7. Shall be increased 30 cents per ton when shipped from Production Group 1 only."

II. § 334.24 (*General prices for shipment into all market areas*) in the Schedule of Effective Minimum Prices for District No. 14 for Truck Shipments be, and it hereby is, amended by changing the minimum prices of the coals in Production Group 1 classified in Size Group 9 from said minimum price of \$4.40 to \$4.70 in said Size Group 9.²

It is further ordered, That the prayers for relief contained in the petition herein be, and they hereby are, granted to the extent set forth above and in all other respects denied.

Dated: May 22, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-4777; Filed, May 25, 1942;
10:12 a. m.]

² Of course this is subject to the temporary relief recently given in Docket No. A-1360.

TITLE 31—MONEY AND FINANCE: TREASURY

Chapter I—Monetary Offices

PART 132—GENERAL RULINGS UNDER EXECUTIVE ORDER NO. 8389, APRIL 10, 1940, AS AMENDED, AND REGULATIONS ISSUED PURSUANT THERETO

MAY 22, 1942.

GENERAL RULING NO. 13 UNDER EXECUTIVE ORDER NO. 8389, AS AMENDED, SECTIONS 3 (a) AND 5 (b) OF THE TRADING WITH THE ENEMY ACT, AS AMENDED BY THE FIRST WAR POWERS ACT, 1941, RELATING TO FOREIGN FUNDS CONTROL

§ 132.13 *General Ruling No. 13.* (a) This general ruling relates to the procedure to be followed in connection with the filing of applications for the unblocking of accounts or other property in which applications it is alleged that no person having an interest in the property involved is a national of a blocked country.

(b) Any interested party is entitled to file such an application. Such application shall be filed in the manner provided in § 130.3 of this chapter, and shall contain full information in support of the administrative action requested. The application for administrative action may be filed on Form TFE-1 or on Form TFE-1 (even though the request for administrative action is not a request for a license), and any documents or other data as may be relevant to the application should be attached to and made a part of the application.

(c) The applicant is entitled to be heard on the application. If the applicant desires to be heard on the application, either before or after the Treasury Department has taken action on such application, he should so notify the Treasury Department. Such notice should contain an appropriate reference to the application involved and the names of the parties desiring to be heard with respect to the application. (Sec. 5 (b), 40 Stat. 415 and 966; Sec. 2, 48 Stat. 1; 54 Stat. 179; Pub. No. 354, 77th Cong., 55 Stat. 838; E.O. 8389, April 10, 1940, as amended by E.O. 8785, June 14, 1941, E.O. 8832, July 26, 1941, E.O. 8963, December 9, 1941, and E.O. 8998, December 26, 1941; Regulations, April 10, 1940, as amended June 14, 1941, and July 26, 1941)

[SEAL] E. H. FOLEY, Jr.,
Acting Secretary of the Treasury.

[F. R. Doc. 42-4737; Filed, May 22, 1942;
12:50 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter III—Bureau of Mines

PART 301—CONTROL OF EXPLOSIVES AND THEIR INGREDIENTS IN TIME OF WAR OR NATIONAL EMERGENCY

MISCELLANEOUS AMENDMENTS

Certain of the regulations heretofore promulgated under the Federal Explo-

sives Act of December 26, 1941 (55 Stat. 863), are hereby amended¹ as follows:

Section 301.2 (b) is amended by striking from the list of explosives the item "fireworks" and by rewriting said item to read as follows: "Fireworks—except as designated in § 301.3 (c) (4)." (Sec. 18, 55 Stat. 863)

Section 301.3 (c) (3) is amended to read as follows:

(3) *Cartridges and ships' signals.* Cartridges for small arms or shotguns and ships' signal or emergency equipment.

Section 301.3 (c) is further amended by adding thereto new subparagraphs (4), (5) and (6) as follows:

(4) *Fireworks designated.* There are hereby designated as not included within the term "explosive" or "explosives", as defined in the Act or in these Regulations, fireworks in quantities of not in excess of a total of 10 pounds weight of the manufactured goods selected from all or any of the list following:

Chinese firecrackers—not more than 1¼ inches long nor more than ¾ inches outside diameter.

Domestic firecrackers (salutes)—not more than 5 inches long nor more than ¾ inches outside diameter and the explosives content of which is not more than 45 grains.

Whistling novelties—the explosives content of which is not more than 45 grains for producing a whistle and 45 grains for producing an explosion.

Aerial shells (including salutes and parachute novelties)—of which the content and packing of the propellant shall be such as to propel the aerial piece not more than 100 feet in any direction, and the explosives content (if any) of the aerial piece shall not exceed 45 grains for single shot salutes, or 45 grains per shot for multiple shot salutes, which shall not exceed 10 shots in number.

Mines and fountains—in which no explosive is used except as a propellant or expellant and no part of the contents of which will carry more than 50 feet in any direction.

Torpedoes—the explosives content of which shall not exceed 5 grains.

Roman candles—loaded so that no part of the content will carry more than 50 feet in any direction.

Rockets—not over a size commercially designated as one pound.

Wheels—not over 20 inches in diameter. Torches and colored lights of all descriptions.

Snakes which do not contain any mercury salt.

Sparklers and dipped sticks.

Paper caps—the explosives content of which is not more than .15 grains in each cap.

Smoke pots.

(5) *Signalling devices designated.* There are hereby designated as not included within the term "explosive" or "explosives", as defined in the Act or these Regulations, flares, colored lights, fuzes, and other devices customarily used by railroads and carriers, by airplane or motor vehicle, and torpedoes customarily used by railroads, for signalling purposes.

¹ 7 F.R. 305, 1103, 1976.

(6) *Compliance with other laws.* Nothing in these regulations will permit the manufacture, sale, possession, or use of any explosives, ingredients, fireworks, or signalling devices prohibited by local or State laws or by any other Federal law, regulation, or order. (Sec. 18, 55 Stat. 863)

The Cross Reference following § 301.3 (c) is rescinded and stricken out.

Section 301.20 is rescinded and stricken out, and the following sections are re-numbered to conform, thus:

Section 301.21 becomes § 301.20.
Section 301.22 becomes § 301.21.

(Sec. 18, 55 Stat. 863)

R. R. SAYERS,
Director.

Approved May 23, 1942.

OSCAR L. CHAPMAN,
Assistant Secretary.

[F. R. Doc. 42-4756; Filed, May 23, 1942;
11:32 a. m.]

Chapter VI—Selective Service System

[Order No. 38]

SALEM HOSPITAL PROJECT

ESTABLISHMENT FOR CERTAIN CONSCIENTIOUS OBJECTORS

I, Lewis B. Hershey, Director of Selective Service, in accordance with the provisions of section 5 (g) of the Selective Training and Service Act of 1940 (54 Stat. 885) and pursuant to authorization and direction contained in Executive Order No. 8675¹ dated February 6, 1941, hereby designate the Salem Hospital Project to be work of national importance, to be known as Civilian Public Service Camp No. 38. Said project, located at Salem, Marion County, Oregon, will be the base of operations for work at the Salem Hospital, and registrants under the Selective Training and Service Act of 1940, who have been classified by their local boards as conscientious objectors to both combatant and non-combatant military service and have been placed in Class IV-E, may be assigned to said project in lieu of their induction for military service.

The work to be undertaken by the men assigned to said Salem Hospital Project will consist of clerical and laboratory, and they will be engaged as attendants in connection with the care of patients at said hospital, and shall be under the direction of the Superintendent of the Oregon State Board of Control, as well as will be the project management. Men shall be assigned to and retined in camp in accordance with the provisions of the Selective Training and Service Act of 1940 and regulations and orders promulgated thereunder, as well as the regulations of the Oregon State Board of Control. Administrative and directive con-

¹ 6 F.R. 831.

trol shall be under the Selective Service System through the Camp Operations Division of National Selective Service Headquarters.

LEWIS B. HERSHEY,
Director.

MAY 22, 1942.

[F. R. Doc. 42-4792; Filed, May 25, 1942;
11:33 a. m.]

Chapter IX—War Production Board

Subchapter A—General Provisions

PART 903—DELEGATIONS OF AUTHORITY

[Amendment 1 to Supplementary Directive 1-H]

Section 903.9 *Supplementary Directive 1-H*¹ is hereby amended by changing paragraph (b) to read as follows:

(b) The authority herein delegated to the Office of Price Administration may be exercised only in:

(1) The States of Connecticut, Delaware, Florida east of the Apalachicola River, Georgia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia, West Virginia, the District of Columbia, and the corporate limits of the City of Bristol, Tennessee;

(2) The States of Oregon and Washington: *Provided*, That such authority may further extend to any point within fifty (50) miles of the boundaries of the area so defined. (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. Law 89, 77th Cong., and by Pub. Law 507, 77th Cong., W.P.B. Directive No. 1, 7 F.R. 562; W.P.B. Reg. No. 1, 7 F.R. 561, as amended, 7 F.R. 2126.)

Issued this 23d day of May 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42-4758; Filed, May 23, 1942;
11:50 a. m.]

Subchapter B—Division of Industry Operations

PART 933—COPPER

[Amendment 1 to Supplementary Conservation Order M-9-c-1]

Section 933.6 *Supplementary Conservation Order M-9-1*,² paragraph (e) is hereby amended to read as follows:

(e) *Prohibition of use.* Except as provided in paragraph (f) hereof, no manufacturer of shoes may attach any shoe findings containing copper to any type of shoes unless such shoe findings were in the stock of the manufacturer of shoes on or before March 31, 1942 and unless the manufacturer of shoes has no steel or non-metallic shoe findings in his in-

¹ 7 F.R. 3478.

² 7 F.R. 610.

ventory suitable for use in place of shoe findings containing copper. (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.)

This amendment shall take effect immediately.

Issued this 23d day of May 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42-4761; Filed, May 23, 1942;
11:50 a. m.]

PART 955—MATERIAL ENTERING INTO THE CONSTRUCTION OF DEFENSE PROJECTS

[Amendment 1 to Preference Rating Order P-19a¹]

By virtue of the authority vested in the Director of Industry Operations, it is hereby ordered that:

All serial numbers of § 955.2² *Preference Rating Order P-19a* are hereby amended as follows:

Paragraph (a) (3) is hereby amended to read:

(3) "Supplier" means any person with whom a contract or purchase order has been placed for delivery, to the builder or to another supplier, of material which will be physically incorporated into the defense project.

Paragraph (b) is hereby amended to read:

(b) *Assignment of preference rating.* Preference Rating ---- is hereby assigned to deliveries of material which will be physically incorporated into the defense project.

Paragraph (f) (1) (iii) is hereby amended to read:

(iii) Contracts and purchase orders on his books, including delivery schedules for the defense project, or for material which will be physically incorporated into the defense project. (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 23d day of May 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42-4763; Filed, May 23, 1942;
11:52 a. m.]

¹ 6 F.R. 3801.

² Preference ratings heretofore applied under Preference Rating Order P-19a to deliveries of material which has not been delivered to the builder and to which the rating could not be applied under Preference Rating Order P-19a as amended by this amendment are hereby specifically revoked.

PART 965—IRON AND STEEL SCRAP

[Amendment 1 to General Preference Order M-24]

Section 965.1 *General Preference Order M-24*¹ is amended as follows:

Paragraph (h) is hereby repealed.

The following new paragraphs are added:

(h) Consumers of scrap are specifically authorized until further order of the Director of Industry Operations to accept delivery of scrap without regard to the restrictions set forth in § 944.14 of Priorities Regulation No. 1, as amended.

(i) This order shall remain in effect until revoked. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 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 23d day of May 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42-4762; Filed, May 23, 1942; 11:51 a. m.]

PART 1046—SUPPLIERS

[Amendment 3 to Suppliers' Inventory Limitation Order L-63]

Section 1046.3 *Suppliers' Inventory Limitation Order L-63*² is hereby amended as follows:

Paragraph (a) of said section is hereby amended by adding thereto the following sub-paragraph:

(7) "Maximum permissible inventory" of supplies may, at the option of the supplier, be calculated as follows:

(i) In the case of a supplier, located in the Eastern or Central war-time zones, an inventory (owned or consigned to him) of Supplies of a total dollar value (by physical or book inventory, at the option of the supplier) equal to two-thirds the dollar value of sales of said supplies shipped from his inventories during the three preceding calendar months.

(ii) In the case of a supplier, located in any other time zone, an inventory (owned or consigned to him) of supplies of a total dollar value (by physical or book inventory, at the option of the supplier) equal to the dollar value of sales of such supplies, shipped from his inventories, during the three preceding calendar months. (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.)

This Amendment shall take effect immediately.

Issued this 23rd day of May 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42-4764; Filed, May 23, 1942; 11:51 a. m.]

¹ 6 F.R. 5217.

² 7 F.R. 2630, 3081, 3390, 3662.

PART 1075—CONSTRUCTION

[Supplementary Conservation Order L-41-a]

In accordance with the provisions of § 1075.1 *Conservation Order L-41*¹ which the following order supplements:

§ 1075.2 *Supplementary Conservation Order L-41-a*—(a) *Termination of construction already begun.* Any construction primarily for the amusement of the public, with the exception of strictly temporary construction and playgrounds for children, begun prior to the effective date of this order, shall be terminated within fourteen days of the effective date of this order, unless the total estimated cost (as defined in § 1075.1 (a) (7) of Conservation Order L-41) is less than \$5,000 or unless the construction has been or is hereafter authorized in accordance with § 1075.1 (b) (7).

(b) *Effective date.* This order shall take effect at 11:59 P. M., Eastern War Time, on May 23, 1942. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; 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 23d day of May 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42-4757; Filed, May 23, 1942; 11:50 a. m.]

PART 1109—MICA

[Conservation Order M-101 as Amended May 23, 1942]

Section 1109.1 *Conservation Order M-101* is hereby amended so as to read as follows:

§ 1109.1 *Conservation Order M-101*—(a) *Definitions.* (1) The term "strategic mica", as hereinafter used, means muscovite or phlogopite (amber) block mica in the partially or fully trimmed condition usually sold by the miner, that is of a quality better than "heavy-stained" and contains no mineral stains or inclusions, whether or not cut, stamped, split or punched to predetermined shape or dimensions. The term "strategic mica" does not refer to the type of mica known to the trade as "splittings" used for making built-up board or cloth.

(2) The term "to fabricate or cause another to fabricate" as hereinafter used means to punch or to change in any manner the form, shape or size of strategic mica or to cause another to punch or change in any manner the form, shape or size of strategic mica, unless such fabricating is for the purpose of making emergency repairs or replacements to prevent a threatened breakdown when such repair or replacement is made on the premises of the owner of the article being repaired.

(3) The term "product containing strategic mica" as hereinafter used means a part into which completely fabricated strategic mica is assembled, installed or inserted, such as a spark plug, condenser or radio tube.

(4) The term "end-product" as hereinafter used means the finished article in the form ready for delivery to the ultimate consumer, such as a truck or radio receiving set.

(5) The term "implements of war" as hereinafter used means:

(i) Combat end-products, complete for tactical operations, including but not limited to, aircraft, ammunition, armament and weapons, ships, tanks and vehicles; and

(ii) Parts, assemblies and material to be physically incorporated in any of the foregoing items.

The term does not include facilities or equipment used to manufacture "implements of war".

(b) *Restrictions on fabrication and causing of fabrication of strategic mica.*

(1) On and after the 1st day of June, 1942 no person shall fabricate or cause another to fabricate any strategic mica,

(i) Unless the strategic mica is to be physically incorporated into an implement of war or into an article being produced for any foreign country pursuant to the Act of March 11, 1941 entitled "An Act to promote the defense of the United States" (Lend-Lease Act); or

(ii) Unless each person fabricating or causing another to fabricate the strategic mica has been specifically authorized by the Director of Industry Operations to do so in the particular manner in which it is being done pursuant to an application made under the provisions of paragraph (b) (5) of this order.

(2) On and after the 1st day of July, 1942, no person shall fabricate or cause another to fabricate any strategic mica for any purpose unless each person fabricating or causing another to fabricate the strategic mica has been specifically authorized by the Director of Industry Operations to do so in the particular manner in which it is being done pursuant to an application made under the provisions of paragraph (b) (5) of this order.

(3) After June 1, 1942, no manufacturer of a product containing strategic mica shall at any time or for any purpose:

(i) Fabricate or cause another to fabricate strategic mica of a quality better than is necessary for the particular purpose to which the strategic mica will be put; or

(ii) Fabricate or cause another to fabricate strategic mica for use where the substitution of non-strategic mica or other material is practicable.

(4) After June 1, 1942, no person shall at any time or for any purpose fabricate strategic mica of a grade (size) larger than is required to yield the particular pattern desired. Whenever after said date a piece or pieces of required dimensions are cut or stamped from strategic mica of grades larger than No. 6 and of a quality better than "heavy stained" with a resultant remnant large enough so that two pieces measuring $\frac{1}{2}$ " x $\frac{1}{2}$ " or one piece measuring $\frac{1}{2}$ " x 1" can be cut therefrom, such remnant shall be deemed and treated hereunder as strategic mica of the same quality as the orig-

¹ 7 F.R. 2780, 3712, 3774.

inal mica from which the piece or pieces are cut.

(5) Application to the Director of Industry Operations for specific authorization to fabricate or cause another to fabricate strategic mica shall be made by the manufacturer of the product containing strategic mica on Form PD-480 or otherwise, and the authorization, if secured, shall apply to any other person fabricating strategic mica for such manufacturer pursuant to the terms of the authorization. The applicant must state:

(i) The quality of the strategic mica for which application is made, and its size, if known;

(ii) The number of pounds of strategic mica in terms of block mica, mica films or fabricated mica for which application is made;

(iii) The name of any other person who is to fabricate any or all of the strategic mica and a description of the portion of the strategic mica to be fabricated by such other person if less than all the strategic mica for which application is made;

(iv) The name of the product containing strategic mica (see definition in paragraph (a) (3)) to be made by the manufacturer and the name of the person for whom the product is being made;

(v) The end-product (see definition in paragraph (a) (4)) into which the product containing strategic mica is to be inserted and the name of the person for whom the end-product is being made;

(vi) The ANMB code number, contract number and the serial number of the PD certificate if the end-product is being produced for the Army, the Navy or any other United States governmental agency;

(vii) Whether or not the substitution of strategic mica of a poorer quality or the substitution of non-strategic mica or a material other than mica is practicable without adversely affecting the performance of the end-product to a material extent; and

(viii) Whether or not the strategic mica is to be used for repair or replacement purposes or in the manufacture of new equipment, if the mica is not to be used for implements of war.

The Director of Industry Operations may at any time, either before or after authorization is granted, require satisfactory evidence from the manufacturer of any end-product into which the product containing strategic mica is to be inserted, that a lesser quantity or a lower quality of strategic mica could not be or could not have been used than the quantity or quality applied for, or that non-strategic mica or other material could not be or could not have been used as a substitute for strategic mica.

(c) *Reports.* Every person fabricating strategic mica and every manufacturer of a product containing strategic mica shall make a report on Form PD-325 covering any fabricating of strategic mica done by him in each month beginning with the month of April, 1942, in which fabrication of such mica or the manufacture of such a product takes place, and covering his inventory position

with respect to strategic mica at the end of each such month. Such reports shall be filed with the War Production Board within 15 days of the end of the month as of which the report is made.

(d) *Miscellaneous provisions—*(1) *Appeals.* Any person affected by the restrictions of paragraph (b) (3) or (b) (4) of this order and who considers that compliance therewith would interfere with the war effort may appeal to the War Production Board, Washington, D. C., Reference M-101, setting forth the pertinent facts and the reason he considers he is entitled to relief.

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

(3) *Applicability of order.* The prohibitions and restrictions contained in this order shall apply to fabricating or causing another to fabricate with strategic mica all articles manufactured after the effective date of this amended order irrespective of whether such articles are manufactured pursuant to a contract made prior or subsequent to such effective date. Insofar as any other order of the Director of Priorities or of the Director of Industry Operations may have the effect of limiting or curtailing to a greater extent than herein provided fabrication or causing another to fabricate strategic mica, the limitations of such other order shall be observed.

(4) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board Mica - Graphite Branch, Washington, D. C., Reference M-101.

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

(6) *Effective date.* This amended order shall take effect June 1, 1942 and shall continue in effect until revoked by the Director of Industry Operations. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; 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 23d day of May 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F R. Doc. 42-4760; Filed, May 23, 1942;
11:51 a. m.]

PART 1143—RAZORS AND RAZOR BLADES
[Supplementary Limitation Order L-72-a]

In accordance with the provisions of § 1143.1 *General Limitation Order L-72* which the following order supplements:

§ 1143.2 *Supplementary General Limitation Order L-72-a—*(a) *Definitions.* For the purposes of this order:

(1) "Safety razor" means any razor, provided with a guard or guards for the blade to prevent cutting of the skin.

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

(3) "Manufacturer" means any person who manufactures or assembles safety razors.

(4) "Jobber" means any person (other than the manufacturer) who distributes safety razors to dealers, including retail outlets of such person.

(5) "Dealer" means any person in the business of selling safety razors at retail.

Any person who acts in more than the single capacity of manufacturer, jobber or dealer, as defined in subparagraphs (a) (3), (a) (4) and (a) (5) of this order shall, for the purposes of this order, be deemed a manufacturer, jobber or dealer, depending upon the capacity in which he acts in each specific transaction in which he engages.

(b) *Prohibition of transactions in safety razors from the effective date of this order.* From the effective date of this order, no manufacturer or jobber shall sell, lease, trade, deliver, ship or transfer any safety razors (whether produced before or after the effective date of this order) to any other person, except

(1) Any safety razors actually in transit at the time this order takes effect may be delivered to their immediate destination, or

(2) To the Army or Navy of the United States, provided that such safety razors are not acquired for re-sale purposes, or

(3) Jobbers may sell, lease, trade, deliver, ship or transfer safety razors to other jobbers or to manufacturers, or

(4) Pursuant to specific authorization of the Director of Industry Operations.

(c) *Records and reports.* (1) Every manufacturer or jobber who has any safety razors on the effective date of this order shall keep and preserve, for not less than two years, accurate and complete records of all such safety razors and of all sales and shipments made by him pursuant to this order. Such records shall be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(2) On or before the fifteenth day following the effective date of this order, every manufacturer or jobber of safety razors shall file with the War Production Board a statement of the number and type of safety razors in stock on the effective date of this order.

(d) *Communications.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to the War Production Board, Washington, D. C., Ref.: L-72-a.

(e) *Effective date.* This order shall take effect at 2:01 A. M. Eastern War Time, May 23, 1942. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; 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 22d day of May 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42-4738; Filed, May 22, 1942;
3:29 p. m.]

PART 1154—METAL PLUMBING AND HEATING EQUIPMENT

[Limitation Order L-79 as Amended May 23, 1942]

Section 1154.1 (*General Limitation Order L-79*) is hereby amended to read as follows:

§ 1154.1 *General Limitation Order L-79*—(a) *Definitions.* For the purposes of this order:

(1) "Metal plumbing equipment" means any of the following items which are composed of metal to the extent of 50% or more by weight:

(i) Plumbing fixtures, including only bathtubs, closet hoppers, closet tanks, grease interceptors, laundry trays, lavatories, shower receptors, shower stalls, sinks, sink and laundry tray combinations, and urinals.

(ii) Plumbing fixture fittings and trim.

(iii) Water heating equipment, including only direct fired water heaters which use coal, oil or gas as fuel, indirect type water heaters, hot water storage tanks and range boilers.

(iv) Cooking and baking equipment of types used in or connected to gas or steam systems.

(2) "Metal heating equipment" means any of the following items which is designed to provide heat for the interior of a building and which is composed of metal to the extent of 50% or more by weight:

(i) Steam and hot water heating boilers which use coal or oil as fuel.

(ii) Cast iron heating radiators (other than electric steam radiators) including, but not limited to, cast iron tubular radiators and cast iron convectors.

(iii) Hot water circulator pumps, vacuum pumps, and condensation pumps.

(iv) Warm air furnaces which use coal or oil as fuel.

(v) Heating stoves and space heaters which use coal, oil or gas as fuel, except gas fired floor furnaces.

(vi) Oil burners.

(vii) Metal fuel oil tanks.

(3) "Ultimate consumer" means any person who purchases metal plumbing equipment or metal heating equipment other than persons who purchase metal plumbing equipment or metal heating equipment for resale without using such

equipment for the purpose for which it was designed.

(4) "New metal plumbing equipment or new metal heating equipment" means any metal plumbing equipment or metal heating equipment which has never been used by an ultimate consumer.

(b) *General restrictions.* No person shall sell or deliver any new metal plumbing equipment or new metal heating equipment to an ultimate consumer except that, subject to the restrictions of any other order of the Director of Industry Operations,

(1) Any person may sell and deliver any item of new metal plumbing equipment or new metal heating equipment which item is sold by him for no more than five dollars (\$5.00): *Provided*, That such item is sold as a part of an order the total cost of which to the purchaser is not more than ten dollars (\$10.00);

(2) Any person may sell and deliver any new metal plumbing equipment or metal heating equipment pursuant to an order or contract which bears a preference rating of A-10, or better;

(3) Any person may sell and deliver any of the following listed equipment:

(i) Oil burning furnaces (including but not limited to furnace burner units), oil burning boilers (including but not limited to boiler burner units) and oil conversion burners: *Provided*, That such furnaces, boilers and burners may be sold and delivered only if they are sold and delivered to replace other oil burning heating equipment for the purpose of reducing the consumption of fuel oil;

(ii) Any equipment which is specifically designed as hospital equipment, surgical equipment, dental equipment, veterinarian equipment, barber shop equipment or beauty shop equipment;

(iii) Any equipment which is sold and delivered pursuant to an order received or contractual engagement made prior to April 17, 1942, provided that delivery is made not later than June 30, 1942;

(4) Through July 31, 1942, any person may sell and deliver any new metal plumbing equipment or new metal heating equipment concerning which the purchaser has made the following signed statement to him, listing all new metal plumbing equipment or new metal heating equipment to be sold or delivered:

The following equipment -----
----- is required for the completion of the erection, construction, remodeling or rehabilitation of a building, structure or project, or additions, extensions or alterations thereof, which has been initiated (by physically incorporating therein material which is an integral part thereof) after July 31, 1941,
Dated -----
Signed -----

This statement shall constitute a representation to the War Production Board and to the person supplying such equipment that the stated facts are true and that the listed equipment will be used for the purpose stated;

(5) Any person may sell and deliver any new metal plumbing equipment or new metal heating equipment concerning

which the purchaser has made the following signed statement to him, listing all new metal plumbing equipment or new metal heating equipment to be sold or delivered:

The following equipment -----
----- is required for the completion of the erection, construction, remodeling or rehabilitation of a building, structure or project, or additions, extensions or alterations thereof, which has been specifically authorized by the Director of Industry Operations pursuant to an application for authority to "Begin Construction", in accordance with Limitation Order No. L-41.
Dated -----
Signed -----

This statement shall constitute a representation to the War Production Board and to the person supplying such equipment that the stated facts are true and that the listed equipment will be used for the purpose stated;

(6) Any person may sell and deliver any cooking stove, heating stove, and/or water heater concerning which the purchaser has made the following signed statement to him, listing all equipment to be sold or delivered:

The following equipment -----
----- is required by me for use in my place of residence, in which there is no equipment of the type listed. Further, I do not have available any other equipment which I can use in my place of residence instead of the above listed equipment.
Dated -----
Signed -----

This statement shall constitute a representation to the War Production Board and to the person supplying such equipment that the stated facts are true and that the listed equipment will be used for the purpose stated;

(7) Any person may sell and deliver any new metal plumbing equipment or new metal heating equipment pursuant to specific authorization of the Director of Industry Operations on Form PD-423; and

(8) Nothing in this order shall be construed to limit the sale or delivery of any equipment which is to be used for the purpose of converting oil burning equipment or gas burning equipment to coal burning equipment.

(c) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories and sales. Similarly there shall be kept and preserved the signed statements referred to in paragraphs (b) (4), (b) (5) and (b) (6) above.

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

(e) *Reports.* Each person to whom this order applies shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time require.

(f) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or fur-

nishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(g) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a serious problem of unemployment in the community, or that compliance with this order would disrupt or impair a program of conversion from nondefense to defense work, may apply for relief by addressing a letter to the War Production Board setting forth the pertinent facts and the reasons why such person considers that he is entitled to relief. The Director of Industry Operations may thereupon take such action as he deems appropriate.

(h) *Applicability of other orders.* Insofar as any other order issued by the Director of Industry Operations, or to be issued by him hereafter, limits the use of any material to a greater extent than the limitations imposed by this order, the restrictions of such other order shall govern, unless otherwise specified therein.

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

(j) *Routing of correspondence.* All reports to be filed, appeals, and other communications concerning this order shall be addressed to War Production Board, Washington, D. C., Ref: L-79. (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.)

This Amendment shall take effect immediately.

Issued this 23d day of May 1942.

J. S. KNOWLSON,

Director of Industry Operations.

[F. R. Doc. 42-4759; Filed, May 23, 1942; 11:50 a. m.]

PART 1176—IRON AND STEEL CONSERVATION
[Interpretation 1 of General Conservation Order M-126]

The following official interpretation is hereby issued with respect to § 1176.1 *General Conservation Order M-126*:¹

The item "Beds—except hospital" appearing in Lists A and B of General Conservation Order M-126 is construed to include the following items: Bunks, berths, metal folding cots, roll-away cots,

sanitary couches and day beds. It does not include the following items, which, however, remain subject to the restrictions of General Limitation Order L-49:² Coil, flat, box and fabric bed springs (whether or not they are integral parts of beds or other sleeping equipment), innerspring mattresses and pads, and studio couches, sofa beds and lounges designed for dual sleeping and seating purposes. (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 23d day of May 1942.

J. S. KNOWLSON,

Director of Industry Operations.

[F. R. Doc. 42-4765; Filed, May 23, 1942; 11:51 a. m.]

PART 962—IRON AND STEEL

[Amendment 5 to General Preference Order M-21]

Paragraph (e) of § 962.1 *General Preference Order M-21*¹ is hereby amended to read as follows:

(e) *Restriction on deliveries.* Except as hereinafter in this paragraph (e) provided or with specific permission of the Director of Industry Operations, no person shall on or after May 15, 1942, deliver steel or iron products except on an order bearing a preference rating of A-10 or higher which has been duly assigned pursuant to regulations, orders, or certificates: *Provided, however, That:*

(1) A warehouse may deliver carbon steel products on lower rated or unrated orders when such orders are certified by the purchaser to be for necessary repair or maintenance purposes if the total amount of any product so delivered to all its customers during a calendar quarter does not exceed three percent of its quota of such product for such quarter.

(2) Persons other than producers may deliver nails, bale ties, black or galvanized welded pipe up to and including 3½" OD standard pipe size, merchant quality fence wire, woven wire fence, poultry netting, barbed wire, staples, fence posts, gates, and corrugated roofing and siding on lower rated or unrated orders, except as restricted by any other Order of the Director of Industry Operations. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; 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 25th day of May 1942.

J. S. KNOWLSON,

Director of Industry Operations.

[F. R. Doc. 42-4803 Filed, May 25, 1942; 11:40 a. m.]

¹ 6 F.R. 4005, 4730, 5994, 6144; 7 F.R. 2992, 3150.

² 7 F.R. 2187.

PART 962—IRON AND STEEL

[Amendment 5 to Supplementary Order M-21-b¹]

WAREHOUSES AND DEALERS

Supplementary Order M-21-b (§ 962.3) is hereby amended as follows:

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

(1) *Quota restrictions.* No producer shall make to a warehouse stock, and no warehouse shall accept from any producer during any calendar quarter, deliveries for stock except within the limits of the quota which such warehouse is entitled to receive from such producer. Such quota shall be computed on the base tonnage herein described. Except for wire and wire products, the base tonnage of all Schedule B product classifications is the tonnage of such product classification shipped by the producer to the warehouse stock during the corresponding calendar quarter of 1940. The base tonnage for wire and wire products is the tonnage shipped by the producer to the warehouse stock during the corresponding calendar quarter of the period July 1, 1940–June 30, 1941. By written notice delivered to the producer on or before July 1, 1942, for wire and wire products or on or before February 1, 1942 for all other Schedule B products, the warehouse may change the base tonnage of any Schedule B product classification to one-fourth of the annual base tonnage provided for above; but the base tonnage cannot thereafter be changed for any subsequent calendar quarter. The quota which each producer may deliver to each warehouse during the second calendar quarter of 1942 and the proportion thereof to which the rating assigned by paragraph (c) (2) applies are the same as provided by Amendment No. 3 to Supplementary Order M-21-b. The quota which each producer may deliver to each warehouse in each calendar quarter following June 30, 1942, is the percentage of such base tonnage shown in column 4 of Schedule B herein. The base tonnage of the quota may be changed from time to time by the Director of Industry Operations. Any Warehouse whose base tonnage of all Schedule B products with any producer for the calendar year is 120,000 pounds or less may accept its annual quota from such producer at any time during the calendar year, provided that not more than two minimum carloads are accepted in any calendar quarter. After approval by the Iron and Steel Branch, War Production Board, on Form PD-83-e, Revised, the base tonnage and quota of a warehouse for any product classification may be transferred from one producer to another.

Paragraph (d) (2) is amended to read as follows:

(2) A warehouse or dealer may deliver nails, bale ties, black or galvanized welded pipe up to and including 3½" OD stand-

¹ 6 F.R. 4587, 5255, 5995, 6736; 7 F.R. 1626, 3324.

ard pipe size, merchant quality fence wire, woven wire fence, poultry netting, barbed wire, staples, fence posts, gates, and corrugated roofing and siding on lower rated or unrated orders, except as restricted by any other Order of the Director of Industry Operations.

In Schedule B and Schedule C item 13a is amended to read as follows, effective July 1, 1942,

Wire rope and strand, bale ties, nails, and welding rods (uncoated).

(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 25th day of May 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42-4804; Filed, May 25, 1942;
11:39 a. m.]

PART 976—MOTOR TRUCKS, TRUCK TRAILERS AND PASSENGER CARRIERS

[Amendment 4 and Extension 6 to Limited Preference Rating Order P-54]

Section 976.2 *Limited Preference Rating Order P-54*,¹ issued September 12, 1941, as amended and extended is hereby amended and extended as follows:

1. Paragraph (b) "Assignment of preference rating" is further amended, to read as follows:

(b) *Assignment of preference rating.* Subject to the terms of this order, Preference Rating A-3 is hereby assigned:

(1) To deliveries to a producer by his suppliers of materials to be physically incorporated by him in the production of passenger carriers, truck trailers and bodies and cabs for medium and/or heavy motor trucks: *Provided, however,* That when his production of defense products is limited by Limitation Order L-1-a, or any other order or direction of the Director of Industry Operations, no materials shall be obtained in quantity greater than required for his production as so limited: *And provided further,* That the preference rating assigned herein

(i) Shall not be effective with respect to any deliveries to be made after June 30, 1942, if the producer has not, prior to June 1, 1942, filed an application for priority assistance under the production requirements plan on Form PD-25-A (or such form as may be prescribed in lieu thereof);

(ii) Shall be revoked or modified in whole or in part as to any producer, if the Director of Industry Operations, at any time after June 30, 1942, determines that such preference rating is not appropriate;

(iii) Shall not be used for the production of medium and/or heavy motor trucks (other than bodies and cabs therefor, passenger carriers and truck

¹ 6 F. R. 4731, 5273, 5677; 7 F. R. 30, 515, 1792, 2579, 2678.

trailers) or off-the-highway motor vehicles.

(2) To deliveries to any supplier of material which will ultimately be delivered by him or another supplier to the producer under the rating assigned above, or will be incorporated into material which will be so delivered.

2. Sub-paragraph (e) (3), "By a producer or a supplier," is further amended, to read as follows:

(3) *By a producer or a supplier.* (i) Unless the material to be delivered cannot be obtained when required without such rating.

(ii) To obtain deliveries earlier than required.

(iii) To deliveries of materials on purchase orders placed after July 1, 1942.

(iv) To deliveries of materials on purchase orders calling for deliveries after July 31, 1942.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; 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.)

This Amendment shall be effective as of May 1, 1942.

Issued this 25th day of May 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42-4794; Filed, May 25, 1942;
11:37 a. m.]

PART 1016—SHEET STEEL

[Amendment 2 to General Preference Order M-45]

Section 1016. 1 *General Preference Order M-45*¹ is hereby amended as follows:

1. Paragraph (a) (1) is hereby amended to read as follows:

(a) A "steel drum" means a drum made of hot rolled or cold rolled sheet steel of any gauge.

2. The first sentence of paragraph (b) is hereby amended to read as follows:

(b) The Director of Industry Operations will, from time to time, by specific order to each producer, direct the reservation of a designated quantity of hot rolled and cold rolled sheet steel of any gauge in the Producer's possession or ownership. * * *

3. Paragraph (c) is hereby amended to read as follows:

(c) *Records.* Each producer shall keep and preserve for a period of not less than two years, accurate and complete records concerning inventories and stocks on hand of and deliveries to such producer, and by such producer, of hot rolled and cold rolled sheet steel of all gauges, and steel drums. (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.

¹ 6 F. R. 5850; 7 F. R. 149.

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 25th day of May 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42-4797; Filed, May 25, 1942;
11:38 a. m.]

PART 1031—MOLASSES

[Amendment 2 to General Preference Order M-54, as Amended March 27, 1942]

Section 1031.1 *General Preference Order M-54*,¹ as amended March 27, 1942, is hereby amended in the following particulars:

1. Subparagraph (a) (8) (i) is hereby amended by adding after the word "Insecticides" the following:

"(except as provision is made therefor in subparagraphs (a) (14) and (d) (3) hereof)"

2. Subparagraph (a) (14) is hereby amended to read as follows:

(14) "Class 7 Purchaser" means any person who requires molasses for sale directly (without the intervention of any other handler) to persons who require the same for ensilage, direct feed or insect control.

3. Subparagraph (d) (3) is hereby amended to read as follows:

(3) Deliveries by a Class 7 Purchaser (of molasses to which he is entitled pursuant to subparagraph (c) (1) (vii) hereof) to persons who require molasses for ensilage, direct feed or insect control. (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 25th day of May 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42-4796; Filed, May 25, 1942;
11:37 a. m.]

PART 1061—PORTABLE ELECTRIC LAMPS AND SHADES

[Amendment 2 to General Limitation Order L-33]

Section 1061.1 *General Limitation Order L-33*¹ is hereby amended in the following particulars:

Subparagraph (a) (1) is hereby amended by striking out the last sentence therein and substituting the following:

"Portable Lamp" does not include any flashlight or other battery-operated lighting device, mechanic's lamp, industrial lamp designed specifically for use in conjunction with any industrial machine, tool, or assembly bench or other similar factory equipment, or any over-

¹ 7 F. R. 2384, 3479.

² 7 F. R. 2274, 3234, 3662.

head suspended fixture (whether portable or not).

Subparagraph (b) (4) (i) is hereby amended to read as follows:

(i) No producer of portable lamps shall use in the production of such lamps:

(a) Any iron and steel except for sockets (for both incandescent and fluorescent lamp bulbs and tubes), separate switches, plugs, lamp cords, auxiliary ballasts, starter switches, center pipes, steel wire harps, socket covers and husks, outer tubing and casings, seating and checking rings, locknuts, washers, screws and bolts;

(b) Any other metal or parts containing any other metal except sockets (for both incandescent and fluorescent lamp bulbs and tubes), separate switches, plugs, lamp cords, auxiliary ballasts and starter switches; or

(c) Any lamp cords of a greater length than 8½ feet with floor lamps and 7 feet with all other lamps, or of a greater size or gauge thickness than No. 20 A. W. G. with ¼th insulation;

except that he may use metal, metal parts, or lamp cords not meeting the foregoing specifications, which were in his inventory on the effective date of this Order for a period of thirty days thereafter; and. * * *

(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 25th day of May, 1942.

J. S. KNOWLSON,

Director of Industry Operations.

[F. R. Doc. 42-4798; Filed, May 25, 1942; 11:38 a. m.]

PART 1084—CANNED FOODS

[Supplementary Order M-86-a, as amended May 25, 1942]

Section 1084.2 *Supplementary Order M-86-a* is hereby amended to read as follows:

§ 1084.2 *Supplementary Order M-86-a.*

(a) Pursuant to Order M-86, which this Order supplements, it is hereby ordered that each canner shall set aside to be delivered for the requirements of Government Agencies, pursuant to Order M-86, fruits and vegetables packed by him at any time in 1942 of the kinds and in the percentages set forth in Columns A and B of Tables I and II, attached hereto.

If the type, style, or variety of any such fruits or vegetables is described in Column C, such percentage shall be in the type, style and variety described, but other types, styles or varieties shall be substituted to the extent that those

specified in Column C are not packed. Such percentage shall be made up of the first preference grade of such fruit or vegetable specified in Column E in can sizes in the order of preference specified in Column D, to the extent that the canner's production of such grade is sufficient therefor. To the extent that the canner's production of such grade is insufficient to meet such percentage, he shall set aside so much of his production of the second preference grade, if any, specified in Column F in can sizes in the order of preference specified in Column D as is sufficient to complete such percentage. If his production of the grades specified in both Column E and F is insufficient for such purpose, the canner shall set aside so much of his production of the third preference grade, if any, specified in Column G in can sizes in the order of preference specified in Column D as is sufficient to complete such percentage.

Any canner who is required to set aside canned goods pursuant to this order shall provide himself with the necessary materials to pack such canned goods in export boxes, which may be nailed wooden boxes, weatherproof solid fiber boxes, or wirebound wood boxes, at his option, according to specifications attached hereto, except that nailed wooden boxes and weatherproof solid fiber boxes shall not be wired or strapped except as specifically directed by the purchaser.

(b) Any canner who packed any of the products listed on Table II of this order in the calendar year of 1940 shall report by individual plant (if he operated more than one plant) to the Director of Industry Operations, showing for each such product the number of dozens of each can size packed. If a

canner packed in 1941 any product listed in Table II which was not packed in 1940, he shall report the number of dozens of each can size packed in 1941. The report required by this paragraph shall be submitted in duplicate within thirty days following the effective date of this order on Form P.D. 342, Canners Production Report (1940-1941).

(c) The report prescribed by paragraph (c) (2) of Order M-86 shall be given on Form P. D. 343. Seasonal Pack Report for 1942.

(d) The notice permitted by paragraph (c) (3) of Order M-86 may be given if any goods set aside in compliance with this order have not been purchased within sixty days after the mailing or filing of the report with respect to such goods prescribed by paragraph (c) (2) of said Order M-86.

(e) This order, unless modified, amended or revoked, shall continue in effect until December 31, 1942. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; 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 25th day of May, 1942.

J. S. KNOWLSON,

Director of Industry Operations.

SUPPLEMENTARY ORDER NO. M-86-a AS AMENDED MAY 25, 1942—CANNED FRUITS AND VEGETABLES

Table I—Primary Products

The quota of any product listed in Column A to be set aside by any Canner for the Government will be equal to the percentage shown in Column B applied to his total 1942 Pack of that product.

A	B	C	D	Grade		
				E	F	G
Canned fruits and vegetables	Percentage of 1942 pack	Description	Can sizes preferred in order listed	First preference	Second preference	Third preference
Fruit Cocktail	23		10-2½-2	Choice	Fancy	
Peaches ¹	32	Clings-Freestone, Halves-Sliced.	10-2½-2	Choice	Top Standard Clings, only. ¹	Fancy.
Pears	31	Bartlett halves.	10-2½-2	Choice	Top Std. ¹	Standard.
Asparagus	30	Culturally bleached, All Green.	10-2	Fancy Cut	Fancy Spear	
Beans, Lima	25	Fresh	10-2	Ext Std.	Fancy green	Std. fresh white.
Beans, String	28	Cut-Green, Wax Round, Flat.	10-2	Ext Std.	Top Std. ¹	Fancy.
Corn, Sweet	23	Yellow, White, Cream style, Whole Kernel.	#2 Cream style & whole kernel, #10 whole kernel only.	Ext Std.	Fancy	Standard.
Peas	26	Alaska's 3 & 4 sieve, Sweets-3 & larger, ungraded.	10-2	Ext Std.	Top Std. ¹	Fancy.
Tomatoes	33		10-2½-2	Ext Std.	Top Std. ¹	Fancy.
Tomato Catsup	23		10-14 oz. Glass & larger.	Fancy 25% solids.	Standard	
Tomato Juice	15		10-3 cyl (404 x 700).	Fancy		

¹ Top Standard means 70-74 inclusive as defined in terms of U. S. Grades.

² Except Freestone Peaches packed in California. (See table II.)

Table II—Secondary Products

The use of Tinsplate in packing these products is restricted by Tinsplate Conservation Order M-81 as it may be amended from time to time. The quota to be set aside for the Government will

be equal to the percentage shown in Column B applied to the actual production as permitted by Order M-81 and such quotas may be packed in addition to the Pack limitation set by said Order M-81.

A Canned fruits and vegetables	B Percentage as defined above	C Description	D Can sizes preferred in order listed	E Grade			F Grade	G Grade
				First preference	Second preference	Third preference		
Apples.....	58	Heavy Pack.....	10.....	Standard.....				
Applesauce.....	32	Fresh.....	10-2.....	Fancy.....	Standard.....			
Apricots.....	50	Halves unpeeled.....	10-2½.....	Choice.....	Top Std.¹.....		Fancy.	
Cherries, RSP.....	21	Red Pitted (water pack).....	10-2.....	Standard.....				
Cherries, Sweet.....	34	Light, Dark, Pitted, Unpitted.....	10-2½-2.....	Choice.....	Top Std.¹.....		Fancy.	
Peaches.....	26	Freestone (Calif. only) Halves-sliced.....	10-2½-2.....	Choice.....	Fancy.....			
Pineapple.....	26	Sliced, Crushed, Tidbits (except salad and cocktail tidbits), Chunks.....	10-2½-2.....	Fancy.....	Standard.....			
Prunes, Fresh.....	25	Italian.....	10-2½.....	Choice.....	Fancy.....			
Beets.....	60	Cut-Quartered-Sliced-Diced.....	10-2½-2.....	Fancy.....	Top Std.¹.....			
Carrots.....	100	Diced.....	10-2½-2.....	Fancy.....	Top Std.¹.....			
Pumpkin.....	65		2½.....	Fancy.....	Top Std.¹.....			
Spinach.....	58		10-2½-2.....	Fancy.....	Top Std.¹.....			

¹ Top Standard means 70-74 inclusive as defined in terms of U. S. Grades.
² Top Standard means 80-84 inclusive as defined in terms of U. S. Grades.

SPECIFICATIONS FOR BOXES

1. **Weatherproof solid fiber boxes.** Weatherproof solid fiber boxes must be of one-piece regular slotted construction, metal stitched body joint; construction in accordance with the following table:

Total weight (exclusive of box)	Minimum thickness of board	Minimum bursting strength
Not exceeding 42 lbs.....	Inch 0.090	Pounds 325
Over 42 lbs., but not exceeding 65 lbs.....	.100	375

Boards shall further comply with the following waterproofing tests: Specimens 6" x 10", cut from unscored sections of boxes, shall be completely immersed in water for one hour, after which the component plies must not separate beyond 2" from the edges of the piece; after total immersion for 2½ hours similar samples must test not less than 50% of the originally specified bursting strength, and must weigh not more than 150% of the weight before immersion.

Bottom flaps shall be metal stitched, to the extent the canners' facilities permit, otherwise bottom flaps shall be securely sealed by gluing over all areas in contact; top flaps shall be sealed by gluing over all areas in contact. The sealed boxes shall be reinforced by two flat or round steel straps each having a joint or knot breaking strength of not less than 290 lbs., applied at right angles (over sides, top, and bottom, and over ends, top, and bottom), toward centers of respective panels, but over points of contact of cans with wall of box. Box maker shall print or clearly mark by knurled impressions which do not impair the strength of the board, approximately ¾" wide, to indicate the position of the strapping, and shall print a guar-

antee of compliance with this specification.

2. **Wirebound wood boxes.** Shall comply with Federal Specification NN-B-631a, except as follows: Styles 1, 2 or 3 boxes, or boxes with twisted loop closures, may be used. Veneer or sawed boards, of the following thicknesses, shall be used:

Total weight (exclusive of box)	Minimum thickness of sides, top, bottom, ends, and liners		
	Group I woods (see note 1)	Group II and group III woods	Group IV woods
Not exceeding 55 lbs.....	Inch ¾	Inch ½	Inch ¾
Over 55 lbs., but not exceeding 85 lbs.....	¾	¾	¾
Over 85 lbs., but not exceeding 125 lbs.....	¾	¾	¾

NOTE 1: The following species of Group I may be of the same thicknesses permitted for Group II or III woods for sides, top, bottom, end and liners only: Cottonwood, Cypress, Magnolia, Noble Fir and Spruce.

Cleats shall not be less than 1 1/16" by 1 3/16" and shall be made of Group II, III or IV woods.

Binding wires shall be not less than No. 15 gauge (.072" diameter). Girth wires shall be spaced not more than 6" apart. End wires on Style No. 3 boxes shall be spaced not more than 6" from cleats or from each other.

Style No. 3 boxes shall have 2 edge liners not less than 1 1/8" wide attached to each end perpendicular to (across) the grain of the end boards.

Boxes shall be printed with the name and address of the manufacturer and a guarantee of compliance with this Specification.

3. **Nailed wooden boxes.** Boxes shall be made of new materials and of good

commercial quality. All boxes shall be made of seasoned lumber having a moisture content not to exceed 18%. The pieces shall show no defects that materially weaken them, expose the contents of the box to damage or interfere with nailing. No knot or knot hole shall have a diameter exceeding one-third the width of the piece. Surfaces of box parts shall be sufficiently smooth to permit legible stenciling and shall not be splintery. Boxes for weights not exceeding 75 lbs. shall be Style 1, Federal Specification NN-B-621a. Boxes for weights exceeding 75 lbs. shall be Style 5 with triangular cleats for round or oval cans and Style 4 for square and oblong cans.

Thickness of parts of boxes

Total weight (exclusive of box)	Minimum finished thickness of ends		Minimum finished thickness of sides, tops, and bottom	
	Group I or II woods	Group III or IV woods	Group I or II woods	Group III or IV woods
Not exceeding 55 lbs.....	Inch ¾	Inch ¾	Inch ¾	Inch ¾
Over 55 lbs., but not exceeding 75 lbs.....	¾	1 1/16	1 1/2	¾
Over 75 lbs., but not exceeding 100 lbs.....	¾	1 1/16	1 1/2	¾

Each side, top and bottom shall be nailed to each end piece with not less than four six-penny cement coated box nails for Groups I and II woods, or four five-penny cement coated box nails for Groups III and IV woods, spaced not more than three inches apart.

Boxes shall be sized to allow approximately one-eighth inch over exact length, width and height of contents.

The nailed boxes shall be reinforced by two flat or round steel straps, each having a joint or knot breaking strength of not less than 290 lbs., applied over sides, top, and bottom, approximately 1/8 the distance from each end of box.

[F. R. Doc. 42-4801; Filed, May 25, 1942; 11:39 a. m.]

PART 1206—HORSEHIDE

[General Conservation Order M-141]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of horsehide for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1206.1 *General Conservation Order M-141—(a) Applicability of Priorities Regulation No. 1.* This order and all transactions affected thereby are subject to the provisions of Priorities Regulation No. 1 (Part 944), as amended from time to time, except to the extent that any

provision hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

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

(1) "Horsehide" means the hide or skin which has been removed from a horse, colt, mule, ass or pony.

(2) "Raw horsehide" means an untanned horsehide before depilation.

(3) "Horsehide front" means that part of the horsehide commercially known as the "front."

(4) "Put in process" means to soak in water or solution before depilation.

(5) "Military specifications" includes any and all Federal and United States Army, Navy (including the Bureau of Aeronautics and Bureau of Ships), and Marine Corps specifications.

(6) "Blue chrome state" means the state after tanning but before fatliquoring and coloring.

(c) *Restrictions on sales, deliveries and processing of horsehides.* (1) No person shall put in process, or continue to process, except in a tannage meeting military specifications, any raw horsehide front on hand as of the effective date of this order, or thereafter received by him, that in the judgment of his most qualified expert could be made by him or by any other person into suitable leather meeting military specifications in force at the time such horsehide is put in process.

(2) No person shall process beyond the blue chrome state any horsehide front now or hereafter in process up to that state, which in the judgment of his most qualified expert by further processing from the blue chrome state could be made by him or by any other person into suitable leather meeting military specifications in force at the time such horsehide front is to be processed beyond the blue chrome state except:

(i) To be made into such suitable leather, or

(ii) To be physically incorporated into products to be delivered to or for the account of the Army or Navy of the United States, the United States Maritime Commission, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Authority, the National Advisory Committee, for Aeronautics, the Office of Scientific Research and Development, the government of Belgium, China, Czechoslovakia, Free France, Greece, Iceland, Norway, Poland, Russia, Turkey, United Kingdom, including its Dominions, Crown Colonies and Protectorates, or Yugoslavia, or 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).

and no person shall hereafter sell or deliver any such suitable leather to any other person except for incorporation into products to be delivered as provided in (ii) hereinabove.

(d) *Prohibitions against sales or deliveries.* No person shall hereafter sell or deliver any raw horsehides if he knows or has reason to believe such material is

to be processed or delivered in violation of this order.

(e) *Appeal.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of horsehides conserved, or that compliance with this order would disrupt or impair a program of conversion from non-defense to defense work, may appeal to the War Production Board, Reference M-141, setting forth the pertinent facts and the reason he considers he is entitled to relief. The Director of Industry Operations may thereupon take such action as he deems appropriate.

(f) *Reports.* Any person who puts horsehides in process shall file with the War Production Board, monthly, beginning May 31, 1942, one copy of report Form PD-475; and shall file any additional reports and forms prescribed by the War Production Board from time to time.

(g) *Records.* Any person who puts in process horsehides shall preserve such records for not less than two years as will clearly and adequately indicate his compliance with this order.

(h) *Communications to the War Production Board.* All reports required to be filed hereunder, and all communications concerning this Order, shall, unless otherwise directed, be addressed to: "War Production Board, Washington, D. C., Ref.: M-141".

(i) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance. (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 25th day of May, 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42-4795; Filed, May 25, 1942;
11:37 a. m.]

PART 1216—HEAVY POWER AND STEAM EQUIPMENT

[Amendment 1 to Limitation Order L-117¹]

Section 1216.1, paragraph (a) (2) is hereby amended to read as follows:

(2) "Heavy power and steam equipment" means any new machinery or equipment of the kinds listed in Schedule A, as the same may be amended from

¹ 7 F.R. 3717.

time to time, designed for other than marine use. (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 25th day of May 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42-4799; Filed, May 25, 1942;
11:39 a. m.]

PART 1221—FEMININE LOUNGING WEAR AND CERTAIN OTHER GARMENTS

[General Limitation Order L-118]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of wool, silk, rayon, cotton, linen and other materials for defense, for private account and for export; and the following Order is deemed necessary and appropriate in the public interest and to promote the national defense;

§ 1221.1 *General Limitation Order L-118—(a) Applicability of Priorities Regulation No. 1.* This order and all transactions affected thereby are subject to the provisions of Priorities Regulation No. 1 (Part 944), as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

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

(1) "Women's" means lounging wear of sizes 36, 38, 40, 42, 44, 46, 48, 50, 52.

(2) "Misses" means lounging wear of sizes 10, 12, 14, 16, 18, 20.

(3) "Junior Misses" means lounging wear of sizes 9, 11, 13, 15, 17.

(4) "Teen Age" means lounging wear of sizes 10, 12, 14, 16.

(5) "Girls" means lounging wear of sizes 7, 8, 9, 10, 12, 14.

(6) "Children's" means lounging wear of sizes 2, 3, 4, 5, 6.

(7) "Wool cloth" means any cloth containing any percentage of new wool, reprocessed wool or reused wool.

(8) "Feminine lounging wear" means women's and children's robes, bathrobes, housecoats, negligees, brunch coats, demi-housecoats, beach coats, and lounging pajamas.

(9) "Lounging pajama" means a one or two piece garment with trouser leg worn by women and children for informal indoor wear.

(10) "Put into process" means the first cutting operation in the manufacture of any lounging wear for sale, resale or on commission, including but not being limited to cutting by manufacturers to the trade, tailors, and home dressmakers.

(11) *Measurements—Particular measurements set forth in this order shall refer to finished measurements after all manufacturing operations have been completed and the garment is ready for shipment, as follows:*

(i) All measurements for length of robes, bathrobes, housecoats, brunch coats, beach coats, demi-housecoats, negligees and pajama tops for all sizes and ranges are from nape of neck to bottom of finished garment. No garment shall exceed the maximum length herein prescribed at any point in its circumference.

(ii) All measurements for lounging pajama trousers are to be outseam over all measurements, including turn-up and waist band.

(12) "Sweep" means amount of material in circumference of the garment.

(13) "Unusual height" means 5'8½" or more without shoes.

(14) "Abnormal size" means the size of any person requiring feminine lounging wear with measurements exceeding the maximum schedule attached hereto.

(15) "Rayon cloth" means cloth made from rayon fiber or yarn produced from cellulose or with cellulose base, whether under the viscose, acetate, cuprammonium, or other processes.

(16) Unless otherwise expressly defined, all terms shall have their usual trade meaning.

(c) *General provisions with respect to finished garments.* Except as provided in paragraph (h) (1) the prohibitions and restrictions of this order shall not apply to articles of lounging wear, the cloth for which was put into process prior to the effective date of this order, or to articles of lounging wear in existence on this date, or to second-hand articles of lounging wear.

(d) *General exceptions.* The prohibitions and restrictions of this order shall not apply to lounging wear manufactured or sold for use as:

(1) Infants' and Toddlers' size ranges 1 to 3.

(2) Lounging wear for persons who, because of unusual height, abnormal size, or physical deformities, require additional material for proportionate length or sweep of robe, bathrobe, housecoat, negligee, or lounging pajama.

(3) Historical costumes for theatrical productions: *Provided, however,* That no feminine apparel manufactured or sold pursuant to this paragraph shall be used for any purpose other than those for which it was so manufactured or sold, unless altered to conform to the provisions of this order, applicable to such other use.

(e) *General restrictions on the manufacture and sale of all articles of feminine lounging wear.* Except as otherwise herein expressly provided, no person shall, after the effective date of this order:

(1) Put into process or cause to be put into process by others for his account, any cloth for the manufacture of, or sell, or deliver any lounging wear:

(i) Of wool cloth unless made by a manufacturer from fabrics owned by him or in his possession on the effective date of this order.

(ii) With a sleeping pajama, nightgown, slip, or any kind of accessory at a unit price.

(iii) With French facings.

(iv) With balloon, kimona, dolman, or leg-of-mutton sleeves.

(v) Whose fabric has been reduced from normal width or length by all over shirring, tucking, or pleating, except on skirts when said fabrics, before tucking, pleating, or shirring operation does not contain more material than permitted for sweeps as specified in this order; and except for minor trimmings.

(vi) With more than one pocket.

(vii) With a hem at bottom of garment exceeding ½ inch.

(viii) With a hood.

(ix) With a belt exceeding over all length of 50 inches for women's ranges and 40 inches for children's ranges.

(2) Sell or deliver at one unit price any articles of feminine lounging wear which cannot be purchased from the manufacturers thereof, at one unit price.

(3) Change any garment from its manufactured size marking to denote a different size range.

(f) *Curtailment on women's and children's lounging wear.* No person shall after the effective date of this order, put into process or cause to be put into process for his account, any cloth for the manufacture of, and no person shall sell or deliver any:

(1) Robe, bathrobe, negligee, housecoat, or beach robe as follows:

(i) Exceeding measurements of Schedule A attached hereto.

(ii) With a belt exceeding 1½ inches in width.

(2) Lounging pajamas, as follows:

(i) Exceeding measurements of Schedule B.

(ii) With a separate or attached belt of self or any contrasting material at a unit price.

(g) *Appeal.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of wool, silk, rayon, cotton, linen, or other fabrics conserved, or that compliance with this order would disrupt or impair a program of conversion from non-defense to defense work, may appeal to the War Production Board by letter or telegraph, Reference L-118, setting forth the pertinent facts and the reason he considers he is entitled to relief. The Director of Industry Operations may thereupon take such action as he deems appropriate.

(h) *Certificate.* (1) Any person making sales or deliveries to persons other than ultimate consumers, of any articles of feminine lounging wear in existence on, or the cloth for which was put into process prior to the effective date of this order except second-hand articles, shall attach to the purchaser's copy of invoice for such feminine lounging wear, a certificate signed by an individual authorized to sign for such person, in substantially the following form:

The undersigned hereby certifies to his vendee and to the War Production Board that the articles of feminine lounging wear covered by our invoice No. _____ of _____ day of _____, 19____ were in existence or the cloth for same was put into process prior to the effective date of General Limitation Order L-118.

Name of Seller
by -----
Authorized Individual

(2) Any person putting cloth into process for the manufacture of any feminine lounging wear after the effective date of this order, shall endorse upon or attach to the purchaser's copy of invoice for such feminine lounging wear sold by him, a certificate signed by an individual authorized to sign for such person, in substantially the following form:

The undersigned hereby certifies to his vendee and to the War Production Board that the articles of feminine lounging wear covered by our invoice No. _____ of _____ day of _____, 19____ have been manufactured and are being sold in accordance with the provisions of General Limitation Order L-118.

Name of Seller
by -----
Authorized Individual

(3) Any jobber, wholesaler, or other person making sales or deliveries to persons other than ultimate consumers, of articles of feminine lounging wear not manufactured by him, except lounging wear in existence on, or the cloth for which was put into process prior to the effective date of this Order shall endorse upon, or attach to the purchaser's copy of invoice for such feminine lounging wear sold by him, a certificate in substantially the following form:

The undersigned hereby certifies to his vendee and to the War Production Board that the articles of feminine lounging wear covered by our invoice No. _____ of _____ day of _____, 19____ were purchased by us from a manufacturer who furnished us with a certificate stating that they had been manufactured and sold in accordance with the provisions of General Limitation Order L-118, and we have no reason to believe that the said manufacturer's certificate is false in any respect, and our sale to you is in accordance with all of the provisions of the said Order, with the terms of which we are familiar.

Name of Seller
by -----
Authorized Individual

(i) *Reports and records.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as may be required by said Board from time to time. The certificate required under paragraph (h) shall be retained by the vendee for a period of one year after receipt.

(j) *Violations.* Any person who wilfully violates any provision of this order, L-118, or who, in connection with this order wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may

be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(k) *Effective date.* This order shall take effect on May 27, 1942. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; 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 25th day of May 1942.

J. S. KNOWLSON,
Director of Industry Operations.

Maximum measurements for women's and children's robes, bathrobes, negligees and housecoats

SCHEDULE No. A

Misses' sizes.....	10	12	14	16	18	20
Length.....	54	54	54	54	54	54
Sweep.....	74	75	76½	78	79½	81
Any hem.....	½	½	½	½	½	½
Sleeve circumference.....	13	13¼	13½	14	14½	15

Women's sizes....	36	38	40	42	44	46	48	50	52	54
Length.....	55	55	55	55	55	55	55	55	55	55
Sweep.....	78	80	82	84	86	88	90	92	94	96
Any hem.....	½	½	½	½	½	½	½	½	½	½
Sleeve circumference.....	14½	15	15½	16	16½	17	17½	18	18½	19

Junior misses' sizes....	9	11	13	15	17
Length.....	53	53	53	53	53
Sweep.....	74	75	76½	78	79½
Any hem.....	½	½	½	½	½
Sleeve circumference.....	13	13¼	13½	14	14½

Teen age sizes.....	10	12	14	16
Length.....	50	51	52	53
Sweep.....	62	66	68	70
Any hem.....	½	½	½	½

Girls' sizes.....	7	8	10	12	14
Length.....	40	42	44	46	48
Sweep.....	46	48	52	56	60
Any hem.....	½	½	½	½	½

Children's sizes.....	3	4	5	6	6X
Length.....	30	32	34	36	38
Sweep.....	41	42	43	44	45
Any hem.....	½	½	½	½	½

Maximum Measurements for Women's and Children's Lounging Pajamas
SCHEDULE NO. B

Misses' sizes.....	10	12	14	16	18	20
Length top of two-piece pajama.....	22	23	24	25	26	27
Length trouser from top of waist band and including turn-up at bottom.....	43	43½	44	44½	45	45½
Circumference of each trouser leg.....	18	18½	19	19	19½	20
Hem of top.....	1½	½	½	½	½	½
Sleeve circumference.....	13	13¼	13½	14	14½	15

Junior misses' sizes.....	9	11	13	15	17
Length top of two-piece pajama.....	21	22	23	24	25
Length trouser from top of waist band and including turn-up at bottom.....	42½	43	43½	44	44½
Circumference of each trouser leg.....	18	18½	19	19	19½
Hem of top.....	1½	½	½	½	½
Sleeve circumference.....	13	13¼	13½	14	14½

Women's sizes.....	36	38	40	42	44	46	48
Length top of two-piece pajama.....	26	27	27	28	28	28	28
Length trouser from top of waist band & including turn-up at bottom.....	45	46½	46	46½	46½	46½	46½
Circumference of each trouser leg.....	20	21	22	22	23	23	23½
Hem of top.....	½	½	½	½	½	½	½

Girls' sizes.....	7	8	10	12	14	16
Length top of two-piece pajama.....	18	19	20	21	22	23
Length trouser from top of waist band & including turn-up at bottom.....	32	33	36½	39	40	41½
Circumference of each trouser leg.....	17¼	17½	18	18¼	18½	18¾
Hem of top.....	½	½	½	½	½	½

Children's sizes.....	3	4	5	6	6X
Length top of two-piece pajama.....	14	15	16	17	18
Length trouser from top of waist band & including turn-up at bottom.....	23	24½	26	27½	28
Circumference of each trouser leg.....	15¼	15¾	16	16¼	16½
Hem of top.....	½	½	½	½	½

[F. R. Doc. 42-4800; Filed, May 25, 1942; 11:40 a. m.]

PART 1227—AROMATIC PETROLEUM SOLVENTS

[General Preference Order M-150]

The fulfillment of requirements for the defense of the United States has created

a shortage in the supply of aromatic petroleum solvents for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1227.1 General Preference Order M-150—(a) Definitions:

(1) "Aromatic petroleum solvents" means solvents or naphthas of petroleum origin (a) containing more than 30% by volume of aromatic hydrocarbons as determined by the analytical procedure described as "Proximate Analysis of Hydrocarbon Thinners" published in the Scientific Section Circular No. 568 of the National Paint, Varnish and Lacquer Association, November, 1938, pages 381 to 388, and (b) having an A. S. T. M. 50% distillation point lower than 330° F.

(2) "Producer" means any person engaged in the production of aromatic petroleum solvents and includes any person who has such materials produced for him pursuant to toll agreement;

(3) "Distributor" means any person who purchases aromatic petroleum solvents for resale;

(4) "Supplier" means any producer, distributor or other person who sells or offers for sale aromatic petroleum solvents.

(b) *General restrictions on deliveries.* (1) During the period beginning ten days from the date of issuance hereof and ending June 14, 1942, no person except as provided in paragraph (b) (3) hereof or as may be authorized by the Director of Industry Operations shall sell or deliver aromatic petroleum solvents for any purpose except to fill orders to which preference ratings of A-10 or higher have been assigned or extended.

(2) Beginning June 15, 1942, no person, except as provided by paragraph (b) (3) hereof or as may be authorized by the Director of Industry Operations, shall sell or deliver aromatic petroleum solvents for any purpose except to fulfill orders to which preference ratings A-2 or higher have been assigned or extended.

(3) Paragraphs (b) (1) and (2) shall not prevent the sale and delivery of aromatic petroleum solvents to any person for purposes of resale without physical or chemical change.

(c) *Placing of orders.* (1) Each person seeking delivery of aromatic petroleum solvents on or after ten days from the date of issuance hereof for his own

use or for resale shall place with his supplier his order for such solvents and such order shall have inscribed thereon or attached thereto a certification statement in substantially the following form:

The undersigned purchaser of aromatic petroleum solvents, certifies to the supplier and to the War Production Board that:

1. The facts set forth herein are true and correct;
2. The purchaser is familiar with the provisions of General Preference Order No. M-150.
3. The purchaser's inventory of the aromatic petroleum solvent ordered herein is not, and will not by acceptance of the aromatic petroleum solvent hereby ordered, become in excess of a thirty day supply thereof, based on current permissible use and sale, except as may be necessitated by delivery in the smallest practical delivery unit;
4. The aromatic petroleum solvent requested on this order will be used only for the following purposes to which the duly authorized preference ratings as listed apply:

Use or purpose (including resale)	Preference rating		Gallons required for each use
	Rating	Authority	

 By _____
 (Name of purchaser)

 (Authorized representative)

 (Title)

 (Date)

(2) Each supplier of aromatic petroleum solvents shall make deliveries pursuant to orders conforming to paragraph (c) (1) hereof according to the preference ratings applicable thereto.

(d) *Withholding of aromatic petroleum solvents for inventory stock*—(1) After making deliveries as permitted by paragraph (b) hereof, each producer shall accumulate before July 1, 1942, or as soon thereafter as possible, a minimum inventory stock of each aromatic petroleum solvent produced by him equivalent to not less than 25% of his average monthly production of each such solvent during the first four months of 1942 and shall hold this quantity for distribution by the Director of Industry Operations. Such inventory stock need not be fixed, and so far as practicable shall consist of units of not less than 10,000 gallons each, which may be available at the producer's refineries, bulk depots or other locations as may be designated by the Director of Industry Operations. After any withdrawal from this inventory stock on authorization by the Director of Industry Operations, each producer shall reaccumulate such required minimum from production at a rate of not more

than 5% of his average daily production, or such other rate as may be specified from time to time by the Director of Industry Operations, but such direction for reaccumulation shall not prevent deliveries in fulfillment of orders to which preference ratings of A-2 or higher have been assigned or extended.

(2) The minimum inventory stock withheld in accordance with the provisions of paragraph (d) (1) hereof shall be sold and delivered only on authorization by the Director of Industry Operations.

(3) However, notwithstanding any such authorization, a producer shall make deliveries from such minimum inventory stock to the extent, and only to the extent, that other available stocks belonging to him are insufficient to supply the quantity to which such authorization relates.

(e) *Restrictions on use*. No person, except as may be specifically authorized by the Director of Industry Operations, shall use aromatic petroleum solvents for any purpose, be it a defense use or otherwise, if suitable substitutes for such solvents or for the products manufactured with or by the use of such solvents can be used for the same purpose.

(f) *Directions with regard to residual supply*. Each producer shall divert his residual supply of aromatic petroleum solvents (whether in the form of finished product, intermediate fraction or crude petroleum) available after making the deliveries permitted by paragraph (b) hereof and after fulfilling the inventory requirements of paragraph (d) hereof, to the production of nitration grade toluol or aviation gasoline as directed by the Director of Industry Operations. Aviation gasoline so produced shall be delivered solely in fulfillment of contracts or subcontracts of the Army or the Navy of the United States.

(g) *Directions regarding manufacture*. The Director of Industry Operations may from time to time issue to any producer directions with respect to location and method of operations.

(h) *Inventory restriction*. No producer or distributor shall knowingly make, and no person shall accept delivery of aromatic petroleum solvents if the inventory of the person accepting delivery is, or will by virtue of such acceptance become, in excess of a thirty day supply thereof, having regard to current permissible use or sale, but this order shall not be construed to prevent a person from accepting delivery thereof in the smallest practical delivery unit.

(i) *Miscellaneous provisions*—(1) *Reports*. Each producer and distributor shall file with the Chemicals Branch of the War Production Board such reports and questionnaires as said Board shall from time to time specify.

(2) *Records*. All persons affected by this order shall keep and preserve for not

less than two years accurate and complete records concerning inventories, production and sales.

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

(4) *Appeal*. Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of materials conserved, or that compliance with this order would disrupt or impair a program of conversion from non-defense to defense work, may appeal to the Director of Industry Operations. The Director of Industry Operations may thereupon take such action as he deems appropriate.

(5) *Notification of customers*. Producers and distributors shall, as soon as practicable, notify each of their regular customers of the requirements of this order, but failure to give such notice shall not excuse any person from the obligation of complying with the terms of this order.

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

(7) *Communications to War Production Board*. All reports required to be filed hereunder, and all communications concerning this Order, shall, unless otherwise directed, be addressed to: "War Production Board, Washington, D. C. Ref.: M-150".

(8) *Violations*. Any person who willfully violates any provision of this order or who in connection with this order willfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 9040, 9125, 7 F.R. 329, 527, 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 25th day of May 1942.

J. S. KNOWLSON,
 Director of Industry Operations.

[F. R. Doc. 42-4793; Filed, May 25, 1942; 11:37 a. m.]

Chapter XI—Office of Price Administration

PART 1304—IRON AND STEEL SCRAP

[Amendment No. 5 to Revised Price Schedule No. 4¹]

IRON AND STEEL SCRAP

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.

Items 1 and 3 in paragraph (f) of § 1304.13 are amended to read as follows:

§ 1304.13 *Appendix A: Maximum prices for iron and steel scrap other than railroad scrap.* * * *

(f) *Definitions of grades referred to in paragraph (a).*

Item 1. "No. 1 heavy melting steel". Steel scrap ¼ inch and over in thickness, not over 18 inches in width, and not over 5 feet long. Individual pieces must be cut into such shape that they will be free from attachments and will lie flat in a charging box. Cut boiler plate must be practically clean and free from stay bolts and lie reasonably flat in charging box. No piece may weigh less than 5 pounds. This grade may include structural shapes, angle bars and plates, steel castings, heavy chain, carbon tool steel, heavy forgings, forge butts, and similar heavy material. This grade may also include new mashed pipe ends, original diameter 4 inches and over, thoroughly flattened, rail ends, and wrought scrap, such as angles, splices, couplers, knuckles, short rails, drawbars, cut cast-steel bolsters, coil and leaf springs (all coil springs to be ¾ inch or larger in diameter). May include flashings between 2 and 5 feet long. No needle or skeleton plate scrap, agricultural shapes, annealing pots, boiler tubes, grate bars, cast iron, malleable iron, or curly or unwieldy pieces will be accepted. This grade must be free from dirt, excessive rust or scale, or foreign material of any kind.

Item 3. "No. 2 heavy melting steel." Plate scrap, such as car sides, automobile frame stock, tank, and skelp crops, ⅛ inch and heavier, steel parts of agricultural implements, wagons, buggies, and scrapped automobiles, auto and buggy springs cut apart, rods and bars, ½ inch and heavier, punchings, ¼ inch and over in thickness, heavy clippings, new unmashed pipe ends, under 4 inches in diameter, horseshoes, and similar material. Car sides and all light plates to be sheared 15 by 15 inches or under and all tires and light rods to be 12 inches and under in length. Any curved or twisted pieces must be sheared into such shape that they will lie flat in a charging box and not tangle in handling with a magnet, all to be free from brass, cop-

per, lead, zinc, tin, terneplate, cast iron, malleable iron, burnt scrap, dirt, or foreign material of any kind. The maximum size is 15 inches wide by 5 feet long, excepting car sides.

§ 1304.12a *Effective date of amendments.* * * *

(e) Amendment No. 5 (§ 1304.13 (f) to Revised Price Schedule No. 4) shall become effective May 26, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 22d day of May 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-4740; Filed, May 22, 1942; 5:06 p. m.]

PART 1314—RAW MATERIALS FOR SHOES AND LEATHER PRODUCTS

[Amendment No. 1 to Maximum Price Regulation No. 145¹]

PICKLED SHEEPSKINS

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.

Sections 1314.151 and 1314.152 (appearing at 7 F.R. 3746, May 20, 1942) are amended and a new § 1314.162a is added.

In § 1314.151, the third line of paragraph (a) reading "for or received by the seller and" is amended to read "for or received by the seller for"; the twelfth and thirteenth lines of paragraph (b), subparagraph (4) reading "market value of comparable brands, qualities and types of pickled sheepskins" are amended to read "market value of comparable brands, grades, qualities and types of pickled sheepskins"; the reference to "paragraph (a) of Appendix A" in the last sentence of paragraph (b), subparagraph (4) is amended to refer to "paragraph (b) of Appendix A"; and the phrase "subparagraph (2)" and the preceding comma, appearing at the end of the proviso in paragraph (c), are deleted.

In § 1314.152, the phrase "at the applicable maximum price for cash" appearing in the ninth and tenth lines of the section is amended to read "at the applicable maximum price for each."

§ 1314.162a *Effective dates of amendments.* (a) Amendment No. 1 (§§ 1314.151, 1314.152 and 1314.162a) to Maximum Price Regulation No. 145 shall become effective May 23, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 22d day of May 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-4739; Filed, May 22, 1942; 5:06 p. m.]

¹ 7 F.R. 3746.

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

[Maximum Price Regulation No. 149]

MECHANICAL RUBBER GOODS

In the judgment of the Price Administrator the prices of mechanical rubber goods have risen to an extent and in a manner inconsistent with the purposes of the Emergency Price Control Act of 1942. The Price Administrator has ascertained and given due consideration to the prices of mechanical rubber goods prevailing between October 1 and October 15, 1941, and has made adjustments for such relevant factors as he has determined and deemed to be of general applicability. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this Regulation.

In the judgment of the Price Administrator the maximum prices established by this Regulation are and will be generally fair and equitable and will effectuate the purpose of said Act. A statement of the considerations involved in the issuance of this Regulation has been issued simultaneously herewith and 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. 1,¹ issued by the Office of Price Administration, Maximum Price Regulation No. 149 is hereby issued.

AUTHORITY: §§ 1315.21 to 1315.34, inclusive, issued under Pub. Law 421, 77th Cong.

§ 1315.21 *Maximum manufacturers' prices for mechanical rubber goods.* (a) On and after May 27, 1942, regardless of any contract, agreement, lease or other obligation, no manufacturer shall sell or deliver mechanical rubber goods, and no person shall buy or receive mechanical rubber goods, from a manufacturer in the course of trade or business, at prices higher than the maximum price; and no person shall agree, offer, solicit or attempt to do any of the foregoing. The provisions of this section shall not be applicable to sales or deliveries of mechanical rubber goods to a purchaser if prior to May 27, 1942 such mechanical rubber goods had been received by a carrier, other than a carrier owned or controlled by the manufacturer, for shipment to such purchaser.

(b) The maximum price for mechanical rubber goods of the types and kinds listed in Appendix A, incorporated herein as § 1315.34, shall be as follows:

(1) The maximum price shall be the price stated in the schedule or price list of the manufacturer in effect on October 1, 1941, or the price he regularly quoted in any other manner on that date, for mechanical rubber goods of the same class, kind, type, condition and grade,

¹ 7 F.R. 971.

¹ 7 F.R. 1207, 1836, 2132, 2155, 2507, 3087, 3499, 3515.

less all trade, cash, quantity, advance buying and other discounts, freight allowances and rebates, postage allowance and rebates and any other deductions from the list price in effect for a purchaser of the same class on October 1, 1941.

(2) If the maximum price cannot be determined under paragraph (b) (1) of this § 1315.21, the maximum price shall be the sum total of direct labor and direct materials costs plus a gross margin, expressed in dollars and cents, which the manufacturer would have added to the total direct costs in arriving at his selling price to a purchaser of the same class on October 1, 1941. The direct labor costs shall be determined on the basis of wage rates in effect to the manufacturer on October 1, 1941. The direct materials costs shall be determined by the net materials prices prevailing for the manufacturer or a manufacturer of the same class on October 1, 1941. The gross margin shall be calculated by the same methods and the same rates used by the manufacturer on October 1, 1941, which shall be the methods and rates filed in accordance with the provisions of paragraph (a) of § 1315.28. If the manufacture of a mechanical rubber good requires the use of materials, labor, or equipment, the October 1, 1941 price of which is not ascertainable, the cost of such items to be used in determining the maximum price shall be the first ascertainable price after October 1, 1941.

(3) No manufacturer shall require any purchaser, and no purchaser shall be permitted, to pay a larger proportion of transportation costs incurred in the delivery or supply of any mechanical rubber goods than the manufacturer required purchasers of the same class to pay on October 1, 1941 on deliveries or supplies of the same types, kinds and quantities of mechanical rubber goods.

(c) The maximum price for all mechanical rubber goods not of the types and kinds listed in Appendix A, incorporated herein as § 1315.34, shall be determined in the same manner as that stated in paragraph (b) of this § 1315.21, except that the date January 5, 1942 shall in every case be substituted for the date October 1, 1941.

(d) The maximum prices set forth in this § 1315.21 shall not be increased by any charges for the extension of credit.

§ 1315.22 *Federal and state taxes.* There may be added to the maximum price established by this Maximum Price Regulation No. 149 the amount of tax levied by any Federal excise tax statute or any State or municipal sales, gross receipts, or compensating use tax statute, under which the tax is measured by gross proceeds or units of sale, if, but only if, (a) such statute or ordinance requires the vendor to state the tax separately from the purchase price paid by the purchaser, consumer, or user, on the bill, sales check, or evidence of sale, at the

time of the transaction; or (b) such statute or ordinance requires such tax to be separately paid by the purchaser, consumer or user with tokens or other media of State or municipal tax payment; or (c) such a statute or ordinance permits the vendor to state such tax separately and such tax is in fact stated separately by the vendor. The amount of tax permitted to be added by this provision shall in no event exceed that paid by the purchaser, consumer or user.

§ 1315.23 *Sales for export.* The maximum price at which a manufacturer may sell or deliver any mechanical rubber goods for export shall be determined in accordance with the provisions of the Maximum Export Price Regulation² issued by the Office of Price Administration on April 25, 1942.

§ 1315.24 *Transfer of business or stock in trade.* If the business, assets or stock in trade of any business are sold or otherwise transferred after October 1, 1941, and the transferee carries on the business, or continues to deal in the same type of mechanical rubber goods, in the same competitive area and in an establishment separate from an establishment previously owned or operated by him, the transferee shall be subject to the same maximum prices as those to which his transferor would have been subject under this Maximum Price Regulation No. 149, if no such transfer had taken place, and his obligation to keep records sufficient to verify such prices shall be the same. The transferor in such cases shall either preserve and make available, or turn over, to the transferee all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the provisions of this Maximum Price Regulation No. 149.

§ 1315.25 *Less than maximum prices.* Lower prices than those established by this Maximum Price Regulation No. 149 may be charged, demanded, paid or offered.

§ 1315.26 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 149 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, mechanical rubber goods, 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.

§ 1315.27 *Records.* Persons subject to this Maximum Price Regulation No. 149 shall keep available for inspection by representatives of the Office of Price Administration records of the following:

(a) For each sale or delivery of mechanical rubber goods after May 26, 1942, showing the date thereof, the name and address of the buyer, the price received,

and the quantity of each class, kind, type, condition, and grade of mechanical rubber goods sold or delivered.

(b) For all mechanical rubber goods listed in Appendix A, incorporated herein as § 1315.34:

(1) Published or confidential price lists and discount sheets in effect on October 1, 1941.

(2) Price determining methods—including labor rates, material prices, and rates used in the calculation of gross margin—in effect on October 1, 1941.

(3) Detailed cost estimate sheets and other data showing the calculations of prices of all mechanical rubber goods sold or delivered after May 26, 1942 for which the price lists of the manufacturer in effect on October 1, 1941 did not state a price.

(c) For all mechanical rubber goods not listed in Appendix A, incorporated herein as § 1315.34, the same records as those required by paragraph (b) of this § 1315.27 except that the date, January 5, 1942, shall in every case be substituted for the date, October 1, 1941.

§ 1315.28 *Reports.* (a) Every manufacturer subject to the provisions of this Maximum Price Regulation No. 149, who has not already done so, shall file with the Office of Price Administration, Washington, D. C., on or before June 1, 1942:

(1) For all mechanical rubber goods listed in Appendix A, incorporated herein as § 1315.34:

(i) Published or confidential price lists and discount sheets in effect on October 1, 1941.

(ii) Price determining methods used on October 1, 1941, for those articles for which the manufacturer did not have a price list in effect on that date. The report of such methods shall include a statement of the rates which the manufacturer would have used in determining the gross margin on October 1, 1941, at the volume of production on that date.

(2) For all mechanical rubber goods not listed in Appendix A, incorporated herein as § 1315.34, the same reports as those required by paragraph (a) (1) of this § 1315.28 except that the date January 5, 1942, shall in every case be substituted for the date October 1, 1941.

(b) If, with respect to the types and kinds of mechanical rubber goods listed in Appendix A, incorporated herein as § 1315.34, the schedule or price list of the manufacturer in effect on October 1, 1941, did not state a price for mechanical rubber goods of the same class, kind, type, condition, and grade, the manufacturer shall, within ten days after the purchaser has agreed to buy such goods, file a report with the Office of Price Administration, Washington, D. C., if he has not already done so, stating the maximum price determined under this Regu-

lation and his net selling price. Where a purchaser has agreed, prior to May 27, 1942, to buy such mechanical rubber goods and any part thereof is delivered on or after May 27, 1942, this report shall be filed on or before June 1, 1942. If the manufacture of such mechanical rubber goods requires the use of materials, labor or equipment, the October 1, 1941, prices of which are not ascertainable, the manufacturer shall file at the same time: a description of such goods, the reasons why the October 1, 1941, prices of materials, labor or equipment, as the case may be, are not ascertainable, the first ascertainable price thereof after October 1, 1941, and the method by which such price was determined.

(c) If, with respect to the types and kinds of mechanical rubber goods not listed in Appendix A, incorporated herein as § 1315.34, the schedule or price list of the manufacturer in effect on January 5, 1942, did not state a price for mechanical rubber goods of the same class, kind, type, condition and grade, the manufacturer shall, within ten days after the purchaser has agreed to buy such goods, file the same report as that required by paragraph (b) of this § 1315.28, except that in every case the date January 5, 1942, shall be substituted for the date October 1, 1941. Where a purchaser has agreed, prior to May 27, 1942, to buy such mechanical rubber goods and any part thereof is delivered on or after May 27, 1942, this report shall be filed on or before June 1, 1942.

(d) Every person subject to this Maximum Price Regulation No. 149 shall keep such other records and submit such other reports, including periodic financial statements, as the Office of Price Administration may from time to time require, either in addition to, or in substitution for, records and reports herein required.

§ 1315.29 *Enforcement.* (a) Persons violating any provisions of this Maximum Price Regulation No. 149 are subject to the criminal penalties, civil enforcement actions, 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. 149 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 nearest District, State or Regional Office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1315.30 *Petitions for amendment.* Persons seeking any modification of this Maximum Price Regulation No. 149 may file petitions for amendment in accordance with the provisions of Procedural Regulation No. 1, issued by the Office of Price Administration.

§ 1315.31 *Definitions.* (a) When used in this Maximum Price Regulation No. 149, the term:

(1) "Gross margin" means the difference, expressed in dollars and cents, between (i) the total direct materials and direct labor cost and (ii) the net selling price which would have been charged to a purchaser of the same class on the base dates established by this Regulation. It includes only items (such as, factory overhead, depreciation, commercial expenses, transportation and warehouse expense, and margin of profit) that would have been used, at the rates that would have been used, in calculating the selling price for the article in question on October 1, 1941 or January 5, 1942, whichever is the applicable date. The rates used shall be those in effect at the volume of production on the base date.

(2) "Manufacturer" means any person engaged in the production of mechanical rubber goods.

(3) "Mechanical rubber goods" means all articles listed in Appendix A, incorporated herein as § 1315.34, and mats and matting, molded, extruded and lathe-cut goods, rubber covered rolls, sponge rubber goods, hard rubber goods, rubber flooring, foamed latex products and all other mechanical rubber goods, except rubber covered wire, stationery supplies, mechanical rubber goods whose entire rubber content is balata rubber, rubber drug sundries, rubber heels and soles, rubber cement, combs, and sporting goods.

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

(5) "Purchaser of the same class" refers to the practice adopted by the manufacturer in setting different prices for commodities for sales to different purchasers or kinds of purchasers (for example, manufacturer, wholesaler, jobber, retailer, government agency, public institution, individual consumer) or for purchasers located in different areas or for different quantities or grades or under different conditions of sale.

(6) "Rubber" means all forms and types of rubber, including synthetic and reclaimed rubber.

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

§ 1315.32 *Applicability of the General Maximum Price Regulation.* The provisions of this Maximum Price Regulation No. 149 supersede the provisions of the General Maximum Price Regulation with respect to sales and deliveries for which maximum prices are established by this Regulation.

§ 1315.33 *Effective date.* This Maximum Price Regulation No. 149 (§§ 1315.21 to 1315.34, inclusive) shall become ef-

fective May 27, 1942: *Provided, That (a)* On and after May 22, 1942 and before May 27, 1942, mechanical rubber goods may be sold or delivered by manufacturers either at the maximum prices established by the General Maximum Price Regulation¹ or at the maximum prices established by this Maximum Price Regulation No. 149.

(b) The provisions of this Maximum Price Regulation No. 149 shall not apply:

(1) Until June 15, 1942 to deliveries under contracts with the United States or any agency thereof entered into prior to May 18, 1942, except deliveries under contracts with the War Department or the Department of the Navy of the United States;

(2) Until July 1, 1942, to sales or deliveries to, or contracts with, the War Department or the Department of the Navy of the United States.

§ 1315.34 *Appendix A: Mechanical rubber goods whose maximum price is established by paragraph (b) of § 1315.21.* Paragraph (b) of § 1315.21 establishes the maximum prices for belting, hose and tubing, jar rings and container sealing compounds, lined tanks, pipes and fittings, packing, plumber's supplies and specialties, tape and thread, made in whole or in part of rubber.

Issued this 22d day of May 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-4741; Filed, May 22, 1942; 5:06 p. m.]

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

[Amendment No. 2 to Maximum Price Regulation No. 107¹]

USED TIRES AND TUBES

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.

Section 1315.1353 (b) (4) is amended to read as follows and a new paragraph (c) is added to § 1315.1360 and to § 1315.1361, as set forth below:

§ 1315.1353 *Evasion.* * * *

(b) * * *

(4) Making any charges in addition to the maximum prices for repairs to used tires or tubes sold. The prices established by paragraphs (a) and (b) of Appendices A and B (§§ 1315.1360 and 1315.1361) are maximum prices for used tires and tubes of the various categories, repaired, if need be, and ready for use.

§ 1315.1360 *Appendix A: Maximum prices for used passenger-car tires and tubes.* * * *

¹ 7 F.R. 1838, 2394.

² 7 F.R. 3153.

(c) The maximum price for any un-repaired used passenger-car tire or tube shall be the price established by paragraph (a) or (b) of this section less an amount equal to the charges prevailing in the locality of the seller on March 7, 1942, for repairing such tire or tube so as to make it ready for use as a tire or tube on a vehicle.

§ 1315.1361 *Appendix B: Maximum prices for used truck and bus tires and tubes.* * * *

(c) The maximum price for any un-repaired used truck or bus tire or tube shall be the price established by paragraph (a) or (b) of this section less an amount equal to the charges prevailing in the locality of the seller on March 7, 1942, for repairing such tire or tube so as to make it ready for use as a tire or tube on a vehicle.

§ 1315.1359a *Effective dates of amendments.* * * *

(b) Amendment No. 2 (§§ 1315.1353 (b) (4); 1315.1360 (c); 1315.1361 (c)) to Maximum Price Regulation No. 107 shall become effective May 26, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 22d day of May 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-4744; Filed, May 22, 1942; 5:07 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

DESIGNATION OF THE HAMPTON ROADS DEFENSE-RENTAL AREA AND RENT DECLARATION RELATING TO THAT AREA

[Amendment No. 1 to Hampton Roads]

Section 1388.901¹ is hereby amended to read as follows:

§ 1388.901 *Designation.* The following area is designated by the Administrator as an area where defense activities have resulted in an increase in the rents for housing accommodations inconsistent with the purposes of the Emergency Price Control Act of 1942 and shall constitute a defense-rental area to be known as the "Hampton Roads Defense-Rental Area":

In the State of Virginia, the Independent Cities of Hampton, Newport News, Norfolk, Portsmouth, South Norfolk, and Suffolk; the Counties of Elizabeth City, Nansemond, Norfolk, and Princess Anne; and in the County of Warwick the Magisterial District of Newport.

This Amendment No. 1 (§ 1388.901) shall become effective May 22, 1942: *Provided, however,* That the effective date of the designation and rent declaration issued by the Administrator on March 2, 1942 (§§ 1388.901 to 1388.905, inclusive) as to the Independent Cities of Hampton, Newport News, Norfolk, Portsmouth, and South Norfolk; the County of Elizabeth City in its entirety; the Magisterial Districts of Deep Creek, Tanners Creek, Washington, and Western Branch in the County of Norfolk; the Magisterial Dis-

¹ 7 F.R. 1693.

tricts of Kempsville and Lynnhaven in the County of Princess Anne; and the Magisterial District of Newport in the County of Warwick, shall not be altered by this Amendment No. 1. (Pub. Law 421, 77th Cong.)

Issued this 22d day of May 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-4745; Filed, May 22, 1942; 5:07 p. m.]

Name of defense-rental area ¹	In State or States of—	Defense-rental area consists of—
(68) Columbus, Indiana.....	Indiana.....	Counties of Bartholomew, Brown, Johnson, Morgan, and Shelby.
(80) Baxter Springs.....	Kansas..... Oklahoma.....	Counties of Cherokee and Crawford; County of Ottawa.
(130) Northeastern New Jersey.....	New Jersey.....	Counties of Bergen, Essex, Hudson, Middlesex, Monmouth, Morris, Passaic, Somerset, Sussex, and Union.
(200) Clarksville.....	Tennessee..... Kentucky.....	Counties of Montgomery and Stewart; Counties of Christian, Todd, and Trigg.
(207) Amarillo.....	Texas.....	Counties of Potter and Randall.

¹ The words "Defense-Rental Area" shall follow the name listed in the table in each case to constitute the full name of a defense-rental area, e. g., "Dothan-Ozark Defense-Rental Area", "Gadsden Defense-Rental Area."

This Amendment No. 1 (§ 1388.1201) shall become effective May 22, 1942: *Provided, however,* That the effective date of the designation and rent declaration issued by the Price Administrator on April 28, 1942 (§§ 1388.1201 to 1388.1205, inclusive) as to the defense-rental areas designated therein, including that portion of the Columbus, Indiana Defense-Rental Area consisting of the Counties of Bartholomew and Brown in Indiana; that portion of the Baxter Springs Defense-Rental Area consisting of the County of Cherokee in Kansas and the County of Ottawa in Oklahoma; that portion of the Northeastern New Jersey Defense-Rental Area consisting of the Counties of Bergen, Essex, Hudson, Middlesex, Monmouth, Morris, Passaic, Somerset, and Union in New Jersey; that portion of the Clarksville Defense-Rental Area consisting of the County of Montgomery in Tennessee; and that portion of the Amarillo Defense-Rental Area consisting of the County of Potter in Texas, shall not be altered by this Amendment No. 1. (Pub. Law 421, 77th Cong.)

Issued this 22d day of May 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-4746; Filed, May 22, 1942; 5:07 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment No. 2 to Supplementary Regulation No. 1¹]

EXCEPTIONS TO GENERAL MAXIMUM PRICE REGULATION

A statement of the considerations involved in the issuance of this amend-

¹ 7 F.R. 3158, 3488.

PART 1388—DEFENSE-RENTAL AREAS
DESIGNATION OF 259 DEFENSE-RENTAL AREAS AND RENT DECLARATION RELATING TO SUCH AREAS

[Amendment No. 1]

Items (68), (80), (130), (200), and (207) listed in the table of § 1388.1201 are amended to read as set forth below:

§ 1388.1201 *Designation.*

ment has been issued simultaneously herewith and filed with the Division of the Federal Register. Section 1499.26 is amended by adding new subparagraphs (15) to (21), both inclusive, to paragraph (a); new subdivisions (vii) and (viii) to paragraph (d) (1); and new subparagraph (3) to paragraph (e), as set forth below:

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

(15) The following wheat products except when packaged: farina, semolina, ground wheat, and malted wheat.

(16) The following corn products except when packaged: malted corn and such dry corn milled products as meal, hominy and grits. Dry corn milled products as bran, hominy feed, oil cake and meal, germ cake and meal and oil are not excepted by this subparagraph.

(17) The following barley products except when packaged: pearled barley, ground pearled barley, hulled barley, malted barley, barley needles and ground barley.

(18) The following oat products except when packaged: groats, hulled oats, ground groats, rolled hulled oats, (table or feeding), cereal oats and ground oats.

(19) The following rye products except when packaged: malted rye and ground rye.

(20) Ground soy beans except when packaged.

(21) Ground buckwheat except when packaged.

Further processing of any commodity mentioned in this paragraph (a), subparagraphs (15) to (21), both inclusive,

excludes the same from this section and thereby subjects the same to the General Maximum Price Regulation.

(d) *Definitions.* (1) When used in this Supplementary Regulation No. 1 the term:

(vii) "Ground" means crushed, cracked, rolled, ground, flaked or pulverized. Such processes as steaming, incidental to grinding, are included in this definition. Products that are subjected to further processing, not merely incidental to grinding, are not included in this definition.

(viii) "Packaged" means packaged, for sale at retail, in a container of any sort holding three pounds or less: *Provided*, That such packaging has been done before the commodity has arrived at the establishment selling such commodity at retail.

(e) *Effective dates.*

(3) Amendment No. 2 (§ 1499.26) to Supplementary Regulation No. 1 shall become effective May 26, 1942. (Pub. Law 421, 77th Cong.)

Issued this 22d day of May 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-4743; Filed, May 22, 1942; 5:06 p. m.]

PART 1306—IRON AND STEEL

[Amendment 4 to Revised Price Schedule 49¹]

RESALE OF IRON OR STEEL PRODUCTS

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.

Two new entries are added to § 1306.160 (a) as set forth below:

§ 1306.160 *Appendix B: Listed cities—*

(a) *Listed cities or free delivery areas in which sellers stock heavy steel line and merchant wire products.*

Sioux Falls, South Dakota. Hassensteel Steel Corporation.

Sioux Steel Company.

Tacoma, Washington. Hunt & Mottet Company.

§ 1306.158a *Effective dates of amendments.*

(d) Amendment No. 4 (§ 1306.160 (a)) to Revised Price Schedule No. 49 shall become effective May 26, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 23d day of May, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-4770; Filed, May 23, 1942; 12:47 p. m.]

PART 1330—CONTAINERS

MAXIMUM PRICE REGULATION NO. 151—
NEW BAGS

In the judgment of the Price Administrator it is necessary and proper to establish maximum prices for the sale of new bags.

The maximum prices established by this Regulation are, in the judgment of the Price Administrator, generally fair and equitable and in conformity with the general level of prices established by the General Maximum Price Regulation.¹ A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and 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. 1,² issued by the Office of Price Administration, Maximum Price Regulation No. 151 is hereby issued.

AUTHORITY: §§ 1330.161 to 1330.176, inclusive, issued under Pub. Law 421, 77th Cong.

§ 1330.161 *Applicability of the General Maximum Price Regulation.* The provisions of this Maximum Price Regulation No. 151 supersede the provisions of the General Maximum Price Regulation with respect to sales and deliveries for which maximum prices are established by this regulation.

§ 1330.162 *Maximum prices for new bags—*(a) *Prohibition against dealing in new bags at prices above the maximum.* On and after May 25, 1942, regardless of any contract, agreement, lease, or other obligation:

(1) No person shall sell or deliver any new bags at a price higher than the maximum prices established in this section;

(2) No person in the course of trade or business shall buy or receive any new bags at a price higher than the maximum prices established in this section;

(3) No person shall agree, offer, solicit, or attempt to do any of the foregoing.

(b) *Sales and deliveries of new bags by the manufacturer thereof.* Subject to the provisions of § 1330.163, the maximum prices applicable to sales or deliveries of new bags by the manufacturer thereof, or by any agent, or other person acting on behalf, or under the control, of such manufacturer, shall be those set forth in this paragraph.

(1) For new bags manufactured from any construction of burlap textile material enumerated in Table I of § 1330.175, Appendix A, of this Maximum Price Regulation No. 151, the maximum price delivered to any point of delivery shall be the sum of the replacement cost of the textile material from which such new bags are manufactured, determined as of the date of the contract of sale of such new bags, (or, where delivery is made pursuant to a contract antedating this Regulation, determined as of the date of

the first delivery after May 25, 1942, the effective date of this Regulation, pursuant to such contract) plus the manufacturer's conversion margin.

(2) For new flour, feed, and corn meal bags, the maximum price, delivered to any point of delivery, shall be the sum of the replacement cost of the textile material from which such bags are manufactured, determined as of the date of the contract of sale of such bags (or, where delivery is made pursuant to a contract antedating this Regulation, determined as of the date of the first delivery after May 25, 1942, the effective date of this Regulation, pursuant to such contract) plus the adjusted conversion margin of the manufacturer.

(3) For miscellaneous new bags, the maximum price, delivered to any point of delivery, shall be the sum of the replacement cost of the textile material from which such bags are manufactured, determined as of the date of the contract of sale of such bags (or, where delivery is made pursuant to a contract antedating this Regulation, determined as of the date of the first delivery after May 25, 1942, the effective date of this Regulation, pursuant to such contract) plus the conversion margin of the manufacturer.

(4) If the maximum price for any manufacturer of new bags cannot be determined under the provisions of subparagraphs (1), (2), or (3) of this paragraph (b), his maximum price shall be the sum of the replacement cost of the textile material from which such new bags are manufactured, determined as of the date of the contract of sale of such new bags, (or, where delivery is made pursuant to a contract antedating this Regulation, determined as of the date of the first delivery after May 25, 1942, the effective date of this Regulation, pursuant to such contract) plus the conversion margin, or adjusted conversion margin, whichever is applicable, of the most closely competitive seller of new bags of the same type, size and quality during March 1942.

(c) *Sales and deliveries of new bags by persons other than the manufacturer thereof or the agent, or other person acting on behalf, or under the control, of such manufacturer.* (1) The maximum prices applicable to sales and deliveries of new bags by any person other than the manufacturer thereof or the agent, or other person acting on behalf, or under the control, of such manufacturer shall be the sum of the delivered cost of such new bags to such person, not in excess of the applicable maximum price provided herein for manufacturers, plus a markup of 3 per cent of such delivered cost: *Provided*, That in no event may more than one such markup be added to the manufacturer's maximum price for such new bags.

(2) Every such seller shall deliver to the purchaser an invoice showing the date of the sale, the quantity of new bags sold, a complete description of the new bags sold, and the markup charged.

§ 1330.163 *Premiums and discounts.* (a) In addition to the maximum prices

¹ 7 F.R. 3153, 3330, 3666.
² 7 F.R. 971, 3663.

¹ 7 F.R. 1300, 1836, 2132, 2473, 2541, 2682, 2790, 2791, 3330.

for manufacturers set forth in § 1330.162, a premium may be charged for new bags manufactured from osnaburg. Such premium shall not exceed 2 per cent of the replacement cost of the osnaburg used in the manufacture of such new bags, determined pursuant to § 1330.174 (a) (6) (ii) of this Maximum Price Regulation, No. 151.

(b) No seller of new bags shall change his customary allowances, discounts, or other price differentials unless such change results in a lower price.

§ 1330.164 *Less than maximum prices.* Lower prices than those set forth in § 1330.162 of this Maximum Price Regulation No. 151 may be charged, demanded, paid or offered.

§ 1330.165 *Conditional agreements.* No person shall enter into an agreement permitting the adjustment of the prices to prices which may be higher than the maximum prices provided hereby in the event that this Maximum Price Regulation No. 151 is amended or is determined by a court to be invalid or upon any other contingency: *Provided*, That if a petition for amendment has been duly filed, and such petition requires extensive consideration, the Administrator may grant an exception from the provisions of this section permitting the making of contracts adjustable upon the granting of the petition for amendment. Requests for such an exception may be included in the aforesaid petition for amendment.

§ 1330.166 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 151 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, or agreement relating to new bags, alone or in conjunction with any other commodity or service 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 by decreasing or by discontinuing cash discounts, or by making the discounts given or other terms or conditions of sale more onerous to the person to whom the sale is made than those available or in effect, in the case of a sale by a manufacturer, on the day in March 1942, used in determining the conversion margin or adjusted conversion margin of such manufacturer, or, in the case of any other seller, the discounts or other terms or conditions of sale most favorable to the purchaser during March, 1942, or by any other means.

§ 1330.167 *Sale for export.* The maximum price at which a person may sell or deliver any new bags for export shall be determined in accordance with the provisions of the Maximum Export Price Regulation¹ issued by the Office of Price Administration.

§ 1330.168 *Transfer of business or stock in trade.* If the business, assets or stock in trade of any business are sold or otherwise transferred after May 24, 1942, and the transferee carries on the business, or continues to deal in the same type of new bags in the same competitive area and in an establishment separate from an establishment previously owned

or operated by him, the transferee shall be subject to the same maximum prices as those to which the transferor would have been subject under this Maximum Price Regulation No. 151 if no such transfer had taken place and his obligation to keep records sufficient to verify such prices shall be the same. The transferor in such cases shall either preserve and make available, or turn over to the transferee all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the provisions of this Maximum Price Regulation No. 151.

§ 1330.169 *Federal and State taxes.* There may be added to the maximum prices established by this Maximum Price Regulation No. 151 the amount of tax levied by any Federal excise tax statute or any State or municipal sales, gross receipts, gross proceeds, or compensating use tax statute or ordinance, under which the tax is measured by gross proceeds or units of sale if, but only if:

(a) Such statute or ordinance requires the vendor to state the tax, separately from the purchase price paid by the purchaser, on the bill, sales check, or evidence of sale, at the time of the transaction; or,

(b) Such statute or ordinance requires such tax to be separately paid by the purchaser with tokens or other media of State or municipal tax payment; or,

(c) Such statute or ordinance was in effect during March 1942, permitted the vendor to state such tax separately, and the vendor customarily stated and collected such tax separately from the purchase price during March 1942; or,

(d) Such statute or ordinance became or becomes effective after March 1942, permits the vendor to state such tax separately and such tax is in fact stated and collected by the vendor separately from the purchase price.

§ 1330.170 *Records.* (a) Every person making sales of new bags and every person making purchases of new bags in the course of trade or business after May 24, 1942, shall keep for inspection by the Office of Price Administration for a period of not less than one year, complete and accurate records of each such sale or purchase in aggregate lots of 100 bags or more, showing the date thereof, the name and address of the seller or buyer, the price contracted for, received or paid, and the quantity of each type, size, weight and grade of new bags sold or purchased.

(b) Every manufacturer making sales of new bags after May 24, 1942, shall:

(1) Preserve for examination by the Office of Price Administration all his existing records relating to the prices which he charged for such new bags as he delivered during March, 1942, and all of his offering prices for delivery of new bags during such month; and

(2) Prepare, on or before June 25, 1942, on the basis of all available information and records, and thereafter keep for examination by the Office of Price Administration, information from which may be derived his conversion margin or adjusted conversion margin for all types of

new bags with respect to which such person had an offering price during March, 1942, and all his customary allowances, discounts, and other price differentials.

(c) Such person shall keep such records in addition to or in lieu of the records required by this section as the Office of Price Administration may, from time to time, require or permit.

§ 1330.171 *Reports.* (a) Every manufacturer of new bags making sales thereof on or after May 25, 1942, shall submit to the Office of Price Administration information sufficient to enable the Office of Price Administration to determine his conversion margins or adjusted conversion margins for all types of new bags with respect to which such person had an offering price during March 1942. Such report shall be submitted on or before June 25, 1942.

(b) Every such person shall submit such other reports in addition to or in lieu of the reports required by this section as the Office of Price Administration may, from time to time, require.

§ 1330.172 *Enforcement.* (a) Persons violating any provision of this Maximum Price Regulation No. 151 are subject to the criminal penalties, civil enforcement actions 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. 151 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 nearest District, State or Regional Office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1330.173 *Petitions for amendment.* Any person seeking a modification of any provision of this Maximum Price Regulation No. 151 may file a petition for amendment in accordance with the provisions of Procedural Regulation No. 1,² issued by the Office of Price Administration.

§ 1330.174 *Definitions.* (a) When used in this Maximum Price Regulation No. 151 the term:

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

(2) "New bag" means a container manufactured from burlap or cotton textile material, such material or container not having previously been used for any commercial purpose;

(3) "Offering price" means the price quoted in the manufacturer's price list, or, if he had no such price list, the price which he regularly quoted in any other manner. But "offering price" shall not include a price intended to withhold a commodity or service from the market,

¹ 7 F.R. 3096, 3824.

² 7 F.R. 971, 3663.

or a price offered as a bargaining price by a manufacturer who usually sells at a price lower than his asking price;

(4) "New flour, feed and corn meal bags" means new bags manufactured from cotton textile material for use as containers of flour, feed or corn meal;

(5) "Miscellaneous new bags" means all new bags manufactured from cotton textile material, other than new flour, feed, and corn meal bags;

(6) "Replacement cost" means:

(i) In the case of new bags manufactured from any construction of burlap textile material included in Table I of § 1330.175, Appendix A, of this Maximum Price Regulation No. 151, the sum of the following:

(a) The applicable price enumerated in said Table I for the particular construction of burlap involved;

(b) War risk insurance in excess of 2½ per cent based on a valuation not exceeding the price stated in (a) above and computed at the prevailing rate from the port in India from which purchases made on the date of such computation are scheduled to be shipped to port of discharge; and

(c) Ocean freight from India to port of discharge at the prevailing rates in excess of \$25 per 40 cubic feet or \$25 per 16 cwt.

(ii) In the case of bags for which maximum prices are established in § 1330.162 (b) (2) and (b) (3), the maximum price of the particular cotton textile material involved, determined pursuant to the applicable revised price schedule or maximum price regulation: *Provided*, That in the case of osnaburg 42 inches or more in width, the replacement cost shall be the maximum price for osnaburg under 42 inches in width determined pursuant to Revised Price Schedule No. 35,⁴ pro rated to the actual width of the fabric: *And, provided further*, That if the particular cotton textile material involved was not subject to any revised price schedule or maximum price regulation on the date for which the replacement cost is to be determined, the replacement cost on such date shall be the actual cost of such textile material to the person determining his replacement cost.

(7) "Conversion margin" as used in § 1330.162 (b) (1) (b) (3) and (b) (4) means the greatest difference between:

(i) The offering price for the particular type, size and quality of new bag for delivery in a comparable quantity to the same point of delivery to a purchaser of the same general class on any day in March, 1942; and

(ii) The replacement cost of the textile material in such new bags, on the same day in March 1942.

(8) "Adjusted conversion margin" as used in § 1330.162 (b) (2) and (b) (4) means the greatest difference between:

(i) The offering price for the particular type, size and quality of new

bag for delivery in a comparable quantity to the same point of delivery to a purchaser of the same general class on any day in March 1942; and

(ii) The replacement cost of the textile material in such type, size, quality and quantity of new bags, on the same day of March 1942, increased by ½ cent per pound of cotton cloth contained therein.

(9) "Most closely competitive seller of the same class" means a seller who (i) performs the same function, (ii) sells new bags, (iii) is closely competitive in the sale of such new bags, and (iv) is located nearest to the seller.

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

§ 1330.175 Appendix A: Price Table.

TABLE I—PRICES FOR BURLAP TEXTILE MATERIAL¹

Quality of burlap	Construction		Replacement price (cents per yard)
	Width (inches)	Weight (ounces per yard)	
Common burlap.....	32	7	6.50
	36	7	7.30
	40	7	7.90
	45	7	9.00
	27	7½	5.95
	30	7½	6.60
	32	7½	6.60
	36	7½	7.40
	40	7½	8.00
	45	7½	9.10
	48	7½	9.95
	50	7½	10.30
	52	7½	10.70
	54	7½	11.05
	56	7½	11.65
	60	7½	12.25
	27	8	6.05
	32	8	6.90
	36	8	7.70
	40	8	8.50
	45	8	9.50
	48	8	10.30
	54	8	11.45
	60	8	12.60
	32	9	7.90
	36	9	8.75
	40	9	9.65
27	10	7.50	
32	10	8.70	
36	10	9.70	
37	10	9.95	
40	10	10.60	
45	10	11.95	
48	10	12.85	
54	10	14.50	
60	10	16.10	
36	10½	10.05	
40	10½	11.00	
40	11	11.35	
40	11½	11.70	
32	12	10.45	
36	12	11.55	
40	12	12.70	
40	14	15.30	
Special finishes: Double calendered....	36	10	10.95
	40	10	12.10
	48	10	14.50
	36	10½	11.15
	40	10½	12.35
	48	10½	14.80
	48	11	15.15
	40	11½	13.10
	48	11½	15.70
	36	10	11.20
Cropped and man- gled.	40	10	12.35
	36	10½	11.40
	40	10½	12.60
	40	14	15.90

¹ For qualities or constructions not listed herein, the price shall be a price determined by the Office of Price Administration to be in line with the price of the nearest comparable quality and construction listed herein. Such determination shall be made upon written request addressed to the Office of Price Administration, Washington, D. C.

§ 1330.176 *Effective date.* This Maximum Price Regulation No. 151 (§§ 1330.161 to 1330.176, inclusive) shall become effective May 25, 1942.

Issued this 23d day of May 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-4767; Filed, May 23, 1942; 12:46 p. m.]

PART 1340—FUEL

[Amendment 16 to Revised Price Schedule 88¹]

PETROLEUM AND PETROLEUM PRODUCTS

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

Subdivision (vi) is added to § 1340.159 (c) (1) as set forth below:

§ 1340.159 Appendix A: Maximum prices for petroleum and petroleum products. * * *

(c) *Specific prices.* * * *

(1) *Crude petroleum.* * * *

(vi) *East Texas.* Effective February 2, 1942, the maximum price for East Texas crude petroleum sold by the Houston Oil Company of Texas at its tank No. 11, Peterson Tank Farm, Isaac Ruddle Survey, Rusk County, Texas, shall be \$1.30 per barrel.

§ 1340.158a *Effective dates of amendments.* * * *

(p) Amendment No. 16 (§ 1340.159 (c) (1)) to Revised Price Schedule No. 88 shall become effective May 23, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 23d day of May 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-4766; Filed, May 23, 1942; 12:46 p. m.]

PART 1341—CANNED AND PRESERVED FOODS

[Maximum Price Regulation 152]

CANNED VEGETABLES

In the judgment of the Price Administrator, seasonal conditions affecting the sale of canned vegetables by canners, and other factors, have resulted in the establishment, under the General Maximum Price Regulation,² of maximum prices for such sales which are not generally representative and which are not best calculated to assist in securing adequate production of such commodities.

This Maximum Price Regulation No. 152 is issued by the Price Administrator in order to establish for the canners of canned vegetables maximum prices which are fair and equitable and which will effectuate the purposes of the Emergency Price Control Act of 1942.

¹ 7 F.R. 1107, 1371, 1798, 1799, 1836, 2132, 2304, 2352, 2634, 2945, 3116, 3166, 3482, 3524, 3552, 3576.

² 7 F.R. 3153, 3330, 3666.

⁴ 7 F.R. 1270, 1836, 2132, 2738, 2795, 3060, 3164, 3447.

The maximum prices established herein are not below prices which will reflect to producers of the agricultural commodities from which canned vegetables are manufactured, a price for their products equal to the highest of any of the following prices therefor determined and published by the Secretary of Agriculture: (1) 110 percent of the parity price for such commodity, adjusted by the Secretary of Agriculture for grade, location, and seasonal differentials; (2) the market price prevailing for such commodity on October 1, 1941; (3) the market price prevailing for such commodity on December 15, 1941; or (4) the average prices for such commodity during the period July 1, 1919 to June 30, 1929.

A statement of 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, Maximum Price Regulation No. 152, is hereby issued.

AUTHORITY: §§ 1341.21 to 1341.31, inclusive, issued under Pub. Law 421, 77th Cong.

§ 1341.21 *Prohibition against dealing in canned vegetables above maximum prices.* (a) On and after May 25, 1942, regardless of any contract or other obligation, no canner shall sell or deliver any canned vegetables packed after the 1941 pack at a price higher than the maximum prices established by this Maximum Price Regulation No. 152;

(b) No person in the course of trade or business shall buy or receive any canned vegetables from a canner at a price higher than the maximum prices established by this Maximum Price Regulation No. 152;

(c) No person shall agree, offer, solicit or attempt to do any of the foregoing.

§ 1341.22 *Canner's maximum prices for canned vegetables.* (a) The canner's maximum price per dozen f. o. b. factory, for each kind, grade, and container size of canned vegetables packed after the 1941 pack shall be:

(1) The weighted average price per dozen charged by the canner f. o. b. factory, for such kind, grade and container size during the first 60 days after the beginning of the 1941 pack; plus

(2) Eight percent of the weighted average price per dozen f. o. b. factory, as determined under paragraph (a) (1) of this section; plus

(3) The actual increase per dozen cans in the cost of the raw agricultural commodity as of May 4, 1942, over the cost of the raw agricultural commodity for the 1941 pack.

(b) In determining the canner's maximum price:

(1) The "weighted average price" shall be the total gross sales dollars charged for each kind, grade, and container size, divided by the number of dozens sold of such kind, grade, and container size. All sales made within the first 60 days

after the beginning of the 1941 pack shall be included, except sales made to the armed forces of the United States and sales made prior to such period and delivered within such period.

(2) The "actual increase in the cost of the raw agricultural commodity" shall be the difference per dozen cans of each kind and container size, irrespective of grade, between:

(i) The weighted average cost to the canner of the raw agricultural commodity purchased for the 1941 pack, computed by dividing the total amount paid by the total number of tons or other unit purchased, and

(ii) The average of the prices per ton or other unit paid, or contracted to be paid by the canner to the growers for the same raw agricultural commodity up to and including May 4, 1942.

(c) The maximum prices for each kind, grade, and container size of canned vegetables for a canner who owns more than one factory shall be determined separately for each factory, except that if any group of two or more factories had the same f. o. b. 1941 factory prices the maximum prices for all the factories in the group shall be the maximum prices of the factory in the group which had the largest volume of production during the 1941 pack.

(d) If the maximum price for any kind, grade, and container size of any canned vegetables cannot be determined under paragraphs (a), (b) and (c) of this section, the canner's maximum price for such kind, grade and container size shall be the maximum price of the most closely competitive canner. If the canner's maximum price then cannot be determined, the maximum price shall be a price determined by the canner after specific authorization from the Office of Price Administration. A canner who seeks such authorization shall file with the Office of Price Administration, Washington, D. C., an application setting forth (1) a description in detail of the kind, grade and container size of canned vegetables for which a maximum price is sought; and (2) a statement of the facts which differentiate such kind, grade and container size of canned vegetable from the most similar kind, grade and container size for which he has determined a maximum price, stating such most similar kind, grade and container size, and the maximum price determined therefor. When such authorization is given, it will be accompanied by instructions as to the method for determining the maximum price. Within ten days after such price has been determined, the canner shall report the price to the Office of Price Administration, Washington, D. C., under oath or affirmation. The price so reported shall be subject to adjustment at any time by the Office of Price Administration.

(e) If the maximum prices for the canner of No. 2 U. S. Grade C or better canned tomatoes and No. 2 U. S. Grade C or better canned peas, as determined under this section, are lower than the support prices for canned tomatoes and canned peas announced by the Secretary

of Agriculture on December 19, 1941, the support prices so announced shall be the maximum prices for such canner.

(f) No canner shall change his customary allowances, discounts or other price differentials unless such change results in a lower price.

§ 1341.23 *Transfers of business or stock in trade.* If the business, assets or stock in trade of a canner are sold or otherwise transferred on and after May 25, 1942, and the transferee carries on the business, the maximum prices of the transferee shall be the same as those to which his transferor would have been subject if no such transfer had taken place, and his obligation to keep records sufficient to verify such prices shall be the same. The transferor shall either preserve and make available, or turn over to the transferee all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the record provisions of § 1341.26.

§ 1341.24 *Less than maximum prices.* Lower prices than those established by this Maximum Price Regulation No. 152 may be charged, demanded, paid or offered.

§ 1341.25 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 152 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 canned vegetables, alone or in conjunction with any other commodity or by way of any commission, service, transportation, or other charge, or discount, premium, or other privilege, or by tying-agreement or other trade understanding, or otherwise.

§ 1341.26 *Records and reports.* Every canner who makes sales of canned vegetables shall (a) preserve for examination by the Office of Price Administration all his existing records which were the basis for the computations required by § 1341.2, and (b) preserve all records of the same kind as he has customarily kept, relating to the prices which he charged for canned vegetables sold on and after May 25, 1942, and (c) file with the Office of Price Administration, Washington, D. C., on or before July 1, 1942, a statement certified under oath or affirmation showing his weighted average price, his actual increase in the cost of the raw agricultural commodity, his maximum price determined hereunder for each kind, grade and container size of canned vegetables, and all his customary allowances, discounts and other price differentials, and (d) preserve a true copy of such statement for examination by any person during ordinary business hours. Any canner who claims that substantial injury would result to him from making such statement available to any other person, may file such copy of such statement with the appropriate field office of the Office of Price Administration. The information contained in such statement will not be published or disclosed unless it is determined that the withholding of such information is contrary to the purposes of this Maximum Price Regulation No. 152.

§ 1341.27 *Penalties.* Persons violating any provision of this Maximum Price Regulation No. 152 are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided for by the Emergency Price Control Act of 1942.

§ 1341.28 *Petitions for amendment.* Persons seeking a modification of this Maximum Price Regulation No. 152 may file a petition therefor in accordance with the provisions of Procedural Regulation No. 1⁷ issued by the Office of Price Administration.

§ 1341.29 *Applicability.* The provisions of this Maximum Price Regulation No. 152 shall be applicable to the United States, its territories and possessions, and the District of Columbia.

§ 1341.30 *Definitions.* (a) When used in this Maximum Price Regulation No. 152 the term:

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

(2) "Canner" means a person who preserves by processing and hermetically sealing in containers of metal, glass or any other material any of the products defined herein as canned vegetables.

(3) "Canned vegetables" means the following vegetables and products processed and hermetically sealed in containers of metal, glass or any other material:

Artichokes.
Asparagus.
Baby foods (chopped vegetables and vegetable purees).
Bamboo sprouts.
Beans, snap (green or wax).
Beans, Lima (fresh).
Bean sprouts.
Beets.
Carrots.
Carrots and peas.
Celery.
Chili sauce.
Corn.
Hominy.
Okra.
Okra with tomatoes.
Onions.
Parsnips.
Peas.
Peppers.
Pickles.
Rhubarb.
Spinach.
Succotash.
Tomato catsup.
Tomato paste.
Tomato puree.
Tomato sauce.
Tomato juice.
Tomatoes.
Turnips.
Vegetable greens.
Vegetables, mixed.

Vegetable juice (except sauerkraut juice).

Vegetable juice (mixed).

(4) "1941 pack" of any canned vegetable shall be that pack the major portion of which was processed and hermetically sealed in metal, glass or any other container during the calendar year 1941. If any canned vegetable was packed more than once during the calendar year 1941 at the same factory, the earliest pack shall be the 1941 pack.

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

§ 1341.31 *Effective date.* This maximum Price Regulation No. 152 (§§ 1341.21 to 1341.30 inclusive) shall become effective May 25, 1942.

Issued this 23d day of May 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-4768; Filed, May 23, 1942;
12:47 p. m.]

PART 1396—FINE CHEMICALS AND DRUGS

[Revised Price Schedule 101,⁷ as Amended]
CITRIC ACID

The preamble and §§ 1335.851 to 1335.859, inclusive, are amended and renumbered and are issued as Revised Price Schedule No. 101, as amended—Citric Acid, to read as set forth below:

Citric acid is produced by fermentation of beet molasses and extraction from lemon culls and pineapples. Its most important uses are in pharmaceutical manufacture, and in food and beverage flavoring. While estimated production for 1942 is in excess of the amount produced in 1941, it is anticipated that there will be an increased consumer demand for goods and beverages which will be reflected in the demand for citric acid.

In recent months, speculation in citric acid has led to resales of this commodity at prices over three times the prices quoted by producers. In addition, export sales have been made at abnormally high prices. Further increases in these prices are threatened.

After conferences with producers and resellers of citric acid, and representatives of other government agencies, the Office of Price Administration has found that no justifiable reasons exist for producers charging prices in excess of 20 cents per pound, or for resellers charging prices in excess of 26 cents per pound, respectively, for sales of U. S. P. granular citric acid in carload lots. Increases above these prices would, consequently, be inflationary in character.

A statement of the considerations involved in the issuance of this Revised Price Schedule No. 101, as amended, has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

AUTHORITY: §§ 1396.1 to 1396.11, inclusive, issued under the authority contained in Pub. Law 421, 77th Cong.

⁷ F. R. 1400, 1836, 2132.

§ 1396.1 *Maximum Prices for citric acid—(a) Prohibition.* On and after May 26, 1942, regardless of the terms of any contract, agreement, lease, or other obligation except as hereinafter provided in this section 1396.1, no person shall sell, transfer, or deliver citric acid, and no person shall buy, receive, or accept delivery of citric acid in the course of trade or business, at prices higher than the maximum prices set forth in Appendix A hereof, incorporated herein as § 1396.11, and no person shall agree, offer, solicit, or attempt to do any of the foregoing.

(b) *Reagent grades.* The maximum prices for sales, transfers, or deliveries of citric acid of reagent grades made to:

(1) A person for use in medicinal or chemical preparations in all cases where such reagent grades have been customarily used in such preparations; or

(2) A person who purchases for resale to a person designated in subparagraph (1),

shall be determined in accordance with the provisions of the General Maximum Price Regulation⁷ issued by the Office of Price Administration on April 28, 1942, and the provisions of this Revised Price Schedule No. 101, as amended, shall not be applicable to such sales: *Provided,* That as to any quantities purchased for resale by a person in subparagraph (2) that are not actually resold to a person designated in subparagraph (1) of this paragraph (b), the maximum prices set forth in subparagraph (1) of paragraph (b) of Appendix A, § 1396.11, shall apply to such a resale.

(c) *Goods in transit or in a warehouse.* The provisions of this Revised Price Schedule No. 101, as amended, and the provisions of the General Maximum Price Regulation issued by the Office of Price Administration on April 28, 1942, shall not be applicable to sales, transfers, or deliveries of citric acid to a purchaser if prior to February 16, 1942, such citric acid was in the hands of a carrier, warehouseman, or other bailee not owned or controlled by the seller, for delivery to the purchaser. The effect of this paragraph (c) shall not be changed merely because the bill of lading, warehouse receipt, or other document names a person other than the buyer as the person entitled to receive delivery if such an arrangement was only for the purposes of securing the seller and was in accordance with the contract of sale.

§ 1396.2 *Less than maximum prices.* Lower prices than those set forth in Appendix A, § 1396.11, may be charged, demanded, paid, or offered.

§ 1396.3 *Adjustable pricing.* No person subject to the provisions of this Revised Price Schedule No. 101, as amended, shall enter into any agreement permitting the adjustment of the prices of citric acid to prices which may be higher than the maximum prices, except that 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.

⁷ F. R. 3153, 3330, 3666.

⁷ F. R. 971.

§ 1396.4 *Evasion.* The price limitations set forth in Revised Price Schedule No. 101, as amended, 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, citric acid, 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.

§ 1396.5 *Records and reports.* (a) Every person making purchases or sales of citric acid in quantities of five pounds or more after February 16, 1942, shall keep for inspection by the Office of Price Administration for a period of not less than one year, complete and accurate records of each such purchase or sale, showing the date thereof, the name and address of the buyer or seller, the price paid or received, and the specifications and quantity including the kind and size of the containers, of the citric acid sold or purchased.

(b) Persons affected by Revised Price Schedule No. 101, as amended, shall submit such reports to the Office of Price Administration as it may, from time to time, require.

§ 1396.6 *Enforcement.* (a) Persons violating any provisions of this Revised Price Schedule No. 101, as amended, are subject to the criminal penalties, civil enforcement actions, 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 Revised Price Schedule No. 101, as amended, 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 nearest field or regional office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1396.7 *Petitions for amendment.* Persons seeking any modification of Revised Price Schedule No. 101, as amended, may file petitions for amendment in accordance with the provisions of Procedural Regulation No. 1,¹ issued by the Office of Price Administration.

§ 1396.8 *Definitions.* (a) When used in Revised Price Schedule No. 101, as amended:

(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) "Citric acid" includes the various grades referred to in Appendix A, § 1396.11, and any other grades.

(3) "Reagent grade" means a grade which is purer than the U. S. P. grade.

(4) A person is a "producer" as to those quantities of citric acid which he sells, transfers, or delivers and which he

has synthesized, extracted, or otherwise manufactured.

(5) A person is a "reseller" as to those quantities of citric acid which he sells, transfers, or delivers and which he has not synthesized, extracted, or otherwise manufactured.

(6) The term "shipping point" means the point of distribution maintained by a seller from which actual shipment is made.

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

§ 1396.9 *Effective date of the schedule.* This schedule shall become effective February 16, 1942.

§ 1396.10 *Effective dates of amendments.* (a) Revised Price Schedule No. 101, as amended (§§ 1396.1 to 1396.11, inclusive), shall become effective May 26, 1942: *Provided,* That Revised Price Schedule No. 101 shall remain in effect until this Revised Price Schedule No. 101, as amended, becomes effective on May 26, 1942.

§ 1396.11 *Appendix A: Maximum prices for citric acid—(a) Sales by producers—(1) Citric acid U. S. P., granular, fine granular, and crystal.* (i) The maximum prices for producers of citric acid U. S. P., granular, fine granular, and crystal, except for quantities packaged in containers of less than five pounds, are established as set forth below:

Quantity	Packaged in containers of—				
	200 pounds and over	100 up to 200 pounds	50 up to 100 pounds	25 up to 50 pounds	5 up to 25 pounds
Carload or more..	\$0.20	\$0.21	\$0.22	\$0.23	\$0.25
10,000 pounds or more but less than carload..	.20½	.21	.22	.23	.25
200 up to 10,000 pounds.....	.21	.21½	.22	.23	.25
100 up to 200 pounds.....	.21	.21½	.22½	.23½	.25½
50 up to 100 pounds.....	-----	-----	.23	.24	.27
25 up to 50 pounds.....	-----	-----	-----	.24	.28
5 up to 25 pounds.....	-----	-----	-----	-----	.29

(ii) The maximum price for a producer for a quantity of citric acid U. S. P., granular, fine granular, and crystal, packaged in containers of less than five pounds, is the price set forth above for five pounds plus or minus the customary differential maintained by the producer during the period from October 1 to October 31, 1941, inclusive, except that if a producer has made no sales or deliveries of a quantity so packaged during that period, the customary differential of the most closely competitive producer during the above-stated period who did make such sales or deliveries shall be used.

(2) *Citric acid U. S. P. powdered.* (i) The maximum prices for producers of citric acid U. S. P. powdered, except for

quantities packaged in containers of less than five pounds, are established as set forth below:

Quantity	Packaged in containers of—				
	200 pounds and over	100 up to 200 pounds	50 up to 100 pounds	25 up to 50 pounds	5 up to 25 pounds
Carload or more..	\$0.20½	\$0.21½	\$0.22½	\$0.23½	\$0.25½
10,000 pounds or more but less than carload..	.21	.21½	.22½	.23½	.25½
200 up to 10,000 pounds.....	.21½	.22	.22½	.23½	.25½
100 up to 200 pounds.....	.21½	.22	.23	.24	.26
50 up to 100 pounds.....	-----	-----	.23½	.24½	.27½
25 up to 50 pounds.....	-----	-----	-----	.24½	.28½
5 up to 25 pounds.....	-----	-----	-----	-----	.29½

(ii) The maximum price for a producer for a quantity of citric acid U. S. P. powdered, packaged in containers of less than five pounds, is the price set forth above for five pounds plus or minus the customary differential maintained by the producer during the period from October 1 to October 31, 1941, inclusive, except that if a producer has made no sales or deliveries of a quantity so packaged during that period, the customary differential of the most closely competitive producer during the above-stated period who did make such sales or deliveries shall be used.

(3) *Citric acid anhydrous, granular, and fine granular.* (i) The maximum prices for producers of citric acid anhydrous, granular, and fine granular, except for quantities packaged in containers of less than five pounds, are established as set forth below:

Quantity	Packaged in containers of—				
	200 pounds and over	100 up to 200 pounds	50 up to 100 pounds	25 up to 50 pounds	5 up to 25 pounds
Carload or more..	\$0.22½	\$0.23½	\$0.24½	\$0.25½	\$0.27½
10,000 pounds or more but less than carload..	.23	.23½	.24½	.25½	.27½
200 up to 10,000 pounds.....	.23½	.24	.24½	.25½	.27½
100 up to 200 pounds.....	.23½	.24	.25	.26	.28
50 up to 100 pounds.....	-----	-----	.25½	.26½	.29½
25 up to 50 pounds.....	-----	-----	-----	.26½	.30½
5 up to 25 pounds.....	-----	-----	-----	-----	.31½

(ii) The maximum price for a producer for a quantity of citric acid anhydrous, granular, and fine granular, packaged in containers of less than five pounds, is the price set forth above for five pounds plus or minus the customary differential maintained by the producer during the period from October 1 to October 31, 1941, inclusive, except that if a producer has made no sales or deliveries of a quantity so packaged during that period, the customary differential of the most closely competitive producer during the above-stated period who did

¹ F. R. 971, 3663.

make such sales or deliveries shall be used.

(4) *Citric acid anhydrous, powdered.* (1) The maximum prices for producers of citric acid anhydrous, powdered, except for quantities packaged in containers of less than five pounds; are established as set forth below:

Quantity	Packaged in containers of—				
	200 pounds and over	100 up to 200 pounds	50 up to 100 pounds	25 up to 50 pounds	5 up to 25 pounds
Carload or more... 10,000 pounds or more but less than carload	\$0.23	\$0.24	\$0.25	\$0.26	\$0.28
200 up to 10,000 pounds	.23½	.24	.25	.26	.28
100 up to 200 pounds	.24	.24½	.25	.26	.28
50 up to 100 pounds	.24	.24½	.25½	.26½	.28½
25 up to 50 pounds			.26	.27	.30
5 up to 25 pounds				.27	.31
					.32

(ii) The maximum price for a producer for a quantity of citric acid anhydrous, powdered, packaged in containers of less than five pounds, is the price set forth above for five pounds plus or minus the customary differential maintained by the producer during the period from October 1 to October 31, 1941, inclusive, except that if a producer has made no sales or deliveries of a quantity so packaged during that period, the customary differential of the most closely competitive producer during the above-stated period who did make such sales or deliveries shall be used.

(5) *Citric acid produced in continental United States.* (1) The maximum prices for sales by producers of citric acid produced in continental United States, except as hereafter provided in subdivisions (ii) and (iii) of this subparagraph (5), are the maximum prices established in subparagraphs (1), (2), (3), and (4) of this paragraph (a), f. o. b. the producer's shipping point, freight equalized with the following points, viz.: Philadelphia, Pennsylvania; New York, New York; Los Angeles, California; San Francisco, California; Portland, Oregon; and Seattle, Washington. The maximum prices which a purchaser may pay for citric acid produced in continental United States and delivered to him from a producer's shipping point shall not exceed the maximum prices listed above plus the transportation charge on a shipment of identical quantity to destination from that equalization point named above from which the transportation rate to destination is least.

(ii) The maximum prices for sales by producers of citric acid produced in con-

tinental United States, if shipment is made to Boston, Massachusetts or to Baltimore, Maryland, are the maximum prices established in subparagraphs (1), (2), (3), and (4) of this paragraph (a), delivered to destination.

(iii) The maximum prices for sales by producers of citric acid produced in the continental United States and delivered from local stocks maintained in Chicago, Illinois, or St. Louis, Missouri, are the maximum prices established in subparagraphs (1), (2), (3), and (4) of this paragraph (a), plus one-half cent per pound, f. o. b. shipping point in whichever of these two cities has the lesser freight rate to destination.

(6) *Citric acid produced in territories of the United States.* The maximum prices for sales by producers of citric acid produced in territories of the United States are the maximum prices established in subparagraphs (1), (2), (3), and (4) of this paragraph (a), f. o. b. point of shipment in such territories.

(b) *Sales by resellers—*(1) *Citric acid U. S. P., granular, fine granular, and crystal.* (i) The maximum prices for resellers of citric acid U. S. P., granular, fine granular, and crystal, except for quantities packaged in containers of less than five pounds, are established as set forth below:

Quantity	Packaged in containers of—				
	200 pounds and over	100 up to 200 pounds	50 up to 100 pounds	25 up to 50 pounds	5 up to 25 pounds
Carload or more... 10,000 pounds or more but less than carload	\$0.26	\$0.27	\$0.29	\$0.30	\$0.32½
200 up to 10,000 pounds	.27	.27	.29	.30	.32½
100 up to 200 pounds	.27	.28	.29	.31	.33
50 up to 100 pounds			.30	.31	.35
25 up to 50 pounds				.31	.36
5 up to 25 pounds					.38

(ii) The maximum price for a reseller for a quantity of citric acid U. S. P., granular, fine granular, and crystal, packaged in containers of less than five pounds, is the price set forth above for five pounds plus or minus the customary differential maintained by the reseller during the period from October 1 to October 31, 1941, inclusive, except that if a producer has made no sales or deliveries of a quantity so packaged during that period, the customary differential of the most closely competitive reseller during the above-stated period who did make such sales or deliveries shall be used.

(2) *Citric acid U. S. P. powdered.* (i) The maximum prices for resellers of citric acid U. S. P. powdered, except for quantities packaged in containers of less

than five pounds, are established as set forth below:

Quantity	Packaged in containers of—				
	200 pounds and over	100 up to 200 pounds	50 up to 100 pounds	25 up to 50 pounds	5 up to 25 pounds
Carload or more... 10,000 pounds or more but less than carload	\$0.27	\$0.27	\$0.29	\$0.31	\$0.33
200 up to 10,000 pounds	.27	.28	.29	.31	.33
100 up to 200 pounds	.28	.29	.29	.31	.33
50 up to 100 pounds	.28	.29	.30	.31	.34
25 up to 50 pounds			.31	.32	.36
5 up to 25 pounds				.32	.37
					.38

(ii) The maximum price for a reseller for a quantity of citric acid U.S.P. powdered, packaged in containers of less than five pounds, is the price set forth above for five pounds plus or minus the customary differential maintained by the reseller during the period from October 1 to October 31, 1941, inclusive, except that if a producer has made no sales or deliveries of a quantity so packaged during that period, the customary differential of the most closely competitive reseller during the above-stated period who did make such sales or deliveries shall be used.

(3) *Citric acid anhydrous, granular, and fine granular.* (i) The maximum prices for resellers of citric acid anhydrous, granular, and fine granular, except for quantities packaged in containers of less than five pounds, are established as set forth below:

Quantity	Packaged in containers of—				
	200 pounds and over	100 up to 200 pounds	50 up to 100 pounds	25 up to 50 pounds	5 up to 25 pounds
Carload or more... 10,000 pounds or more but less than carload	\$0.29	\$0.30	\$0.32	\$0.33	\$0.36
200 up to 10,000 pounds	.30	.31	.32	.33	.36
100 up to 200 pounds	.31	.31	.32	.33	.36
50 up to 100 pounds	.31	.31	.32½	.34	.36
25 up to 50 pounds			.33	.34½	.38½
5 up to 25 pounds				.34½	.40
					.41

(ii) The maximum price for a reseller for a quantity of citric acid anhydrous, granular, and fine granular, packaged in containers of less than five pounds, is the price set forth above for five pounds plus or minus the customary differential maintained by the reseller during the period from October 1 to October 31, 1941, inclusive, except that if a producer has

made no sales or deliveries of a quantity so packaged during that period, the customary differential of the most closely competitive reseller during the above-stated period who did make such sales or deliveries shall be used.

(4) *Citric acid anhydrous, powdered.*

(i) The maximum prices for resellers of citric acid anhydrous, powdered, except for quantities packaged in containers of less than five pounds, are established as set forth below:

Quantity	Packaged in containers of—				
	20 pounds and over	100 up to 200 pounds	50 up to 100 pounds	25 up to 50 pounds	5 up to 25 pounds
Carload or more... 10,000 pounds or more but less than carload....	\$0.30	\$0.31	\$0.32½	\$0.34	\$0.36
200 up to 10,000 pounds.	.31	.31	.32½	.34	.36
100 up to 200 pounds.	.31	.32	.33	.34	.37
50 up to 100 pounds.	-----	-----	.34	.35	.39
25 up to 50 pounds.	-----	-----	-----	.35	.40
5 up to 25 pounds.	-----	-----	-----	-----	.42

(ii) The maximum price for a reseller for a quantity of citric acid anhydrous, powdered, packaged in containers of less than five pounds, is the price set forth above for five pounds plus or minus the customary differential maintained by the reseller during the period from October 1 to October 31, 1941, inclusive, except that if a producer has made no sales or deliveries of a quantity so packaged during that period, the customary differential of the most closely competitive reseller during the above-stated period who did make such sales or deliveries shall be used.

(c) *Sales for export.* The maximum prices at which a person may sell or deliver citric acid for export shall be determined in accordance with the provisions of the Maximum Export Price Regulation⁴ issued by the Office of Price Administration on April 25, 1942.

(d) *Containers.* No charge for containers may be added to the maximum prices established in this section.

(e) *Credit terms.* The maximum prices established in this section shall be reduced by 1% for payment by the purchaser by the 10th day of the month following the month of delivery.

(f) *Sales taxes.* There may be added to the maximum prices established in this section the amount of tax levied by any Federal excise tax statute or any State or municipal sales, gross receipts, gross proceeds, or compensating use tax statute or ordinance, under which the tax is measured by gross proceeds or units of sale, if, but only if, (1) such statute or ordinance requires the vendor to state the tax, separately from the purchase price paid by the purchaser, consumer, or user, on the bill, sales check, or evidence of sale, at the time of the transaction; or (2) such statute or ordinance

⁴ 7 F.R. 3096.

requires such tax to be separately paid by the purchaser, consumer, or user with tokens or other media of State or municipal tax payment; or (3) such a statute or ordinance permits the vendor to state such tax separately, and such tax is in fact stated separately by the vendor. The amount of tax permitted to be added by this provision shall in no event exceed that paid by the purchaser, consumer, or user.

Issued this 22d day of May 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-4769; Filed, May 23, 1942; 12:47 p. m.]

PART 1411—COMPENSATORY ADJUSTMENTS

[Amendment 1 to Compensatory Adjustment Regulation 1¹]

WARTIME INCREASES IN THE COST OF TRANSPORTING BITUMINOUS COAL

In § 1411.1 (a), the phrase "normally purchased and received" is amended to read "normally received", in § 1411.1 (b) (2) the phrase "purchased bituminous coal transported" is amended to read "received bituminous coal transported", and in § 1411.3 (b) the phrase "normally purchased" is amended to read "normally received." Paragraphs (b) (2) (iii) and (b) (3) of § 1411.2 and § 1411.4 are amended, a new paragraph (c) is added to § 1411.5, and a new § 1411.7 is added, as set forth below:

§ 1411.2 *Filing of application for compensation.* * * *

(b) *Contents of application.* * * *

(2) * * *

(iii) The identity of the person from whom the coal was received; * * *

(3) A copy of the invoice (or other billing memorandum) rendered by the shipper of the bituminous coal, the transportation of which is the basis of the application, and a copy of the freight bill, and insurance bill (if any), actually paid in connection with the transportation thereof: *Provided*, That an applicant proceeding under paragraph (b) of § 1411.1 who is unable to furnish copies of the freight or insurance bills, because such bituminous coal was purchased by him from another person by whom such bituminous coal was initially received, may so state, if the name and address of such other person is stated; * * *

§ 1411.4 *Definitions.* (a) When used in Compensatory Adjustment Regulation No. 1, the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or any legal successor or representative of any of the foregoing, but shall not include the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

¹ 7 F.R. 3749.

(2) "Receiver" means the person receiving bituminous coal who first incurs the cost of transporting it from the mine. * * *

§ 1411.5 *Appendix A: Standard adjustments to be stated in applications.* * * *

(c) *Applications filed pursuant to § 1411.1 (b).* In the case of an application filed pursuant to § 1411.1 (b), the standard adjustment set forth in the application shall be the amount by which the transportation costs actually incurred, irrespective of the method of transportation, exceed the cost, as shown in the aforementioned Bulletin of Standard Adjustments, for a combined rail and tidewater movement of southern bituminous coal to the same destination, via transshipment from Hampton Roads in cargo boats of 1,000 gross tons or more.

§ 1411.7 *Effective dates of amendments.* (a) Amendment No. 1 (§§ 1411.1 (a) and (b), 1411.2 (b) (2) (iii) and (b) (3), 1411.3 (b), 1411.4, 1411.5 (c) and 1411.7) shall become effective May 23, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 23d day of May 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-4771; Filed, May 23, 1942; 12:47 p. m.]

PART 1316—COTTON TEXTILES

[Amendment No. 4 to Revised Price Schedule 35]

CARDED GREY AND COLORED-YARN COTTON GOODS¹

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 § 1316.61 (b) (4) footnote 5 to Table III is amended to read as follows; in Table III-A the parenthetical phrase "under 42" in width" following the word "Osnaburgs" is revoked; and in Table IV the maximum price for 2.70 yd. Denim, sanforized, at the spot cotton price of 20.13 to 20.58 cents per pound, inclusive, is amended to read "19.00" instead of "18.75" cents per yard.

§ 1316.61 *Appendix A: Maximum prices for cotton goods.* * * *

(b) * * *
(4) *Maximum price tables* * * *

TABLE III.—*Sheeting Yarn Group*

¹The maximum prices set forth in the table above are for part-waste osnaburgs. Maximum prices for clean osnaburgs shall be the above prices plus the following differentials:

For clean osnaburgs made of tinged cotton, 1½ cents per lb.

For clean osnaburgs made entirely of white cotton, 2 cents per lb.

No osnaburg shall be classed, for the purposes of Price Schedule No. 35, as a clean

¹ 7 F.R. 1270, 2738, 3060, 3164.

osnaburg unless it is wholly free from card strips and other waste material.

For any osnaburg with 32 or more picks per inch, a premium of 1/2 cent per pound over the otherwise applicable maximum price may be charged.

For any osnaburg 42" or over in width a premium of 10 per cent over the otherwise applicable maximum price may be charged.

§ 1316.60a *Effective dates of amendments.* * * *

(d) Amendment No. 4 (§ 1316.61 (b) (4), Tables III, III-A, and IV) to Revised Price Schedule No. 35 shall become effective May 30, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 25th day of May 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-4805; Filed, May 25, 1942; 11:57 a. m.]

PART 1340—FUEL

[Amendment 1 to Maximum Price Regulation 120]¹

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

A statement of 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 subdivision (i) is added to paragraph (b) (1) of § 1340.213, and a new § 1340.211a is added, as set forth below:

§ 1340.213 *Appendix B: Maximum prices for bituminous coal produced in District No. 2.* * * *

(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) Maximum prices for smithing coal produced at the Salem No. 1 mine (Mine Index No. 269) of the Keystone Coal and Coke Company shall not exceed \$4.00 per net ton.

* * *

§ 1340.211a *Effective dates of amendments.* (a) Amendment No. 1 (§§ 1340.213 (b) (1) (i) and 1340.211a) to Maximum Price Regulation No. 120 shall become effective May 25, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 25th day of May 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-4810; Filed, May 25, 1942; 11:58 a. m.]

PART 1340—FUEL

[Amendment 2 to Maximum Price Regulation 120]²

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

A statement of considerations involved in the issuance of this amendment has been issued simultaneously herewith and

¹ 7 F.R. 3168, 3447.

² 7 F.R. 3168, 3447.

has been filed with the Division of the Federal Register.

A new subdivision (i) is added to paragraph (b) (1) of § 1340.226 and a new paragraph (b) is added to § 1340.211a, as set forth below:

§ 1340.226 *Appendix O: Maximum prices for bituminous coal produced in District No. 15.* * * *

(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) Maximum prices for 1 1/4" x 0 coal resulting from the crushing of run of mine coal produced at the Silvercrest Mine (Mine Index No. 1595) of the Leavell Coal Company when sold to the E. I. du Pont de Nemours & Company, Inc., for use at the Oklahoma Ordnance Works, Pryor, Oklahoma, shall not exceed \$2.20 per net ton.

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

(b) Amendment No. 2 (§§ 1340.226 (b) (1) (i) and 1340.211a (b)) to Maximum Price Regulation No. 120 shall become effective May 25, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 25th day of May 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-4809; Filed, May 25, 1942; 11:57 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[Amendment No. 1 to Maximum Price Regulation No. 150]

MILLED RICE

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.

The date "May 25, 1942" appearing in §§ 1351.451 and 1351.462 is amended to read "June 1, 1942".

The date "May 24, 1942" appearing in § 1351.456 is amended to read "May 31, 1942".

§ 1351.462a *Effective dates of amendments.* (a) Amendment No. 1 (§§ 1351.451, 1351.462, 1351.462a) to Maximum Price Regulation No. 150 shall become effective May 25, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 23d day of May 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-4908; Filed, May 25, 1942; 11:58 a. m.]

PART 1389—APPAREL

[Maximum Price Regulation No. 153]

WOMEN'S, GIRLS' AND CHILDREN'S OUTERWEAR GARMENTS

Sec.

- 1389.1 Fall styles of garments subject to this maximum price regulation.
- 1389.2 Prohibition against dealing at prices above the maximum.
- 1389.3 Maximum prices.

Sec.

- 1389.4 Incorporation of provisions of the general maximum price regulation.
- 1389.5 Less than maximum prices.
- 1389.6 Evasion.
- 1389.7 Enforcement.
- 1389.8 Records.
- 1389.9 Invoices, sales slips and receipts.
- 1389.10 Marking of 1942 fall style garments.
- 1389.11 Definitions.
- 1389.12 Effective date.
- 1389.13 Appendix A: Classification of garments belonging to the same type.

In the judgment of the Price Administrator it is necessary and proper to establish the maximum price for the sale of certain fall styles of women's, girls' and children's outerwear apparel which during the fall and winter selling season sell in price lines which generally differ from the price lines at which such apparel sold during March 1942. The maximum prices established by this Regulation are, in the judgment of the Price Administrator, generally fair and equitable, and in conformity with the general level of prices established by the General Maximum Price Regulation.¹ A statement of considerations involved in the issuance of this Regulation is 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. 1² issued by the Office of Price Administration, Maximum Price Regulation No. 153 is hereby issued.

AUTHORITY: §§ 1389.1 to 1389.13, inclusive, issued under Public Law 421, 77th Cong.

§ 1389.1 *Fall styles of women's, girls' and children's outerwear garments subject to this maximum price regulation.* (a) This Maximum Price Regulation No. 153 shall apply, and, except as provided in § 1389.4 hereof, the General Maximum Price Regulation¹ shall not apply, to sales of any new style of any women's, girls' and children's outerwear garments delivered for the first time by the manufacturer of such articles of apparel between July 1 and November 15, 1942, inclusive. Such new styles of women's, girls' and children's outerwear garments are hereinafter called "1942 fall styles".

(b) As used in this Maximum Price Regulation No. 153, the term, "women's, girls' and children's outerwear garments" includes garments of the following types: coats, suits, separate jackets, separate skirts, dresses, blouses, snowsuits, legging sets and separate leggings as defined in § 1389.11 of this Maximum Price Regulation No. 153.

§ 1389.2 *Prohibition against dealing in 1942 fall styles of women's, girls' and children's outerwear garments at prices above the maximum.* On and after May 29, 1942, regardless of any contract or other obligation:

(a) No person shall sell or deliver any 1942 fall style of any woman's, girl's or child's outerwear garment at a price

¹ 7 F.R. 3153, 3330, 3666.

² 7 F.R. 971, 3663.

higher than the maximum price established by § 1389.3; and

(b) No person in the course of trade or business shall buy or receive any 1942 fall style of any woman's, girl's or child's outerwear garment at a price higher than the maximum price established by § 1389.3; and

(c) No person shall agree, offer, solicit or attempt to do any of the foregoing.

§ 1389.3 *Maximum prices for 1942 fall styles of women's, girls' and children's outerwear garments.* (a) The seller's maximum price for any 1942 fall style of any woman's, girl's or child's outerwear garment shall be determined as follows:

(1) *In those cases in which the seller dealt in a garment of the same type between July 1 and September 30, 1941, inclusive:*

(i) The seller's maximum price shall be the highest price charged by the seller for a woman's, girl's or child's outerwear garment of the same type and of substantially equal workmanship and quality delivered to a purchaser of the same class between July 1 and September 30, 1941, inclusive, except that changes in yardage of material and in style pursuant to the direction of any agency of the United States shall be permitted within any price line; or

(ii) If no such delivery was made, the maximum price shall be whichever is lower of the following:

(a) The lowest price charged by the seller for a garment of the same type delivered to a purchaser of the same class between July 1 and September 30, 1941, or

(b) The total of the cost to the seller of the garment to be priced plus the percentage margin over cost obtained by the seller on his lowest priced garment of the same type delivered between July 1 and September 30, 1941, inclusive.

(2) *In those cases in which the seller did not deal in a garment of the same type between July 1 and September 30, 1941, inclusive:*

The seller's maximum price shall be the highest price charged by the most closely competitive seller of the same class for a woman's, girl's or child's garment of the same type and of substantially equal workmanship and quality delivered between July 1 and September 30, 1941, inclusive, except that changes in yardage of material and in style pursuant to the direction of any agency of the United States shall be permitted within any price line.

(b) For purposes of this section all garments which fall into any one of the classifications listed in Appendix A, § 1389.13, shall be deemed to be garments of the same type.

§ 1389.4 *Incorporation of provisions of the general maximum price regulation.*¹ The provisions of § 1499.4 (*Supplemental Regulations*), § 1499.5 (*Transfers of business or stock in trade*), § 1499.12 (*Current*

¹ *Supra.*

records), § 1499.13 (*Maximum prices of cost-of-living commodities; statement, marking or posting*), § 1499.15 (*Registration*), § 1499.16 (*Licensing*), § 1499.18 (*Applications for adjustment by retail sellers*), and § 1499.19 (*Petitions for amendment*) of the General Maximum Price Regulation shall apply to all sales for which maximum prices are established by § 1389.3 and to all persons making such sales. References in § 1499.18 of the General Maximum Price Regulation to §§ 1499.2 and 1499.3 thereof, for the purposes of this Maximum Price Regulation No. 153, shall be deemed to refer to § 1389.3 hereof. The registration and licensing provisions of §§ 1499.15 and 1499.16 of the General Maximum Price Regulation shall apply to every person selling at wholesale or retail any commodity covered by this Maximum Price Regulation No. 153 with the same force and effect as though this Maximum Price Regulation No. 153 had been issued on or before April 28, 1942.

§ 1389.5 *Less than maximum prices.* Lower prices than those established by this Maximum Price Regulation No. 153 may be charged, demanded, paid or offered.

§ 1389.6 *Evasion.* (a) The price limitations set forth in this Maximum Price Regulation No. 153 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 1942 fall styles of women's, girls' and children's outerwear garments, alone or in conjunction with any other commodity or by way of commission, service, transportation, or any other charge, or discount, premium or other privilege, or by tying-agreement or other trade understanding, or otherwise.

(b) Specifically, but not exclusively, the following practices are prohibited: (1) No seller shall, for the purpose of evading the price limitations set forth in this Maximum Price Regulation No. 153, sell, purchase, deliver, contract, deal or otherwise operate with or through any other person under common control with, controlled by, controlling, or otherwise affiliated with the seller.

(2) No seller shall change his customary allowances, discounts or other price differentials unless such change results in a lower net price.

§ 1389.7 *Enforcement.* Persons violating any provision of this Maximum Price Regulation No. 153 are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided by the Emergency Price Control Act of 1942, and proceedings for the suspension of licenses.

§ 1389.8 *Records.* In addition to any records required to be kept by § 1389.4, every seller whose sales of women's, girls' and children's outerwear garments are subject to the maximum prices established by § 1389.3, shall:

(a) Preserve for examination by the Office of Price Administration all his existing records, relating to the prices which he charged for women's, girls' and children's outerwear garments delivered

between July 1 and September 30, 1941, inclusive;

(b) Prepare, on or before July 1, 1942, on the basis of all available information and records, and thereafter keep for examination by any person during ordinary business hours, a statement showing:

(1) The highest prices which he charged for such women's, and girls' outerwear garments as he delivered between July 1 and September 30, 1941, inclusive, together with an appropriate description or identification of each such garment; and

(2) All his customary allowances, discounts and other price differentials.

(c) Any person, other than a person selling at retail, who claims that substantial injury would result to him from making such statement available to any other person may file it with the appropriate field office of the Office of Price Administration. Information in such statement will not be disclosed by the Office of Price Administration unless it would be contrary to the purposes of this Maximum Price Regulation No. 153 to withhold such information.

§ 1389.9 *Invoices, sales slips and receipts.* (a) Every person other than a person selling at retail, whose sales are subject to maximum prices established by § 1389.3, shall in connection with each such sale deliver an invoice or other similar document showing (1) the date, (2) the name and address of the seller and purchaser, (3) the style number of each of the different styles of garments sold, (4) the quantity of each different style of garment sold, (5) the price contracted for or charged by the seller for each different style of garment sold, and (6) all discounts, allowances and other price differentials.

(b) Every person selling at retail whose sales of women's, girls' and children's outerwear garments are subject to maximum prices established by § 1389.3, who has customarily given a purchaser a sales slip, receipt or similar evidence of purchase shall continue to do so. Upon request from a purchaser, any such seller, regardless of previous custom, shall give the purchaser a receipt showing (1) the date, (2) the name and address of the seller, (3) the name or description of each garment sold, and (4) the price received for it.

§ 1389.10 *Marking of 1942 fall style garments.* On and after May 29, 1942, every manufacturer offering to sell any 1942 fall style of women's, girls' and children's outerwear garments shall mark on each garment the words, "Priced under O. P. A. Reg. No. 153" by the use of a tag, label or other plainly visible device. No person shall sell or deliver any 1942 fall style of any woman's, girl's or child's outerwear garment unless the garment is so marked.

§ 1389.11 *Definitions.* (a) When used in this Maximum Price Regulation No. 153, the term:

(1) "New style" of any woman's, girl's or child's outerwear garment means any woman's, girl's or child's outerwear gar-

ment which differs in style, design, ornamentation, or in any other respect from the women's, girls' and children's outerwear garments previously delivered by the same manufacturer.

(2) "Delivered" means received by the purchaser or by any carrier other than a carrier owned or controlled by the seller for shipment to the purchaser.

(3) "Manufacturer" means a person who produces as a result of fabricating, processing or manufacturing, directly or through an agent or contractor, women's, girls' or children's outerwear garments in substantially the same form in which they are purchased by the ultimate consumer, and makes the first sale of such articles in such form.

(4) "Coats" means feminine outerwear garments, in sizes from 3 and up, fabricated from yard goods, usually worn over other outer apparel, untrimmed, trimmed and fur-trimmed, sport and dress, including capes and wraps, but not including rainwear garments or garments made of artificial leather.

(5) "Suits" include feminine outerwear garments, in sizes from 3 and up, fabricated from yard goods, consisting of a separate jacket and separate skirt of either matching or contrasting material to be sold at a unit price.

(6) "Separate jackets" include feminine outerwear garments, in sizes 3 and up, fabricated from yard goods, but not including garments made of artificial leather.

(7) "Separate skirts" include feminine outerwear garments in sizes from 3 and up, fabricated from yard goods, but not including culottes.

(8) "Dresses" include feminine outerwear garments fabricated from yard goods, in sizes 9 to 19, inclusive, for "junior misses", in sizes 10 to 20, inclusive, for "misses" and in all sizes for "women", but not including dresses in "children's," "girls'" or "teen age" sizes.

(9) "Blouses" include feminine outerwear garments, in sizes from 30 and up, fabricated from yard goods.

(10) "Snowsuits" include children's outerwear garments fabricated from yard goods, in sizes from 3 to 14, inclusive, for two-piece snowsuits, and in sizes from 1 to 6, inclusive, for one-piece snowsuits.

(11) "Legging sets" and "separate leggings" include children's outergarments fabricated from yard goods, in sizes 1 to 10, inclusive, but not including garments made of artificial leather.

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

(13) "Purchaser of the same class" refers to the practice adopted by the seller in setting different prices for sales to different purchasers or kinds of purchasers (for example, manufacturer, wholesaler, jobber, retailer, government agency, public institution, individual con-

sumer) or for purchasers located in different areas or for different quantities or grades or under different conditions of sale.

(14) "Cost to the seller" means:

(i) In the case of any sale at retail or wholesale, the price paid by the seller for the article, after all discounts, allowances and other price differentials, or

(ii) In the case of any sale other than at wholesale or retail, the total of actual material cost, actual trimming cost and direct labor cost, after all discounts, allowances and other price differentials:

Provided, That in no case shall any seller include in his cost any amount, charge or expense established by means of or resulting from a fictitious sale or fictitious billing or fictitious valuation of materials or trimmings.

(15) "Margin" means the difference between the cost to the seller and the selling price.

(16) "Seller of the same class" means a seller: (i) performing the same function (for example, manufacturing, distributing, retailing); (ii) of similar type (for example, department store, mail order house, chain store, specialty shop); (iii) dealing in the same kinds of garments, and (iv) selling to the same class of purchasers.

(17) "Most closely competitive seller of the same class" means a seller of the same class who (i) is selling the same kinds of garments, and (ii) is closely competitive in the sale of such garments, and (iii) is operating with substantially the same price line policy, and (iv) is located nearest to the seller.

(18) "Sale at retail" or "selling at retail" means a sale to an ultimate consumer but shall not include any sale by a producer, manufacturer, or fabricator of any garment produced, manufactured, or fabricated by him, or on his behalf by an agent or contractor, except that for purposes of § 1389.9 (a), no person making a sale to an ultimate consumer shall be required to deliver an invoice or other similar document showing the items specified in that section.

(19) "Sale at wholesale" means a sale by a person who receives delivery of a commodity and resells it, without changing its form, to any person other than the ultimate consumer, but shall not include any sale by a producer, manufacturer, or fabricator of any garment produced, manufactured, or fabricated by him, or on his behalf by an agent or contractor.

(20) "Appropriate field office of the Office of Price Administration" means the district office for the district (or in the absence of such district office, the state office for the State) in which is located the seller's place of business from which his sales are made.

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

§ 1389.12 *Effective date.* This Maximum Price Regulation No. 153 (§§ 1389.1

to 1389.13, inclusive) shall become effective May 29, 1942.

§ 1389.13 *Appendix A: Classification of garments belonging to the same type.* For the purposes of § 1389.3, all garments which fall into any one of the following enumerated classifications shall be deemed to belong to the same type:

1. All "women's" coats in all sizes.
2. All "misses'" and "jr. misses'" coats, in sizes from 9 to 20, inclusive.
3. All "teen age" coats, in sizes from 10 to 16, inclusive.
4. All "girls'" coats, in sizes from 7 to 14, inclusive.
5. All "children's" coats, in sizes from 3 to 6, inclusive.
6. All "women's" suits, in all sizes.
7. All "misses'" and "jr. misses'" suits, in sizes from 9 to 20, inclusive.
8. All "teen age" suits, in sizes from 10 to 16, inclusive.
9. All "girls'" suits, in sizes from 7 to 14, inclusive.
10. All "children's" suits, in sizes from 3 to 6 inclusive.
11. All "women's" separate jackets in all sizes.
12. All "misses'" and "jr. misses'" separate jackets, in sizes from 9 to 20, incl.
13. All "teen age" separate jackets, in sizes from 10 to 16, inclusive.
14. All "girls'" separate jackets, in sizes from 7 to 14, inclusive.
15. All "children's" separate jackets, in sizes from 3 to 6, inclusive.
16. All "women's" separate skirts in all sizes.
17. All "misses'" and "jr. misses'" separate skirts, in sizes from 9 to 20, incl.
18. All "teen age" separate skirts, in sizes from 10 to 16, inclusive.
19. All "girls'" separate skirts, in sizes from 7 to 14, inclusive.
20. All "children's" separate skirts, in sizes from 3 to 6, inclusive.
21. All "women's" dresses in all sizes.
22. All "misses'" and "jr. misses'" dresses, in sizes from 9 to 20 incl.
23. All blouses, in sizes 30 and up.
24. All one-piece snowsuits, in sizes from 1 to 6, inclusive.
25. All two-piece snowsuits, in sizes from 3 to 14, inclusive.
26. All legging sets in sizes from 1 to 10, inclusive.
27. All separate leggings, in sizes from 1 to 10, inclusive.

Issued this 23d day of May 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-4814; Filed, May 25, 1942; 12 m.]

PART 1393—ICE

[Maximum Price Regulation 154]

In the judgment of the Price Administrator, it is necessary to establish maximum prices for the sale of ice because, in large sections of the United States, the prices for ice have varied with the seasons and, accordingly, in such areas the prices for ice prevailing in March 1942 are not fairly representative. The maximum prices established by this Regulation are, in the judgment of the Price Administrator, generally fair and equitable, and in conformity with the general level of prices established by the

General Maximum Price Regulation.¹ A statement of the considerations involved in the issuance of this Regulation issued simultaneously herewith, 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. 1,² issued by the Office of Price Administration, Maximum Price Regulation No. 154 is hereby issued.

AUTHORITY: §§ 1393.1 to 1393.9, inclusive, issued under Pub. Law 421, 77th Cong.

§ 1393.1 *Maximum prices for ice.* On and after May 25, 1942, regardless of any contract, agreement, lease or other obligation, no person shall sell or deliver ice in the course of trade or business at prices higher than the maximum prices set forth in Appendix A hereof, incorporated herein as § 1393.9; and no person shall agree, offer, solicit, or attempt to do any of the foregoing.

§ 1393.2 *Less than maximum prices.* Lower prices than those set forth in Appendix A (§ 1393.9) may be charged, demanded, paid or offered.

§ 1393.3 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 154 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale or delivery of, or relating to the sale of ice, 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.

Specifically, but not exclusively, the following practices are prohibited:

(a) The reduction or elimination of discounts in effect during March 1942, or, where the seller's maximum price for ice is established by § 1393.9 (a) (2), the reduction or elimination during any of the months from April to October, inclusive, of the discounts in effect during the corresponding month of 1941.

(b) Changes in the classification of purchasers of ice which were in effect during March 1942, or, where the seller's maximum price for ice is established under § 1393.9 (a) (2), changes during any months from April to October, inclusive, in the classification of purchasers of ice in effect during the corresponding month of 1941.

§ 1393.4 *Enforcement.* (a) Persons violating any provision of this Maximum Price Regulation No. 154 are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided by the Emergency Price Control Act of 1942, and proceedings for the suspension of licenses.

(b) Persons who have any evidence of any violation of this Maximum Price Regulation No. 154 or of any acts or practices which constitute such a violation are urged to communicate with the nearest Field or Regional Office of the

Office of Price Administration or its principal office in Washington, D. C.

§ 1393.5 *Applicability of General Maximum Price Regulation.*¹ Except as provided in § 1393.6, the provisions of this Maximum Price Regulation No. 154, supersede the provisions of the General Maximum Price Regulation with respect to sales or deliveries of ice for which maximum prices are established by this Regulation.

§ 1393.6 *Incorporation of the provisions of the General Maximum Price Regulation.*¹ The provisions of §§ 1499.12, 1499.13, and 1499.14 of the General Maximum Price Regulation, relating to records; of § 1499.7 relating to Federal and State taxes; of §§ 1499.4, 1499.18 and 1499.19, relating to supplemental regulations, adjustment and amendment; and of § 1499.20 (g) (1) (k) (m) (o) (p) (r) (s) relating to definitions shall apply to all sales of ice, the maximum prices for which are established by this Maximum Price Regulation No. 154, and to all persons making such sales. The registration and licensing requirements of §§ 1499.15 and 1499.16 of the General Maximum Price Regulation shall apply to every person selling ice in the same manner and with the same force and effect as though this Maximum Price Regulation No. 154, had been issued on or before April 28, 1942.

§ 1393.7 *Definitions.* (a) When used in this Maximum Price Regulation No. 154, the term:

(1) "Platform sale" (or bridge, or dock sale,) is a sale of ice, delivery of which is made to the purchaser at the seller's place of business.

(2) "Delivered sale" is a sale of ice delivered to a purchaser at a point other than the seller's place of business.

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

§ 1393.8 *Effective date.* This Maximum Price Regulation No. 154 (§§ 1393.1 to 1393.9 inclusive) shall become effective May 25, 1942.

§ 1393.9 *Appendix A: Maximum prices for ice—(a) Determination of maximum prices—(1) Generally:* The seller's maximum delivered price and the seller's maximum platform price for any form, quantity, and quality of ice shall be the highest price at which the seller delivered such form and quantity and quality of ice during March 1942 on a delivered sale or on a platform sale respectively to a purchaser of the same general class.

(2) *Alternative maximum prices:* During the months from April to October inclusive, a seller of ice may charge on a delivered sale or on a platform sale for any form, quantity, and quality of ice, the highest price at which the seller delivered such form, quantity, and quality of ice on a delivered sale or on a platform sale respectively during the corresponding month of 1941 to a purchaser of the same general class, *Provided*, That in order to avail himself of this alterna-

tive method of determining maximum prices the seller must be able to demonstrate by appropriate written records what his prices actually were during the corresponding months of 1941 and must preserve such records and make them available for examination by the Office of Price Administration.

(b) If the maximum price of ice cannot be determined under paragraph (a) of this section, the maximum price of ice shall be the maximum price of the most closely competitive seller of the same class, for the same form, quantity, and quality of ice.

(c) No seller shall require any purchaser, and no purchaser shall be permitted, to pay a larger proportion of transportation costs incurred in the delivery or supply of ice, than the seller required purchasers of the same class to pay during March 1942, except that during the months of April to October, inclusive, where the seller's maximum price for ice is established by paragraph (a) (2) of this section, no seller shall require any purchaser, and no purchaser shall be permitted, to pay a larger proportion of transportation costs incurred in the delivery or supply of ice, than the seller required purchasers of the same class to pay during the corresponding month of 1941.

(d) The charges made for any special service shall not exceed the charge made during March 1942, except that where, during the months from April to October, inclusive, the seller's maximum price for ice is established by paragraph (a) (2) of this section, the charges made for any special services shall not exceed the charges made during the corresponding month of 1941.

Issued this 25th day of May 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-4811; Filed, May 25, 1942; 12 m.]

[Amendment 3 to Supplementary Regulation 2¹]

PART 1499—COMMODITIES AND SERVICES
GENERAL MAXIMUM PRICE REGULATION

A statement of the considerations involved in the issuance of this Amendment No. 3 has been issued simultaneously herewith, and has been filed with the Division of the Federal Register. A new subparagraph (6) is added to § 1499.27 (a) to read as set forth below:

§ 1499.27 *Postponement of effective date.*—(a) The provisions of the General Maximum Price Regulation, other than § 1499.11 (a), shall not apply. * * *

(6) Until July 1, 1942, to sales of commodities by the War Department or the Department of the Navy of the United States through such Departments' sales stores, including commissaries and ships' stores ashore. This subparagraph (6) shall become effective as of May 18, 1942.

¹ 7 F.R. 3153, 3330, 3666.
² 7 F.R. 971.

¹ *Supra*.

¹ 7 F.R. 3489, 3751, 3782.

(d) * * *
 (2) Amendment No. 3 (§ 1499.27 (a) (6)) to Supplementary Regulation No. 2 shall become effective May 23, 1942. (Pub. Law 421, 77th Cong.)

Issued this 23rd day of May 1942.

LEON HENDERSON,
 Administrator.

[F. R. Doc. 42-4813; Filed, May 25, 1942; 12 m.]

PART 1499—COMMODITIES AND SERVICES

GENERAL MAXIMUM PRICE REGULATION

[Supplementary Regulation 6]

Wartime Shipping Charges

A statement of the considerations involved in the issuance of Supplementary Regulation No. 6 has been issued simultaneously herewith, and has been filed with the Division of the Federal Register. For the reasons set forth in that statement, and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, Supplementary Regulation No. 6 is hereby issued.

§ 1499.31 *Addition of wartime shipping charges for sales and deliveries in Puerto Rico and the Virgin Islands.*—(a) In sales and deliveries made in the Virgin Islands and Puerto Rico, the seller may add and the buyer may pay in addition to the maximum prices established in the General Maximum Price Regulation (§§ 1499.1 to 1499.25 inclusive) an amount not to exceed the increases, since March 1, 1942, in costs of importation resulting from wartime shipping conditions, including, but not limited to

(1) Increased rail freight within the United States resulting from changes in port of shipment and

(2) Increased ocean freight and marine and war-risk insurance rates.

(b) Supplementary Regulation No. 6 (§ 1499.31) shall terminate on June 25, 1942, after which time all of the terms and provisions of the General Maximum Price Regulation (§§ 1499.1 to 1499.25 inclusive) shall apply, unless otherwise amended.

(c) *Effective dates.*—(1) Supplementary Regulation No. 6 (1499.31) to the General Maximum Price Regulation shall become effective May 25, 1942. (Pub. Law 421, 77th Cong.)

Issued this 25th day of May 1942.

LEON HENDERSON,
 Administrator.

[F. R. Doc. 42-4812; Filed, May 25, 1942; 12 m.]

PART 1368—FERROUS AND NON-FERROUS BOLTS, NUTS, SCREWS AND RIVETS

[Maximum Price Regulation No. 147]

Corrections

In note 1 to the table for Group III—Rivets (7 F.R. 3820) "rivet" is misspelled.

102—6

The line immediately over the signature should read "Issued this 19th day of May, 1942."

On page 3808 the authority citation should read "1368.1 to 1368.18" instead of "1368.1 to 1368.16".

PART 1400—TEXTILE FABRICS: COTTON WOOL, SILK, SYNTHETICS AND ADMIXTURES

[Amendment 3 to Maximum Price Regulation 118]

COTTON PRODUCTS

Correction

In § 1400.118 (d) (5) the undesignated paragraph immediately beneath the table on page 3827 should read as follows:

The above maximum prices are for felts which prorate to a finished weight of 19 to 20 oz. on a 54" basis. For felts of weights or of widths other than those listed, these maximum prices shall be adjusted in accordance with the cents-per-yard differentials observed by the seller during June 1941.

TITLE 49—TRANSPORTATION AND RAILROADS.

Chapter II—Office of Defense Transportation

[General Order O.D.T. No. 9]

PART 502—DIRECTION OF TRAFFIC MOVEMENT

SUBPART B—MOVEMENT OF COAL ON THE GREAT LAKES

By virtue of the authority vested in me by Executive Order No. 8989 dated December 18, 1941, and by section 6 (8) of the Interstate Commerce Act, as amended, in order to attain the purposes of Certification of Necessity for Priority Action No. 1 of the War Production Board, in respect of iron ore movements on the Great Lakes, which attainment is essential to the successful prosecution of the war:

It is hereby ordered: That

- Sec. 502.5 Definitions.
- 502.6 Coal shipments prohibited.
- 502.7 Water transportation prohibited.
- 502.8 Records and report; effective date.

✓ AUTHORITY: §§ 502.5 to 502.8, inclusive, issued under E.O. 8989, 6 F.R. 6725.

§ 502.5 *Definitions.* As used in this subpart: (a) The term "person" means any individual, firm, copartnership, corporation, company, association, joint stock association, or other form of legal entity, and includes any trustee, receiver, assignee, or personal representative thereof.

(b) The term "common carrier by railroad" means a common carrier by railroad subject to the provisions of Part I of the Interstate Commerce Act, as amended, and any other rail carrier which

is engaged or capable of engaging in the transportation of coal.

(c) The term "vessel" means any ship, whether or not self-propelled, having a gross register tonnage of one thousand tons or more, documented under the laws of the United States or owned by a citizen of the United States, which transports or which is capable of transporting cargo in bulk. The determination of the capability of any ship to transport cargo in bulk, within the meaning of this definition, shall be made by the Director of Defense Transportation and shall be final.

(d) The term "Chicago area" shall include all docks and other points and places in the cities of Chicago, Illinois, South Chicago, Illinois, Michigan City, Indiana, Indiana Harbor, Indiana, Buffington, Indiana, and Gary, Indiana.

§ 502.6 *Coal shipments prohibited.* From and after the effective date of this subpart, no common carrier by railroad shall accept for shipment, forward, or transport any shipment of coal:

(a) Which is intended for transshipment at any port, point, or place on Lake Erie for transportation by vessel to any port, point or place on the Detroit River or the St. Clair River south of and including Port Huron, Michigan;

(b) Which is intended for transshipment at any port, point, or place on Lake Erie for transportation by vessel (1) to any port, point, or place in the Chicago area, or (2) to any port, point, or place on Lake Erie, Lake Ontario, or their connecting or tributary waters;

(c) The provisions of this section shall not apply to any coal shipment, the transportation of which has been authorized prior to movement by a special or general permit or order issued by this Office,¹ to be reflected in shipping permits to be issued by the Ore and Coal Exchange, Cleveland, Ohio.

§ 502.7 *Water transportation prohibited.* No vessel shall accept for shipment, forward or transport any shipment of coal:

(a) From any port, point, or place on Lake Erie to any port, point, or place on the Detroit River or the St. Clair River south of and including Port Huron, Michigan;

(b) From any port, point, or place on Lake Erie to (1) any port, point, or place in the Chicago area, or (2) to any port, point, or place on Lake Erie, Lake Ontario, or their connecting or tributary waters;

(c) The provisions of this section shall not apply to any coal shipment, the railroad transportation of which has been authorized prior to movement by a special or general permit or order issued by this Office, as reflected in a shipping permit or permits issued by the Ore and Coal Exchange, Cleveland, Ohio,

§ 502.8 *Records and reports; effective date.* Every person owning, controlling, or operating a vessel on the Great Lakes or their connecting or tributary waters,

¹ Application and special permit forms filed as part of the original document.

shall prepare and maintain such records and make such reports with respect to the transportation of coal embraced in this order as this Office may hereafter require and shall keep such records available for convenient inspection by accredited representatives of this Office.

This subpart shall become effective June 1, 1942.

Issued at Washington, D. C., May 18, 1942.

JOSEPH B. EASTMAN,
Director of Defense Transportation.

[F. R. Doc. 42-4790; Filed, May 25, 1942;
11:31 a. m.]

[General Permit O.D.T. No. 9-1]

PART 522—DIRECTION OF TRAFFIC MOVEMENT—PERMITS

SUBPART B—MOVEMENT OF COAL ON THE GREAT LAKES

In accordance with the provisions of paragraph (c) of § 502.6 and paragraph (c) of § 502.7 of General Order O.D.T. No. 9,¹ Chapter II of this Title, Part 502, Subpart B,

It is hereby authorized, That:

§ 522.601 *Definitions.* As used in this subpart:

(a) The term "vessel of the self-unloader type" means any ship, whether or not self-propelled, documented under the laws of the United States, or owned by a citizen of the United States, which transports or is capable of transporting coal in bulk and is equipped with a belt conveyor self-unloading device.

(b) The term "vessel" means a vessel as defined in § 502.5 (c) of General Order O.D.T. No. 9.¹

(c) The term "Chicago area" means the Chicago area as defined in § 502.5 (d) of General Order O.D.T. No. 9.¹

§ 522.602 *Coal shipments by railroad authorized.* Any common carrier by railroad may accept for shipment, forward, or transport any shipment of coal:

(a) Which is intended for transshipment at any port, point, or place on Lake Erie for transportation by vessel of the self-unloader type (1) to any port in the Dominion of Canada on Lake Erie, on Lake Ontario, or on the Welland Canal; (2) to any port on the Detroit River or on the St. Clair River; or (3) to any port in the Chicago area;

(b) Which is intended for transportation by vessel to any dock in Buffalo, New York, or to any dock in any port in the Chicago area and which is intended for use as fuel by ships of any kind or size operating on the Great Lakes.

(c) Which is intended for transshipment at any port, point, or place on Lake Erie for transportation by vessel to any port in the United States on Lake Ontario, on Lake Erie, on the Niagara River, or to any port in the Chicago area: *Provided, however,* That it first shall have been established to the satisfaction of the Office of Defense Transportation,

¹ This issue.

pursuant to procedure established by such Office, that the delivery to and receipt by the ultimate consignee of any such shipment will not increase the aggregate amount of all shipments of coal delivered by vessel to such consignee during the year 1942, to an amount in excess of 50% of the aggregate amount of shipments of coal delivered to and received by such consignee by vessel during the year 1941. (E.O. 8989, 6 F.R. 6725; Gen. Order O.D.T. No. 9, this issue)

This general permit shall become effective June 1, 1942, and remain in full force and effect until further order of this Office.

Issued at Washington, D. C., May 18, 1942.

JOSEPH B. EASTMAN,
Director of Defense Transportation.

[F. R. Doc. 42-4791; Filed, May 25, 1942;
11:31 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. B-261]

LOUIS MONTELL & Co., CODE MEMBER

NOTICE OF AND ORDER FOR HEARING

In the matter of Louis Montell, Neal McLean, Joseph Montell (also known as James Montell), Robert Grandy and Harry Montell, individually and as co-partners doing business under the name and style of Louis Montell & Company, Code Member.

A complaint, dated April 27, 1942, pursuant to the provisions of sections 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937 (the "Act") having been duly filed on May 1, 1942, by Bituminous Coal Producers Board for District No. 4, a district board, complainant, with the Bituminous Coal Division (the "Division") alleging wilful violation by Louis Montell, Neal McLean, Joseph Montell (also known as James Montell), Robert Grandy, and Harry Montell, individually and as co-partners doing business under the name and style of Louis Montell & Company (the "code member") of the Bituminous Coal Code (the "Code") or rules and regulations thereunder;

It is ordered, That a hearing in respect to the subject matter of such complaint be held on June 24, 1942, at 10 a. m., at a hearing room of the Bituminous Coal Division at the Common Pleas Courtroom, Muskingum County Court, Zanesville, Ohio.

It is further ordered, That W. A. Cuff or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time, and to such places as he may direct by announcement at said hearing or any adjourned

hearing or by subsequent notice, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

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

Notice is hereby given that answers to the complaint must be filed with the Division at its Washington Office or with any one of the statistical bureaus of the Division, within twenty (20) days after date of service thereof on the code member; and that failure to file an answer within such period, unless otherwise ordered, shall be deemed to be an admission of the allegations in the complaint herein and a consent to the entry of an appropriate order on the basis of the facts alleged.

Notice is also hereby given that if it shall be determined that the code member has wilfully committed any one or more of the violations alleged in the complaint, an order may be entered either revoking the membership of the code member in the Code or directing the code member to cease and desist from violating the Code and regulations made thereunder.

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

The matter concerned herewith is in regard to the complaint filed by said complainant alleging wilful violations by the above-named code member as follows:

That said code member whose address is Shawnee, Ohio, and whose code membership became effective as of August 16, 1940, operator of the Montell Mine, Mine Index No. 2302, located in Salt Lick Township, Perry County, Ohio, District No. 4,

(1) during the period January 1, 1941 to October 31, 1941, both dates inclusive, offered to sell, sold, and delivered approximately 2,350 net tons of 1¼" lump coal, Size Group No. 5, produced at said mine, to B. T. Montell, Route No. 2, New Lexington, Ohio, a trucker, at \$1.95 per net ton f. o. b. the mine for truck shipment, and said B. T. Montell resold said coal to the Clay Craft Brick Company, delivered to its Taylor, Ohio, plant, whereas the effective minimum price for said coal was \$2.30 per net ton f. o. b. the mine for truck shipment as set forth

in Docket No. A-119 dated October 19, 1940, in Temporary Supplement No. 3 of the Schedule of Effective Minimum Prices for District No. 4 for Truck Shipment, resulting in wilful violation of Section 4 II (e) of the Bituminous Coal Act of 1937 and Part II (e) of the Bituminous Coal Code.

(2) wilfully violated the provisions of Orders Nos. 296, 297, 307, 309 and 312 promulgated by the Bituminous Coal Division under date of September 23, 1940, October 22, 1940, December 11, 1940, January 14, 1941, and February 24, 1941, respectively, in that said Code member failed to maintain and keep on file or to file with the Division records, sales slips, other memoranda and data required by said orders to be kept and filed on all coal sold and shipped by truck or wagon within the time and in the manner prescribed by said orders.

Dated: May 22, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-4775; Filed, May 25, 1942;
10:12 a. m.]

[Docket No. A-1413]

PETITION OF DISTRICT BOARD NO. 7 FOR A CHANGE IN THE SHIPPING POINT FOR MINE INDEX, NO. 598 IN DISTRICT NO. 7

ORDER GRANTING TEMPORARY RELIEF AND CONDITIONALLY PROVIDING FOR FINAL RELIEF

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting a change in the shipping point of Mine Index No. 598 of Rupert Smokeless Coal Company from Cobb Siding to Bell Siding, West Virginia; and

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

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

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

It is ordered, That pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, the price classifications and minimum prices established for the coals of Mine Index No. 598 of Rupert Smokeless Coal Company, shall be applicable only for shipments on the Chesapeake & Ohio or New York Central Railroads from Bell Siding, West Virginia, and shall no longer be applicable for shipments on the said Railroads from Cobb Siding, West Virginia. All allowances or adjustments required or permitted mines in Freight Origin Group No. 17 shall be applicable for such shipments of the coal of Mine Index No. 598 on the Chesapeake & Ohio or New York Central Railroads from Bell Siding, West Virginia.

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

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

Dated: May 22, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-4776; Filed, May 25, 1942;
10:12 a. m.]

DEPARTMENT OF AGRICULTURE.

Rural Electrification Administration.

[Administrative Order No. 694]

ALLOCATION OF FUNDS FOR LOANS

MAY 6, 1942.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said Act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	Amount
Illinois 2-1007D2 Henry.....	\$6,000
Virginia 2027H2 Nottoway.....	40,000

[SEAL] HARRY SLATTERY,
Administrator.

[F. R. Doc. 42-4779; Filed, May 25, 1942;
11:09 a. m.]

[Administrative Order No. 695]

ALLOCATION OF FUNDS FOR LOANS

MAY 6, 1942.

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

Project designation:	Amount
Texas 2-1093C2 DeWitt.....	\$35,000

[SEAL] HARRY SLATTERY,
Administrator.

[F. R. Doc. 42-4780; Filed, May 25, 1942;
11:09 a. m.]

[Administrative Order No. 696]

ALLOCATION OF FUNDS FOR LOANS

MAY 6, 1942.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended,

I hereby allocate, from the sums authorized by said Act, funds for a loan for the project and in the amount as set forth in the following schedule:

Project designation:	Amount
South Carolina 2038C1 Oconee....	\$40,000

[SEAL] HARRY SLATTERY,
Administrator.

[F. R. Doc. 42-4781; Filed, May 25, 1942;
11:09 a. m.]

[Administrative Order No. 697]

ALLOCATION OF FUNDS FOR LOANS

MAY 6, 1942.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said Act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	Amount
Minnesota 2-1088A2 Koochiching---	\$8,000
Washington 2-1030B2 Stevens.....	24,000

[SEAL] HARRY SLATTERY,
Administrator.

[F. R. Doc. 42-4782; Filed, May 25, 1942;
11:09 a. m.]

[Administrative Order No. 698]

ALLOCATION OF FUNDS FOR LOANS

MAY 6, 1942.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said Act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	Amount
Minnesota 2-1053D2 Waseca.....	\$35,000
Minnesota 2-1089A2 Pine.....	25,000

[SEAL] HARRY SLATTERY,
Administrator.

[F. R. Doc. 42-4783; Filed, May 25, 1942;
11:09 a. m.]

[Administrative Order No. 699]

ALLOCATION OF FUNDS FOR LOANS

MAY 6, 1942.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said Act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	Amount
South Carolina 2-1025B2 Berkeley..	\$17,000
Virginia 2039G2 Northampton....	20,000

[SEAL] HARRY SLATTERY,
Administrator.

[F. R. Doc. 42-4784; Filed, May 25, 1942;
11:10 a. m.]

[Administrative Order No. 700]

ALLOCATION OF FUNDS FOR LOANS

MAY 11, 1942.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said Act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	Amount
Colorado 2-1029E1 Phillips.....	\$125,000
Minnesota 2-1039C2 Chippewa...	20,000
Wyoming 2006D1 Goshen.....	164,000

[SEAL] HARRY SLATTERY,
Administrator.

[F. R. Doc. 42-4785; Filed, May 25, 1942;
11:10 a. m.]

[Administrative Order No. 701]

ALLOCATION OF FUNDS FOR LOANS

MAY 11, 1942.

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

Project designation:	Amount
Minnesota 2-1093A2 Cass.....	\$20,000

[SEAL] HARRY SLATTERY,
Administrator.

[F. R. Doc. 42-4786; Filed, May 25, 1942;
11:10 a. m.]

[Administrative Order No. 702]

AMENDMENT OF PROJECT DESIGNATION

MAY 15, 1942.

I hereby amend Administrative Order No. 552, dated January 9, 1941, by changing the project designation appearing therein as "Missouri 1043C1 Laclede" to read "Missouri 1043T1 Laclede."

[SEAL] HARRY SLATTERY,
Administrator.

[F. R. Doc. 42-4787; Filed, May 25, 1942;
11:10 a. m.]

CIVIL AERONAUTICS BOARD.

[Docket No. 298]

PAN AMERICAN AIRWAYS, INC. AND URABA,
MEDELLIN AND CENTRAL AIRWAYS, INC.

NOTICE OF POSTPONEMENT OF ORAL ARGUMENT

In the matter of the compensation for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith being paid to Pan American Airways, Inc., and Uraba, Medellin and Central Airways, Inc.

Notice is hereby given pursuant to the Civil Aeronautics Act of 1938, as amended, particularly Sections 406 and 1001 of said Act, in the above-entitled proceeding, that oral argument now assigned to be held on May 27, 1942, is

hereby postponed to June 3, 1942, 10 a. m. (eastern standard time) in Room 5042 Commerce Building, 14th Street and Constitution Avenue, NW., Washington, D. C., before the Board.

Dated Washington, D. C., May 23, 1942.

By the Civil Aeronautics Board.

[SEAL] DARWIN CHARLES BROWN,
Secretary.

[F. R. Doc. 42-4772; Filed, May 25, 1942;
10:14 a. m.]

[Docket Nos. SA-66 and 747]

INVESTIGATION OF MONTANA AIRCRAFT ACCIDENT, ETC.

CORRECTIONS

In the notice regarding investigation of accident involving aircraft of United States Registry NC 21714, the date for hearing should have "C. S. T." instead of "C. W. T." (7 F.R. 3734).

In the notice postponing the hearing involving Transcontinental & Western Air, Inc., the date should have "eastern standard time" instead of "eastern war time." (7 F.R. 3734.)

[Docket No. 632]

INLAND AIR LINES, INC.

NOTICE OF HEARING

In the matter of the petition of Inland Air Lines, Inc., for an order fixing and determining fair and reasonable rates of compensation for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith, over Routes Nos. 28 and 35.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly Sections 406 and 1001 of said Act in the above-entitled proceeding, that hearing is hereby assigned to be held on May 27, 1942, at 10 a. m. (eastern standard time), in Room 5417, Commerce Building, 14th Street and Constitution Avenue, NW., Washington, D. C., before Examiner John W. Belt.

Dated at Washington, D. C., May 25, 1942.

By the Civil Aeronautics Board.

[SEAL] DARWIN CHARLES BROWN,
Secretary.

[F. R. Doc. 42-4802; Filed, May 25, 1942;
11:51 a. m.]

FEDERAL TRADE COMMISSION.

[Docket No. 4639]

IN THE MATTER OF JOHN F. EBERHARD,
WALTER J. KEAVNEY, AND EDMUND DIAZ,
INDIVIDUALS

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in

the City of Washington, D. C., on the 23rd day of May A. D. 1942.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U.S.C.A., section 41),

It is ordered, That Webster Ballinger, a Trial Examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Wednesday, June 10, 1942, at ten o'clock in the forenoon of that day (eastern standard time) in Room 500, 45 Broadway, New York, New York.

Upon completion of testimony for the Federal Trade Commission, the Trial Examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The Trial Examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 42-4788; Filed, May 25, 1942;
11:17 a. m.]

[Docket No. 4759]

IN THE MATTER OF DR. D. A. WILLIAMS
COMPANY

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 23d day of May A. D. 1942.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U.S.C.A., section 41),

It is ordered, That Webster Ballinger, a Trial Examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Monday, June 15, 1942, at ten o'clock in the forenoon of that day (eastern standard time) in United States Court Room, United States Post Office, New Haven, Connecticut.

Upon completion of testimony for the Federal Trade Commission, the Trial Examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The Trial Examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 42-4789; Filed, May 25, 1942;
11:17 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order 1 under Maximum Price Regulation 120¹]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

GRANTING EXCEPTION TO RALEIGH WYOMING MINING COMPANY

On May 11, 1942, Raleigh Wyoming Mining Company, 230 South Clark Street, Chicago, Illinois, filed a petition for amendment and adjustment pursuant to § 1340.207 (a) of Maximum Price Regulation No. 120. Due consideration has been given to the petition, and an Opinion in support of this Order No. 1 has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the Opinion, under authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,² issued by the Office of Price Administration, it is hereby ordered:

(a) Effective forthwith, Raleigh Wyoming Mining Company may sell and deliver, agree, offer, solicit and attempt to sell and deliver, the kinds and grades of bituminous coal set forth in paragraph (b), at prices not in excess of those stated therein. Any person may buy and receive, agree, offer, solicit and attempt to buy and receive, such kinds and grades of bituminous coal at such prices from Raleigh Wyoming Mining Company;

(b) Maximum prices are hereby established for low volatile bituminous coal produced at the Glen Rogers Mine (Mine Index No. 73), located at Glen Rogers, Wyoming County, West Virginia, in District No. 7, as follows:

(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 Paragraph:

	<i>Per net ton</i>
Size Groups 1 and 2.....	\$4.70
Size Group 3.....	3.95

(2) Maximum Prices In Cents Per Net Ton For Shipment Via Great Lakes To All Destinations For All Uses (Exclusive of Railroad Fuel, Vessel and Bunker Fuel and By-Product):

	<i>Per net ton</i>
Size Groups 1 and 2.....	\$3.95
Size Group 3.....	3.35

(c) This Order No. 1 may be revoked or amended by the Price Administrator at any time.

(d) All prayers of the petition not granted herein are denied.

(e) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to terms used herein.

(f) This Order No. 1 shall become effective May 22, 1942.

Issued this 22d day of May 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-4742; Filed, May 22, 1942; 5:07 p. m.]

¹ 7 F.R. 3168, 3447.

² 7 F.R. 971.

[Order 2 under Maximum Price Regulation 120]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

GRANTING EXCEPTION TO DURHAM COALS INCORPORATED

On May 7, 1942, Durham Coals, Inc., with offices at 111 Southern Railway Building, Chattanooga, Tennessee, filed a petition for an adjustment or exception pursuant to § 1340.207 (a) of Maximum Price Regulation No. 120.¹ Due consideration has been given to the petition, and an opinion in support of this Order No. 2 has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administration by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,² issued by the Office of Price Administration, it is hereby ordered:

(a) Durham Coals, Inc., may sell and deliver, and agree, offer, solicit, and attempt to sell and deliver the kinds and grades of bituminous coal from its mine (Mine Index No. 92) set forth in paragraph (b) below, at prices not in excess of those stated therein. Any person may buy and receive, and agree, offer, solicit, and attempt to buy and receive such kinds and grades of bituminous coal delivered from said mine at such prices from Durham Coals, Inc.

(b) On all shipments of coal in Size Groups 10 and 11 from its mine (Mine Index No. 92), Durham Coals, Inc., may charge prices not to exceed \$3.10 per ton f. o. b. the mine. On all shipments of coal in Size Group 3 from said mine, Durham Coals, Inc., may charge prices not to exceed \$4.00 per ton f. o. b. the mine.

(c) This Order No. 2 may be revoked or amended by the Price Administrator at any time.

(d) All prayers of the petition not granted herein are denied.

(e) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to terms used herein.

(f) This Order No. 2 shall become effective May 25, 1942.

Issued this 25th day of May 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-4807; Filed, May 25, 1942; 11:58 a. m.]

[Order 3 under Maximum Price Regulation 120]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

GRANTING EXCEPTION TO ELMIRA COAL COMPANY

On May 6, 1942, Elmira Coal Company, Post Office Box 603, Excelsior Springs, Missouri, filed a petition for an adjustment pursuant to § 1340.207 (a) of Maximum Price Regulation No. 120.¹ Due consideration has been given to the petition, and an opinion in support of this Order No. 3 has been issued simultane-

ously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator, by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,² issued by the Office of Price Administration, it is hereby ordered:

(a) Elmira Coal Company may sell and deliver, and agree, offer, solicit, and attempt to sell and deliver the kinds and grades of bituminous coal from its Elmira Mine (Mine Index No. 48) set forth in paragraph (b), below, at prices not in excess of those stated therein. Any person may buy and receive, and agree, offer, solicit, and attempt to buy and receive, such kinds and grades of bituminous coal from said mine at such prices from Elmira Coal Company.

(b) On shipments other than truck or wagon in Size Group 2 from its Elmira Mine (Mine Index No. 48), Elmira Coal Company may charge prices not to exceed \$3.50 per ton f. o. b. mine. On shipments by truck or wagon in Size Groups 2, 6 and 11 from its Elmira Mine (Mine Index No. 48), Elmira Coal Company may charge prices not to exceed \$3.70, \$3.50, and \$3.50 per ton f. o. b. the mine, respectively.

(c) This Order No. 3 may be revoked or amended by the Price Administrator at any time.

(d) All prayers of the petition not granted herein are denied.

(e) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to terms used herein.

(f) This Order No. 3 shall become effective May 25, 1942.

Issued this 25th day of May 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-4806; Filed, May 25, 1942; 11:57 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 70-314, 70-315, 59-21, 4-33]

UNITED GAS CORP., ELECTRIC BOND AND SHARE CO., ET AL.

NOTICE AND ORDER RECONVENING HEARINGS AND SUBSTITUTING TRIAL EXAMINER

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 21st day of May, A. D. 1942.

In the matter of United Gas Corporation, United Gas Pipe Line Company, and Houston Gulf Gas Company.

In the matter of Electric Bond and Share Company.

In the matter of Electric Bond and Share Company, Electric Power & Light Corporation, United Gas Corporation, Houston Gas Securities Company, United Gas Pipe Line Company, and Houston Gulf Gas Company.

(Public Utility Holding Company Act of 1935, sections 11 (b) (2), 12 (b), 12 (c) and 12 (f))

Investigation of organization and financing of United Gas Corporation, etc.

(Public Utility Holding Company Act of 1935 section 18 (a) and 18 (b))

The Commission having, on May 31, 1941, issued its Notice and Order for Consolidated Hearings under various sections of the Public Utility Holding Company Act of 1935 with respect to the United Gas Corporation, United Gas Pipe Line Company, Houston Gulf Gas Company, Houston Gas Securities Company, Electric Bond and Share Company, and Electric Power & Light Corporation, and hearings having been held from time to time and having been continued subject to the call of the trial examiner; and

The Commission having designated Edward C. Johnson or any other officer or officers of the Commission to preside at the consolidated hearings in such matters; and said Edward C. Johnson being unable at the present time to preside at said hearings; and

Counsel for the Public Utilities Division of the Commission having requested that hearings be reconvened on or about June 8, 1942, for the purpose of completing the taking of evidence with respect to the issues involved;

It is hereby ordered, That the hearings in the above entitled proceedings be reconvened at the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, in such room as may be designated by the hearing room clerk, at 10:00 A. M., E. W. T., on June 8, 1942.

It is further ordered, That Richard Townsend, an officer of the Commission, be, and he hereby is, designated to preside at such hearings in the place and stead of and with the same powers and duties as the trial examiner heretofore designated to preside at said hearings.

Notice of such reconvened hearings is hereby given to the declarants, applicants, and respondents and to all other persons whose participation in such proceedings may be in the public interest or for the protection of investors or consumers.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 42-4747; Filed, May 23, 1942;
9:24 a. m.]

[File Nos. 59-19 and 54-34]

**GENERAL GAS & ELECTRIC CORPORATION
ORDER CONTINUING HEARING SUBJECT TO
FURTHER ORDER**

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa. on the 21st day of May, A. D. 1942.

The Commission having heretofore issued its Notice of and Order for Hearing pursuant to section 11 (b) (2) of the Public Utility Holding Company Act of 1935 against General Gas & Electric Corporation, a registered holding company and a Delaware corporation, which order, among other things directed respondent to show cause why its corporate structure should not be simplified and its vot-

ing power equitably distributed among its security holders;

General Gas & Electric Corporation having filed a plan of recapitalization pursuant to section 11 (e) of said Act; consolidated hearings having been held with respect to said proceedings under section 11 (b) (2), and said plan under section 11 (e), and the Commission having previously directed that said hearings be reconvened on May 26, 1942; and

General Gas & Electric Corporation having requested that the hearings in said matter be postponed subject to call, and it appearing appropriate to the Commission that said request be granted;

It is ordered, That the hearing in this matter, previously scheduled for May 26, 1942, be and is hereby postponed until such time as may be fixed by further order of this Commission.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 42-4748; Filed, May 23, 1942;
9:24 a. m.]

[File No. 70-547]

THE NORTH AMERICAN COMPANY

NOTICE OF FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 20th day of May, A. D. 1942.

Notice is hereby given that an application or declaration (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by The North American Company; and

Notice is hereby given that any interested party may, not later than June 1, 1942 at 5:30 P. M., E. W. T., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter such declaration or application, as filed or as amended, may become effective or may be granted, as provided in Rule U-23 of the Rules and Regulations promulgated pursuant to said Act, or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania.

All interested parties are referred to said declaration or application, which is on file in the office of said Commission, for a statement of the transaction therein proposed, which is summarized below:

The declarant, The North American Company, a registered holding company, proposes to pay on July 1, 1942, a dividend to its holders of common stock of record on June 5, 1942. Such dividend will be payable in the capital stock of The Detroit Edison Company, owned by declarant at the rate of one share of capital stock of The Detroit Edison Com-

pany on each fifty shares of common stock of the declarant outstanding. No certificates will be issued for fractions of shares of stock of The Detroit Edison Company, but, in lieu thereof, cash will be paid at the rate of 32 cents for each 1/50th of a share of stock of The Detroit Edison Company. The declarant estimates that to pay the above mentioned dividend it will have to distribute not more than 155,000 shares of the 606,630 shares of the capital stock of The Detroit Edison Company owned by it; that the amount of cash to be distributed in lieu of fractional shares of such capital stock will not exceed \$325,000; and the payment of this dividend will result in a charge to earned surplus of approximately \$4,100,000.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 42-4753; Filed, May 23, 1942;
9:33 a. m.]

NEW YORK STOCK EXCHANGE

DECLARATION OF EFFECTIVENESS OF PLAN

Declaration of effectiveness of Plan as modified by amendments of the New York Stock Exchange pursuant to Rule X-10B-2 (d) [§ 240.10b-2 (d)].

The Securities and Exchange Commission, having declared effective on February 14, 1942, a plan for special offerings filed pursuant to Rule X-10B-2 (d) by the New York Stock Exchange; and the New York Stock Exchange, on May 11, 1942, having filed an amended plan for such special offerings; and

The Securities and Exchange Commission, having given due consideration to the amended plan, and having due regard for the public interest and for the protection of investors, pursuant to the Securities Exchange Act of 1934, particularly sections 10 (b) and 23 (a) thereof and Rule X-10B-2 (d) thereunder, hereby declares such plan, as modified by the amendments filed May 11, 1942, to be effective until the close of business on July 31, 1942, unless the Commission otherwise determines, on condition that if at any time it appears to the Commission necessary or appropriate in the public interest or for the protection of investors so to do, the Commission may send at least ten days' written notice to the New York Stock Exchange terminating the effectiveness of such plan.

Effective May 21, 1942.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 42-4749; Filed, May 23, 1942;
9:32 a. m.]

[File No. 70-550]

ASSOCIATED ELECTRIC COMPANY, KENTUCKY-TENNESSEE LIGHT AND POWER COMPANY, AND TRI-CITY UTILITIES COMPANY

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission held at its

office in the City of Philadelphia, Pa. on the 21st day of May A. D. 1942.

Notice is hereby given that applications or declarations (or both) have been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Associated Electric Company, Kentucky-Tennessee Light and Power Company, and Tri-City Utilities Company; and

Notice is further given that any interested person may, not later than May 26, 1942 at 5:30 P. M., E. W. T., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter such declaration or application, as filed or as amended, may become effective or may be granted, as provided in Rule U-23 of the Rules and Regulations promulgated pursuant to said Act, or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania.

All interested persons are referred to said declaration or application, which is on file in the office of said Commission, for a statement of the transaction therein proposed, which is summarized below:

Associated desires to dispose of and has a program for the divestment of its entire interest in K-T. Due to its inability to find a purchaser who would buy its entire interest in K-T as presently organized, it has proved necessary for K-T to adopt a program of partial liquidation by disposing of some units of its property before Associated could dispose of its interest in K-T.

As a step in the program for such partial liquidation of K-T prior to the sale by Associated of its interest in K-T, K-T has contracted to sell certain of its properties located in the City of Frankfort, Kentucky, and environs, and certain other of its electric properties and related assets, declarations with respect thereto having been previously filed with the Commission (File Nos. 70-538, 70-540).

The program of partial liquidation of K-T further contemplates the sale or other disposition of all remaining properties and assets of K-T, except the electric generation, transmission and distribution, and related miscellaneous properties located in southwestern Kentucky, which will remain in K-T at the time of the proposed sale of Associated's interest in K-T to the Tennessee Valley Authority on or before June 1, 1942.

In order to dispose of its remaining assets other than the southwestern electric properties prior to the sale of its interest to the Tennessee Valley Authority, a new Kentucky corporation will be formed by Associated, and K-T will transfer such of its properties to the new corporation as K-T has not, prior to June 1, 1942, sold and conveyed to other purchasers. The parties hereto,

therefore, propose to take the following steps:

Associated will surrender to K-T, for cancellation, all the presently outstanding bonds of K-T (consisting of \$5,519,400 First and Refunding Mortgage 5% Bonds, due 1954) in consideration of the credit by K-T to Associated, on open account to bear interest at the rate of 5% per annum, of an amount equal to the principal amount of said bonds, plus accrued interest thereon to the date of surrender.

Tri-City Utilities Company, the new corporation, proposes to acquire, prior to May 31, 1942, all the properties and other assets and to assume all the liabilities of K-T, except the southwestern electric properties and liabilities applicable thereto, which have not theretofore been sold or disposed of by K-T. In consideration of such transfer to Tri-City by K-T of one or more of said properties, Tri-City will issue and deliver to Associated and Associated will purchase such number of shares of common stock of Tri-City, having a par value of \$1.00 per share, as will equal the aggregate purchase price to be paid for such properties by Tri-City. Concurrently, with the receipt of said common stock Associated will credit the open account owing by K-T to Associated in an amount equal to the par value of the stock of Tri-City thus purchased by Associated.

In order to provide Tri-City with cash working capital, Associated proposes to subscribe to and purchase from Tri-City, for cash, \$100,000 par value of common stock.

Associated will, in accordance with the terms and provisions of the agreement between Associated and Tennessee Valley Authority, thereafter sell and transfer to the Authority all the common stock of K-T and the balance of the open account indebtedness then owing to Association from K-T.

It is stated that it is not the purpose or the intention of the parties hereto to create a corporation which shall continue as such. The acquisition of properties by Tri-City is designed merely to facilitate the consummation of the agreement between Associated and Tennessee Valley Authority. It is further stated that it is the intention of Associated to cause Tri-City to dispose of all its properties at the earliest possible date, and negotiations will presently be conducted with prospective purchasers with respect to such properties.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 42-4750; Filed, May 23, 1942;
9:32 a. m.]

[File No. 70-520]

PUBLIC SERVICE ELECTRIC AND GAS COMPANY

ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its

office in the City of Philadelphia, Pennsylvania, on the 20th day of May 1942.

Public Service Electric and Gas Company, a subsidiary of Public Service Corporation of New Jersey, in turn a subsidiary of The United Gas Improvement Company and The United Corporation, both registered holding companies, having filed an application and amendments thereto pursuant to the Public Utility Holding Company Act of 1935, particularly section 6 (b) thereof, regarding the issue and sale of \$15,000,000 principal amount of First and Refunding Mortgage Bonds, 3% Series, due 1972, the proceeds to be used in part to reimburse applicant's treasury for additions and extensions to utility plant, and, in part, to provide funds for further such additions and extensions;

Pursuant to Rule U-50 of the General Rules and Regulations promulgated under the Act, applicant will publicly invite proposals for the purchase of the bonds; and

A public hearing having been held after appropriate notice, and the Commission having considered the record in this matter and having made and filed its Findings and Opinion herein;

It is ordered, That said application, as amended, be and the same hereby is granted, subject, however, to the terms and conditions prescribed in Rule U-24 and to the following further conditions:

1. That applicant obtain from the Board of Public Utility Commissioners of the State of New Jersey a final and definitive order approving the issuance and sale of said securities in conformity with contracts for the purchase thereof arrived at as a result of competitive bidding, as proposed in the application as amended;

2. That applicant report to this Commission the results of the competitive bidding as required by Rule U-50 (c) and comply with such supplemental order as the Commission may enter in view of the facts disclosed thereby, jurisdiction being reserved for this purpose.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 42-4751; Filed, May 23, 1942;
9:32 a. m.]

[File No. 68-8]

PUGET SOUND POWER & LIGHT COMPANY
PROTECTIVE COMMITTEE

ORDER MAKING POST-AMENDMENT EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 20th day of May 1942.

In the matter of Charles C. Seifert, Jacques Coe, Edward Perry Holder and Harry S. Kramer, Jr., acting as Puget Sound Power & Light Company \$6 Preferred Stock Protective Committee.

Charles C. Seifert, Jacques Coe and Edward Perry Holder, Acting as Puget Sound Power & Light Company \$6 Preferred Stock Protective Committee, hav-

ing heretofore filed a declaration and amendment thereto pursuant to Rule U-62 promulgated under the Public Utility Holding Company Act of 1935 regarding certain solicitation material to be sent to the \$6 Preferred Stockholders of Puget Sound Power & Light Company, a subsidiary company of Engineers Public Service Company, a registered holding company, and said declaration, as amended, having been made effective by the Commission's order of May 13, 1942; and

Charles C. Seifert, Jacques Coe, Edward Perry Holder and Harry S. Kramer, Jr. having filed a post-amendment on May 19, 1942 for the purpose of reflecting the addition of said Kramer to the Committee together with certain revisions of the previous solicitation material made necessary by reason of change in circumstances; and

Said declarants having requested that the effective date of said post-amendment be accelerated:

It is ordered, That said post-amendment to said declaration be and become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DuBois,
Secretary.

[F. R. Doc. 42-4752; Filed, May 23, 1942;
9:32 a. m.]

[File No. 70-539]

**COLUMBIA GAS & ELECTRIC CORPORATION
AND COLUMBIA OIL & GASOLINE CORPORATION**

ORDER PERMITTING DECLARATIONS TO BECOME EFFECTIVE IN PART AND RESERVING JURISDICTION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 23d day of May 1942.

The above-named parties having filed their several declarations pursuant to the Public Utility Holding Company Act of 1935, particularly sections 9, 10, 12 (c) and 12 (f) and Rules U-42 and U-43, regarding the following transactions:

Columbia Gas & Electric Corporation, a registered holding company and subsidiary of The United Corporation, also a registered holding company, proposes to dispose of, and Columbia Oil & Gasoline Corporation, a subsidiary of Columbia Gas & Electric Corporation, proposes to acquire \$300,000 face amount of the subsidiary's debentures held by the parent, for \$312,000 in cash plus accrued interest,

such amount being the redemption price specified in the indenture securing such debentures; the debentures so acquired to be tendered to the Trustee under the indenture in lieu of the semi-annual cash sinking fund required under the provisions of said indenture.

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

The above-named parties having stated in their declarations that there may be problems in connection with the payment of the \$12,000 premium in addition to the face amount of \$300,000 for the said debentures which would be time-consuming and which may be presented in another pending proceeding concerning the payment of a more substantial principal amount of debentures than is here involved and having, therefore, suggested that an order be entered permitting the sale by Columbia Gas & Electric Corporation to Columbia Oil & Gasoline Corporation of \$300,000 principal amount of debentures for immediate payment of \$300,000 plus accrued interest in cash, the Commission reserving jurisdiction over the payment of the additional amount of \$12,000 for consideration and determination at a later date; and

The Commission deeming it appropriate in the public interest and in the interest of investors and consumers to permit such declarations to become effective to the extent suggested by the parties and that the date thereof should be advanced;

It is hereby ordered, pursuant to Rule U-23 and the applicable provisions of the Act and subject to the terms and conditions prescribed in Rule U-24, that the aforesaid declarations be and hereby are permitted to become effective to the extent that they contemplate the sale by Columbia Gas & Electric Corporation and the corresponding purchase by Columbia Oil & Gasoline Corporation of \$300,000 face amount of the latter's debentures for \$300,000 in cash plus accrued interest; jurisdiction being hereby expressly reserved to pass upon the matters with respect to the payment of the \$12,000 premium payable by Columbia Oil & Gasoline Corporation to Columbia Gas & Electric Corporation under the terms of the indenture securing the said debentures, either on motion of the Commission or at the request of Columbia Gas & Electric Corporation.

By the Commission, Commissioner Healy dissenting for the reasons set forth in his memorandum of April 1, 1940.

[SEAL] ORVAL L. DuBois,
Secretary.

[F. R. Doc. 42-4773; Filed, May 25, 1942;
9:57 a. m.]

[File No. 59-47]

REPUBLIC SERVICE CORPORATION

ORDER EXTENDING TIME FOR FILING OF ANSWER AND CONTINUING DATE FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 22d day of May 1942.

The Commission having heretofore on the 8th day of May 1942, issued its notice of and order for hearing instituting proceedings pursuant to sections 11 (b) (1) and 11 (b) (2) of the Public Utility Holding Company Act of 1935; such order having provided that the respondent, Republic Service Corporation, should file with the Secretary of the Commission, on or before May 25, 1942, answers to the allegations contained in said notice and order, and having further provided that a hearing should be held on such matters at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, at 10:00 o'clock in the forenoon of June 9, 1942; Republic Service Corporation, having requested that the time in which an answer should be filed be extended to June 15, 1942, and that the hearing should be postponed until at least thirty days after June 15, 1942; and

The Commission having considered such request for extension, and finding that the same is not unreasonable and that the granting of such request would not be detrimental to the public interest or the interest of investors;

It is ordered, That the time within which an answer shall be filed by Republic Service Corporation be, and hereby is, extended to June 15, 1942.

It is further ordered, That the hearing heretofore set for June 9, 1942, shall be held on July 15, 1942, at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, at 10:00 o'clock in the forenoon of such date.

By the Commission.

[SEAL] ORVAL L. DuBois,
Secretary.

[F. R. Doc. 42-4774; Filed, May 25, 1942;
9:57 a. m.]