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Regulations

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs
[T. D. 51045]

PART 8—LIABILITY FOR DUTIES, ENTRY OF IMPORTED MERCHANDISE

DECLARATION ON ENTRIES

Section 8.18 (c) Customs Regulations of 1943 (19 CFR 8.18 (c)) is amended to read as follows:

§ 8.18 *Declaration on entry.* * * *

(c) When entry is made by an agent, he shall execute on the entry form, as agent, the declaration of the consignee applicable to the person for whom he acts as agent. An agent shall not execute the declaration of a nominal consignee unless he is acting as agent for a nominal consignee. If the agent has knowledge of the facts and is authorized under a proper power of attorney to execute the declaration of the principal (consignee) no further declaration of the consignee shall be required; otherwise a declaration of the consignee on customs Form 3347-A shall be produced with the entry or a charge for the production of such declaration made against the appropriate entry bond.¹⁹ No separate bond of the agent shall be required. (Sec. 485, 46 Stat. 724, sec. 13, 52 Stat. 1083, sec. 624, 46 Stat. 759; 19 U.S.C. 1485, 1624)

W R. JOHNSON,
Commissioner of Customs.

Approved: April 22, 1944.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 44-5820; Filed, April 24, 1944; 3:39 p. m.]

TITLE 30—MINERAL RESOURCES

Chapter VI—Solid Fuels Administration for War

PART 602—GENERAL ORDERS AND DIRECTIVES STATEMENT CONCERNING SHIPMENT TO LAKES¹

Under § 602.391 of SFAW Regulation No. 20 some producers have erroneously

¹⁹ F.R. 3487.

construed the section to mean that equal or regular shipments of coal shall be made within each month and have, for example, shipped 2,500 tons per week in order to fulfill a 10,000 ton per month commitment. Such shipments are too small to permit quick dumping into vessels and prompt release of railroad cars.

The words "regular equal monthly shipments" as used in § 602.391 of the regulation contemplate that the monthly shipments would be made from the mines in as large quantities as necessary to assure the expeditious dumping of coal into vessels and the prompt release of railroad cars. It also contemplates that the coal would move in as even a flow as is consistent with achieving this objective.

Under Regulation No. 20 it is expected that lake commitments, subject to modifications or cut-backs by SFAW, will be fulfilled by November 1, 1944 and that during the season of lake navigation there will also be, to the extent practicable, an even flow of coal all-rail.

Dated: April 24, 1944.

C. J. POTTER,
*Deputy Solid Fuels
Administrator for War.*

[F. R. Doc. 44-5840; Filed, April 25, 1944; 10:03 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 65 Stat. 236 and 50 Stat. 176; E.O. 8024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-504]

PILGRIM VILLAGE, INC.

Pilgrim Village, Inc., is a corporation engaged in the business of constructing, renting and selling houses, with its prin-

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at \$3.00 per book. The following are now available:

- Book 1: Titles 1-3 (Presidential documents) with tables and index.
- Book 2: Titles 4-9, with index.
- Book 3: Titles 10-17, with index.

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cipal place of business at Pilgrim Village, Madison, Wisconsin. On or about April 9, 1942, the company applied on Form PD-105 to the Office of Production Management, predecessor of the War Production Board, in Washington, D. C., for permission to build forty-five houses in Pilgrim Village to be sold in part and rented in part to war workers. On this application, the company applied for permission to purchase forty-five ranges and forty-five refrigerators and certified that, "All materials listed are necessary for the construction of, and will be used solely to complete this project". The company further certified that the houses were to be sold and rented at stipulated amounts. Permission to engage in the construction and make the purchases was granted the company and the project has been mostly completed. However, the company sold eighteen refrigerators and sixteen electric ranges from those purchased pursuant to the authorization to persons outside Pilgrim Village. Moreover, in the case of one of the houses, 3919 Hammersley Road, Pilgrim Village, the company did \$350. worth of extra work and furnished the materials in order to add an extra room, without authorization of the War Production Board, and the house was sold for \$6,515, although the authorized selling price was only \$6,000. The responsible officials of the company were aware of the restrictions on construction, and on the transfer of ranges and refrigerators, and its acts constituted willful violations of the Application for Preference Rating, Form PD-105, of Preference Rating Order P-55, as well as General Limitation Order L-5-d.

These violations have diverted scarce materials to uses not authorized by the War Production Board and have hampered and impeded the war effort of the United States. In view of the foregoing, it is hereby ordered, that:

§ 1010.504 *Suspension Order No. S-504.* (a) Deliveries of material to Pilgrim Village, Inc., its successors or assigns, shall not be accorded priority over deliveries under any other contract or order and no preference ratings shall be assigned, applied or extended to such deliveries by means of preference rating certificates, preference rating orders, general preference orders or any other orders or regulations of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(b) No allocation, including allotments, shall be made to Pilgrim Village, Inc., its successors or assigns, directly or indirectly, of any material or product the supply or distribution of which is governed by any order of the War Production Board, unless hereafter specifically

authorized in writing by the War Production Board.

(c) Nothing contained in this order shall be deemed to relieve Pilgrim Village, Inc., from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except in so far as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on April 24, 1944, and shall expire on August 24, 1944.

Issued this 17th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-5822; Filed, April 24, 1944;
4:48 p. m.]

PART 1010—SUSPENSION ORDERS
[Suspension Order S-518]

GENERAL PLAYGROUND EQUIPMENT, INC.

General Playground Equipment, Inc., 1133 South Courland Avenue, Kokomo, Indiana, is a corporation engaged among other things, in the business of manufacturing playground equipment. It has not kept either adequate inventory records or production records, in violation of Priorities Regulation No. 1. Between January 1, 1943, and January 1, 1944, it violated Conservation Order M-126 by fabricating, assembling, and delivering 65 items of playground equipment, by assembling and delivering 421 items of such equipment, and by delivering 108 items of such equipment; all of these items contained iron or steel. The responsible officers of General Playground Equipment, Inc., were aware of the regulations and orders of the War Production Board governing its business and its violations of Priorities Regulation No. 1 and Conservation Order M-126 must be deemed wilful.

These violations of Priorities Regulation No. 1 and Conservation Order M-126 have diverted critical materials to uses not authorized by the War Production Board and have hampered and impeded the war effort of the United States. In view of the foregoing, it is hereby ordered, that:

§ 1010.518 *Suspension Order No. S-518.* (a) General Playground Equipment, Inc., its successors or assigns, shall not directly or indirectly put into process, process, manufacture or assemble any iron or steel item, article, or part listed on Conservation Order M-126, irrespective of any special exception or permission provided for in said order, which said exception or permission shall not be applicable to respondent's operations, unless hereafter specifically authorized in writing by the War Production Board.

(b) The restrictions set forth herein shall not apply to orders bearing preference ratings of AA-2X or higher for items, articles or parts so excepted or permitted.

(c) Nothing contained in this order shall be deemed to relieve General Playground Equipment, Inc., from any restriction, prohibition or provision contained in any other order or regulation of

the War Production Board, except in so far as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on April 24, 1944, and shall expire on July 24, 1944.

Issued this 17th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-5823; Filed, April 24, 1944;
4:48 p. m.]

PART 1010—SUSPENSION ORDERS
[Suspension Order S-530]

WINTHROP MILLS

Winthrop Mills is a corporation operating a woolen mill in Winthrop, Maine. In August, 1943, it began construction of a carbonizing plant as an addition to its mill at an estimated cost of about \$13,000, which was in excess of the \$5,000 limitation for that type of construction provided by Conservation Order L-41. Furthermore, it continued such construction notwithstanding it received two warnings from the War Production Board in October 1943, that the construction was unlawful. The beginning of this construction was a negligent violation of Conservation Order L-41, and became wilful after receipt of the warnings in October.

In the course of this construction, the corporation on August 27, 1943, placed an order for twelve cast iron brackets and twelve cast iron post caps certifying under the provisions of CMP Regulation 5 that they were for essential maintenance, repair or operating supplies. It received these products in September and used them for this new construction. These actions constituted grossly negligent violations of CMP Regulation 5.

These violations of Conservation Order L-41 and CMP Regulation 5 have diverted critical materials to uses not authorized by the War Production Board, and have hampered and impeded the war effort of the United States. In view of the foregoing, it is hereby ordered, that:

§ 1010.530 *Suspension Order No. S-530.* (a) Neither Winthrop Mills, its successors, assigns, nor any other person, shall do any construction on the carbonizing plant of Winthrop Mills at Winthrop, Maine, including putting up or altering the structure, unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Winthrop Mills, its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on April 24, 1944.

Issued this 17th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-5824; Filed, April 24, 1944;
4:48 p. m.]

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

[Priorities Reg. 3, as Amended Apr. 25, 1944]

§ 944.23 *Priorities Regulation 3—(a) Purpose of this regulation.* This regulation states the rules for the use of preference ratings, what kind of purchase orders or services may be rated and how a rating may be put on an order. It also places restrictions on the use of ratings and includes lists of products for which ratings may not be used at all or for which certain kinds of ratings may not be used. In general this regulation should be consulted before using a rating whether it was gotten directly from the War Production Board or from a customer.

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

(1) "Person" and "material" mean the same thing they do in Priorities Regulation 1.

(2) "Assignment" of a preference rating. A preference rating is assigned to a person when the War Production Board or someone that it has authorized issues an order or preference rating certificate giving him the right to use the rating.

(3) "Application" of a preference rating. A preference rating is applied when the person to whom it is assigned uses the rating. A rating is applied also when any governmental agency which is authorized by the War Production Board rates an order for delivery of material directly to it.

(4) "Extension" of a preference rating. A preference rating is extended when it is used by the person to whom it is applied or extended by another person.

(c) *Use of ratings in general.* (1) When a regulation, preference rating order or preference rating certificate assigns a rating to any person, either by naming him or by describing the class of persons to which he belongs (as is done in the schedules to CMP Regulation 5), that person may apply the rating to get delivery of material or the performance of certain services. Also, a person may under certain conditions extend a rating which has been applied or extended to his deliveries of material, but not one applied to services. More detailed rules as to how and when ratings may be applied or extended are set out below in this regulation.

(2) When a War Production Board order or certificate states the quantities and kinds of material or the particular services which are rated, the person to whom it is assigned may use the rating to get only that quantity and kind of material or that particular service named in the order or certificate. If the quantities of material are not stated in the order or certificate assigning the rating it may be applied only to get the minimum amount needed.

(3) No person may place rated orders for more material than he is authorized to rate even though he intends to cancel some of the orders or reduce the quantity of material ordered to the authorized amount before it is all delivered.

(d) *When ratings may be extended for material.* The following provisions of this paragraph (d) apply to all ex-

tensions of preference ratings to get deliveries of material, unless they are modified by or are inconsistent with the provisions of any particular order.

(1) A manufacturer of Class B products under the Controlled Materials plan and a holder of Form WPB-2613 (formerly PD-870) may not extend his customers' ratings (except AAA) as explained in more detail in CMP Regulation 3 and in Priorities Regulation 11B.

(2) When a person has received a rated order for the delivery of material, he may extend the rating to get the material which he will deliver on that order, or which will be physically incorporated in material which he will deliver. If the material is to be processed, this includes the portion of it which would normally be consumed or converted into scrap or by-products in the course of processing.

(3) If a person has made delivery of material, or has incorporated it into other material which he has delivered on a rated order, he may extend the rating to replace it in his inventory. However, if after delivering the material he still has a practicable working minimum inventory he may not extend the rating to replace the material delivered; and if by making the delivery his inventory is reduced below this minimum, the rating may be extended to get only the amount necessary to restore the inventory to a practicable working minimum. Any material ordered to replace in inventory must be substantially the same as the material which the person delivered or incorporated in the material which he delivered, except for minor variations in size, shape or design. Substitution of less scarce materials which do not substantially alter the purpose for which the material is to be used is, however, permitted. The Conservation Division of the War Production Board from time to time publishes a list showing the relative scarcity of materials, entitled "Materials Substitution and Supply List." The latest copy may be obtained from any War Production Board office.

(4) A person to whom a rating has been applied or extended to get material may not extend that rating to get containers or closures to pack the material except as permitted by any order in the Containers, Part 3270, Series (Orders P-140 and P-146 are the only ones that now permit the extension of such ratings). Nor may he extend such rating to get any material for his own plant improvement, expansion or construction, or to get machine tools or other items which he will carry as capital equipment, or to get business machines for his own use whether purchased or leased, or to get maintenance, repair or operating supplies for his own use. Other orders or regulations, such as CMP Regulation 5 and some orders in the "P" series, assign ratings which may be used by the proper persons to get maintenance, repair or operating supplies and minor capital additions.

(e) *Additional restrictions upon use of ratings for certain materials.* Because of

special circumstances which exist with respect to certain materials and products, the use of preference ratings to get items on Lists A or B attached to this regulation is restricted as follows:

(1) *Items as to which preference ratings have no effect; List A.* Any item on List A may be produced or delivered without regard to preference ratings. No person shall apply or extend any rating to get any of these items and no person selling any such item shall require a rating as a condition of sale. Any rating purporting to be applied or extended to any such item shall be void and no person shall give any effect to it in filling an order.

(2) *Items to which blanket MRO ratings do not apply; List B.* Blanket MRO ratings may not be applied to get any item on List B, except as permitted by the list. A blanket MRO rating means a rating assigned by CMP Regulation 5 or 5A, or by any other War Production Board regulation, order (including an order in the "P" series), form or certificate which assigns a rating for maintenance, repair or operating supplies without specifying the kind and quantity of the material to which the rating may be applied. Where the quantity of material is specified in terms of dollar value only, the rating is a blanket MRO rating. No person shall give any effect to any rating applied to his deliveries of any item on List B if he knows or has reason to believe that it is a blanket MRO rating. Any blanket MRO rating applied to an order for any item on List B which was not delivered before the date the item was added to the list shall be deemed void. The restrictions of this paragraph are not applicable when the blanket MRO rating is applied to get an item on the list for use on board ship, but in such a case the rating may not be extended by the person to whom it is applied.

(3) *Illustration.* A manufacturer of a product listed in Schedule II of CMP Regulation 5 is assigned a rating of AA-2 for operating supplies. He may not use the rating to buy wooden shelving for his own use since it is on List B. A contractor has received an order bearing a rating of AA-3 to install wooden shelving in an Army camp. He may extend that rating to get the wooden shelving from the manufacturer since in this case the shelving is production material as to him and not operating supplies. If, however, wooden shelving were on List A instead of List B, neither rating could be used.

(f) *Use of ratings for services—(1) Ratings may not be used for personal services.* Preference ratings may never be used to get labor or personal services as distinct from services performed in the course of a regular business involving the use of plant, machinery or equipment owned by the person furnishing the services. For example, ratings may be used to get a repair job done in a repair shop as explained below but may not be used to compel an individual employee to work on a repair job or to obtain the services of a consulting engineer.

(2) *Three cases where ratings may be used for services.* There are only three

situations in which a preference rating may be used to get services, as distinct from the production or delivery of material:

(i) *A rating assigned for the purpose.* If the War Production Board assigns a rating to a named person to get specified services, he may use the rating for that purpose.

(ii) *For processing.* When a person has a rating which he may use to get processed material, he may (unless prohibited by another regulation or order) furnish the unprocessed material to a processor and use the same rating to get it processed.

(iii) *For repairs.* A blanket MRO rating may be applied by the person to whom it is assigned to get his plant, machinery or equipment repaired even if the repair job does not involve the delivery of repair parts or materials. See paragraph (e) (2) for definition of a blanket MRO rating. A rating assigned on Form WPB-541 (formerly PD-1A) or WPB-542 (formerly PD-3A), or any other rating which may be applied to the delivery of specific repair parts or materials, may also be applied to the installation of the repair parts or materials or to the repair job alone if it is found that installing the parts or materials is not necessary. However, in the case of ordinary plumbing, heating, electrical, automotive or refrigeration repairs, a rating may not be applied to repair work even if the rating is expressly applicable to repair parts or materials. As used in this subparagraph, "repair" means to fix a plant, machinery or equipment after it has broken down or when it is about to break down. "Repair" does not mean upkeep or maintenance service such as periodic inspection, cleaning, painting, lubricating, etc.

(3) *Ratings for services only may not be extended.* A person to whom a rating for services, as distinct from the production or delivery of material, has been applied or extended may not extend the rating for any purpose.

(g) *How to apply or extend a rating.*

(1) When a person applies or extends a preference rating he must put the rating (and symbol, if appropriate) on the order together with a certification signed as prescribed in Priorities Regulation 7. He may use the standard certification set out in that regulation, or if he prefers the following:

CERTIFICATION

The undersigned purchaser hereby represents to the seller and to the War Production Board that he is entitled to apply or extend the preference ratings indicated opposite the items shown on this order, and that such application or extension is in accordance with Priorities Regulation 3 as amended, with the terms of which the undersigned is familiar.

(Name of Purchaser),

(Address)

By -----
(Signature and Title of
Duly Authorized Officer)

(Date)

The person who receives the certification shall be entitled to rely on it as a representation of the buyer unless he knows or has reason to know that it is false.

NOTE: (Subparagraphs (2) and (3) deleted April 25, 1944. They are superseded by paragraphs (o) and (p) of Priorities Regulation 7, which state the rules for placing rated orders orally or by telephone or telegraph.)

(4) When a person applies or extends a rating he shall also include on his purchase order or contract any information which may be required by any applicable War Production Board order. However, he is not required to include the serial number of the preference rating certificate assigning the rating.

(5) Each person who applies or extends a rating must keep at his regular place of business all documents including purchase orders and preference rating orders and certificates which authorize him to apply or extend the rating. These documents, orders and certificates must be kept in such a way that they can be readily segregated and furnished to representatives of the War Production Board for inspection.

(6) When either certification authorized in this paragraph (g) is used it will not be necessary to use any other certification in order to apply or extend a preference rating, nor will it be necessary to furnish a copy of any preference rating order no matter what any regulation, preference rating order or preference rating certificate says unless it expressly states that this regulation does not apply. This does not affect the requirements of Priorities Regulation No. 9 (§ 944.30) when ratings are applied to certain types of exports, in which case its terms control.

(7) No person shall knowingly purport to apply or extend a preference rating to any order unless he is entitled to do so. No person shall apply or extend a rating for material or services after he has received the material or after the services have been performed, and any person who receives such a rating shall not extend it.

(h) Provisions applicable to extensions; deferment and grouping. No matter what any applicable preference rating order or certificate may say,

(1) No person may extend any rating to replace inventory after three months have passed from the time he could have first extended it;

(2) When a person has two or more ratings of the same grade which were assigned by different preference rating certificates or orders he may combine them and extend them to one delivery; and

(3) When a person has two or more ratings of different grades, or where they were assigned by the same or different certificates or orders, he may extend them to deliveries under one purchase order. However, the purchase order must show the amount of each material to which a particular grade of rating is extended. If the type and quantity of the material is such that the supplier can readily determine the exact effect of

the extension of the rating on his production and delivery schedule from percentage figures alone, then the purchase order may show the amount of the material to which the particular grade of rating is extended on a percentage basis; otherwise, it must be shown as a separate item. In order to avoid production or delivery of material in quantities smaller than the minimum commercially practicable a person may combine ratings of different grades and extend the rating of the lowest grade to the total production or delivery.

(i) Restrictions in other orders. When any person applies or extends a rating he shall be subject to any applicable rule or restriction which may be set forth in the order of the War Production Board which assigns the rating or any other order which regulates transactions in the material or the facilities for which he is using the rating. This includes restrictions as to the kind and amount of material to which ratings may be applied or extended, requirements for written approval of any particular transaction, restrictions on certain uses of material or facilities and any other rules which may be applicable to the particular transaction. However, the rules of paragraphs (g) (4) and (g) (6) apply unless some other order or certificate expressly says that they do not.

Issued this 25th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST A

The following items may be delivered without regard to any War Production Board preference ratings:

Chemicals of the following types manufactured or produced for exclusive use in the petroleum industry, as petroleum industry is defined in Preference Rating Order P-98-b:

- a. Antioxidants (gum inhibitors) for motor fuels.
- b. Chemical additives and compound bases for heavy duty gasoline engine, diesel engine and aviation engine oils.
- c. Chemical additives and compound bases for hypoid gear oils.
- d. Synthetic catalysts for oil cracking operation.
- e. Synthetic catalysts for cumene and codimer manufacture.
- f. Synthetic catalysts for petroleum isomerization operations.
- g. Synthetic catalysts for petroleum sweetening operations.
- Communications services.
- Dental burs.
- Electric energy.
- Gas, manufactured combustible, of the type generally distributed by utilities.
- Gas, natural.
- Petroleum; restricted products as defined in Order M-201.
- Steam heating, central.
- Sterilizer equipment, as defined in Order L-266.
- Track-laying tractor repair parts (See Limitation Order L-53-b).
- Ice.
- Tobacco¹
- Vegetable, fish, marine animal and animal fats and oils, whether edible or inedible, and including their by-products and residues

¹Subject to FD Regulation No. 1 of the War Food Administration.

(whether resulting from refining, distillation, saponification, pressing or settling).²

- Sulfated, sulfonated, and sulfurized fats and oils.²
- Tall oil.²
- Wool grease.²
- Soap (other than metallic).²
- Fatty acids.²
- Feed for human or animal consumption.²
- Glycerine.²
- Graphite crucibles.
- Pig iron.
- Alarm clocks.
- Waste paper.
- Water.
- Containerboard, as defined in Order M-220.

LIST B

Blanket MRO ratings, as defined in paragraph (e) (2), may not be used to obtain the items on this list. If a rating is needed to get a specified quantity of any product on the list, application may be made on Form WPB-541 (formerly PD-1A) or on any other form which may be designated for a particular product or person in a War Production Board order.

Adhesive tape backed with cellophane or similar transparent material derived from cellulose.

- Animal traps.
- Anti-freeze, all types.
- Athletic and sport equipment.
- Auger Bits, Type 1 as defined in Schedule VIII to Order L-157.
- Automotive maintenance equipment as defined in Limitation Order L-270.
- Automotive replacement batteries as defined in Limitation Order L-180.
- Automotive replacement parts as defined in Limitation Order L-153.

Award emblems, badges, buttons and other similar award pins (not including identification badges).

Blowers and industrial vacuum cleaners governed by Limitation Order L-222.

Capping, closing and sealing machinery and equipment for cans, jars and bottles (other than screw capping machines) having a retail sales value of \$25 or more, inclusive of motor, as listed in Schedule A of Order L-332 (except for replacement of existing machinery or equipment).

Cast iron ware, as defined by Limitation Order L-30-c.

Cellophane and cellulose acetate film less than three one thousandths (0.003) of one inch thick.

Cellulose caps or bands of any gauge. Chemicals listed in Direction No. 5 of this regulation. (See that direction for MRO ratings which may be used.)

Chinaware.

Civilian defense devices: any device, equipment, instrument, preparation or other material designed or adapted for use in connection with:

- a. Air raid warnings or detection of the presence of enemy aircraft; or
- b. Blackouts or dimouts; or
- c. The protection of civilians, either individually or collectively, against enemy action or attack.

Clocks and watches.

Closures and closing devices required for packaging products to be shipped or delivered, as follows:

- a. Closures for glass containers.
- b. Gummed stay and sealing tape, paper and cloth.
- c. Paper and paperboard bottle caps, closures, and heads.

Containers, fabricated (in knock-down or set-up form, whether assembled or unassembled) required for packaging products to be shipped or delivered. For the purpose of this item the word "containers" shall not include steel strapping, shipping reels and skids, or any item which is specifically excluded from

the following sub-items (such as "shell containers" in sub-item f.). It shall, however, include but is not limited to:

- a. Bags, all types, and specialty envelopes (including those made of paper, textile, combinations of materials, transparent films, metallic foils, parchment, kraft or sulphite).
 - b. Baskets and hampers.
 - c. Cans, as defined in Order M-81.
 - d. Collapsible tubes.
 - e. Cooperage, tight and slack.
 - f. Fibre cans, fibre tubes (except shell containers), fibre bottles, fibre mailing cases, and fibre drums.
 - g. Folding and set-up boxes (paperboard).
 - h. Gas cylinders, as defined in M-233.
 - i. Glass containers.
 - j. Ice cream cans (paperboard) and paraffin cartons and pails.
 - k. Paper cups and paper food containers (except as otherwise stated in Direction 2 of this regulation).
 - l. Paper milk containers.
 - m. Steel shipping drums as defined in Order L-197.
 - n. Wooden and fibre inner containers.
 - o. Wooden and fibre shipping containers and parts, as defined in Order P-140.
- Corrugated and solid fibre sheets, not constituting "shipping containers" or "parts" as defined in Order P-140.
- Cutlery, as defined in any order of the L-140 series.
- Electrical appliances as defined in Order L-85.
- Electronic intercommunicating systems, including public address systems.
- Enameled ware, as defined by Limitation Order L-30-b.
- Filing cabinets, wooden.
- Fire protective equipment, including:
- a. Couplings, playpipes and allied fittings;
 - b. Fire hose, hose dryers, racks and reels;
 - c. (Revoked.)
 - d. Fire pumps;
 - e. Fire sprinkler systems;
 - f. Foam generators;
 - g. Indicator posts;
 - h. Lightning rod systems;
 - i. Piped extinguishing systems;
 - j. Portable fire extinguishers;
 - k. Stirrup pumps;
 - l. Water spray nozzles.
- Flatware.
- Frying pans.
- Fuel.
- Furniture for any use, except furniture specifically designed for schools.
- Galvanized ware and non-metal coated metal articles as governed by Limitation Order L-30-a (except for funnels, oil and gasoline cans having a capacity of from 1 to 5 gallons, inclusive, and flexible spout measures).
- Glass tableware.
- Glass tumblers.
- Industrial air circulators, new.
- Kitchen ware, heavy duty (except ratings applied by a food "processor" as defined in Order L-292:
- a. Bakery utensils;
 - b. Butcher benches;
 - c. Butcher blocks;
 - d. Canopies or hoods;
 - e. Carriers, food;
 - f. Carriers, tray;
 - g. Coffee mills and grinders;
 - h. Counters, cafeteria, lunch and serving;
 - i. Counter protectors;
 - j. Cutters, french fry;
 - k. Cutters, meat, bone and fish;
 - l. Dispensers, milk and cream;
 - m. Display racks;
 - n. Dough dividers;
 - o. Dough troughs;
 - p. Knife sharpeners and grinders;
 - q. Pans, cold;
 - r. Potato mashers;
 - s. Potato and vegetable parers or peelers;
 - t. Racks, bread (bakery);

- u. Racks, dump (bakery);
 - v. Racks, pans (bakery);
 - w. Sandwich units;
 - x. Slicers, meat and bread;
 - y. Tables, bakers;
 - z. Tables, cooks, chef, salad and work;
 - aa. Tables, soiled and clean dish;
 - bb. Toaster stands;
 - cc. Tray stands;
 - dd. Trucks, food;
 - ee. Urn stands;
- Insulation blowing machines complete (new only), and the following parts thereof:
- (a) Internal combustion engines, or electric motors.
 - (b) Blowers.
 - (c) Speed reduction units.
- Kitchen household and miscellaneous articles governed by Limitation Order L-30-d.
- Laboratory instruments and equipment, including parts thereof. (Except ratings assigned by Preference Rating Orders P-43, P-68, P-89, and P-98-b, and ratings assigned pursuant to Orders P-56, E-58 and P-73.)
- Lawn mowers, including power and gang mowers.
- Light power driven tools (as defined in L-237) which had a producer's list price on October 15, 1942, of more than \$175. The following types only:
- a. Abrasive belt finishing machines (excluding wet and dry type)
 - b. Band saw machines (excluding gear driven)
 - c. Jointers
 - d. Lathes, bench and floor types as follows:
- Metal spinning and woodworking
- e. Radial saws
 - f. Routers
 - g. Scroll and jig saws
 - h. Shapers, vertical spindle
 - i. Table saws
- Lighting fixtures, fluorescent (as defined in Order L-78), and incandescent (as defined in Order L-212), and electric floodlights. Blanket MRO ratings of AA-2 or higher may, however, be used.
- Lockers, wooden, for offices and factories.
- Medical, surgical and dental equipment and supplies (except parts for the maintenance or repair of existing equipment) including:
- a. Anaesthesia and oxygen equipment and accessories;
 - b. Atomizers;
 - c. Clinical thermometers;
 - d. Crutches;
 - e. Dental consumable supplies;
 - f. Dental equipment and appliances (except dental lathes);
 - g. Diagnostic instruments and apparatus;
 - h. Electric light bulbs for diagnostic instruments;
 - i. Hearing aids;
 - j. Hospital and medical rubber drug sundries;
 - k. Hospital enamelware and stainless steel ware;
 - l. Hypodermic needles and syringes;
 - m. Operating and examining room furniture;
 - n. Operating and examining room lights;
 - o. Ophthalmic goods.
 - p. Orthopedic appliances including splints, belts and trusses;
 - q. Physical therapy equipment and supplies;
 - r. Sterilizers;
 - s. Surgical dressings;
 - t. Suture needles;
 - u. Sutures;
 - v. X-ray equipment and supplies.
- Medical, surgical and dental instruments. Medicinal preparations, including vitamins.
- Monorail system and additions thereto, except one complete addition valued at less than \$200.00.
- Pails and tubs, wooden, including wooden mop pails.

Paper and paperboard and products manufactured therefrom and molded pulp products; excluding carbon paper, tracing paper, reproduction paper, sensitized paper, engineering graph paper, chemically treated paper for engineering use, litmus paper and filter paper and paper tags.

- Pencils, mechanical.
 - Pencils, wood cased.
 - Pens, fountain.
 - Pen holders.
 - Pen nibs, steel.
 - Photographic film sensitized, as controlled by Order L-233.
 - Pins, common and safety.
 - Precision measuring instruments and testing equipment—Preference Rating Order E-9.
 - Printing and publishing:
- a. Printed matter including items such as letterheads, envelopes, forms and printed and ruled stationery;
 - b. Processed printing plates;
 - c. Type metal, stereotyping metal and electrotype backing-metal;
 - d. Printing paper, paperboard and binders' board;
 - e. Book cloth;
 - f. Blankbook and loose-leaf binders, metal parts and units;
 - g. Mechanical bindings.
- Radio transmitters, receivers and transceivers.
- Signal and alarm equipment, including:
- a. Central Station, proprietary, auxiliary and automatic fire alarms;
 - b. Watchman's time recording, burglar, bank vault, holdup and intrusion systems.
- Slide rules, precision engineering, having a list price of \$7.50 or more.
- Venetian blinds.
- Wire intercommunicating systems.
- Wooden shelving.
- Woodworking machinery having a producer's list price (as defined in Order L-311) of more than \$175.

NOTE: Lists A and B of this regulation will, in general, be revised on or about the 15th of every second month. Another revision may be expected about June 15, 1944.

INTERPRETATION 1, REVOCATION

Interpretation 1 of Priorities Regulation 3 is hereby revoked. (Issued Nov. 17, 1943.)

INTERPRETATION 2

The restrictions on the use of ratings for the items on Lists A and B apply to orders for such items which had been placed before the date the item was put on the list but were not yet filled. (Issued Nov. 17, 1943.)

INTERPRETATION 3

FIRE PROTECTIVE EQUIPMENT

Blanket MRO ratings may be used to obtain repair parts and material for existing fire protective equipment, but may not be used to obtain end items of fire protective equipment. The term "Fire protective equipment", on List B attached to Priorities Regulation 3, includes only end items and does not include materials or parts required for the repair or maintenance of existing fire protective equipment.

For example, a fire extinguisher or a fire hose coupling is an end item of fire protective equipment and therefore may not be obtained on blanket MRO ratings, whereas a part required to repair an extinguisher or coupling is not an end item and therefore may be obtained on blanket MRO ratings. Similarly, blanket MRO ratings may not be used to obtain a fire sprinkler system nor to extend an existing sprinkler system, but such ratings may be used to repair or replace sprinkler heads which have been opened up by fire or damaged in any other way. However, blanket MRO ratings may not be used to repair or replace new equipment which is still usable. (Issued Feb. 20, 1944.)

INTERPRETATION 4

A great many orders of the War Production Board permit the delivery of materials pursuant to preference ratings assigned by a P-19-h Order, or by an order in the P-19 series. Forms CMPL-224 and CMPL-127 are generally used in place of orders in the P-19 series. It is expressly stated on Form CMPL-224:

"This authorization is issued in lieu of preference rating order of the P-19 series. Any reference in any order of the War Production Board to said preference rating orders shall constitute a reference to this authorization."

It is set forth in CMPL-127:

"This authorization is issued in lieu of Preference Rating Order P-19-h or P-55. Any reference in any order of the War Production Board to said Preference Rating Order P-19-h or P-55 shall constitute a reference to this authorization."

Consequently, it is proper for any person to deliver material or equipment pursuant to a rating assigned by Forms CMPL-224 or CMPL-127, if he is permitted under existing orders of the War Production Board to deliver said material pursuant to a rating assigned by a P-19-h order or an order in the P-19 series. (Issued Aug. 13, 1943.)

INTERPRETATION 5

(a) *Restrictions of other orders on use of ratings or delivery.* The provisions of paragraph (e) relate only to the items which appear on the lists. When any other order of the War Production Board restricts the use of preference ratings to obtain any product, or restricts delivery of a product in any way, those restrictions are applicable even though that product is not listed in Priorities Regulation 3 (§ 944.23). This rule specifically applies to the items which were on List C before the amendment of August 10, 1943.

(b) *"Masking" tape.* Blanket MRO ratings may be used to get industrial pressure sensitive adhesive tape (paper and cloth), also called "masking" tape. This type of tape is not included in "Gummed stay and sealing tape, paper and cloth."

This interpretation is not applicable to adhesive tape backed with cellophane or similar transparent materials derived from cellulose which may not be obtained with blanket MRO ratings. (Issued Dec. 18, 1943.)

INTERPRETATION 6

EFFECT OF PREFERENCE RATING CERTIFICATE REFERRING TO PRODUCT OF A PARTICULAR MANUFACTURER

(a) When a preference rating certificate in assigning a rating to a product describes the product by its trade name or by the manufacturer's name and catalogue number, the rating may ordinarily be used to get the product from any manufacturer if the model actually obtained is substantially identical in size, operation and function with that named in the certificate.

(b) The rule stated in the preceding paragraph is consistent with the statement in paragraph (c) (2) of Priorities Regulation 3 (§ 944.23), that a preference rating may be applied only to the specific quantities and kinds of material authorized. Ordinarily a reference in a preference rating certificate to a particular product of a particular manufacturer is no more than a shorthand way of describing the product. It is safe to assume, unless the certificate clearly states otherwise, that what is being rated is a certain kind and size of product which may be obtained from any manufacturer who makes that kind and size. If it is intended to confine the rating to a particular product of a particular manufacturer, the certificate should say so explicitly. (Issued Sept. 8, 1943.)

INTERPRETATION 7

LIMITATIONS ON THE RIGHT TO USE RATINGS TO GET MATERIALS PROCESSED

(a) *What this interpretation covers.* This interpretation explains the limitations on the use of a preference rating assigned to the delivery of a material to get material processed under paragraph (f) (2) (ii) of the regulation.

(b) *Controlled materials.* Preference ratings cannot be used to buy controlled materials (steel, copper, and aluminum in controlled material form) from a producer or warehouse and consequently no rating may be used to get material processed into a controlled material by a producer or warehouse. There is one exception to this general rule which is covered by paragraph (d-1) of CMP Regulation No. 8, which assigns a preference rating to steel producer for use in getting steel processed into a controlled material form.

(c) *Class B products.* Paragraph (g) (3) of CMP Regulation No 1 prohibits allotments of controlled materials to B product manufacturers except by the War Production Board and, as explained in Interpretation No. 16 to CMP Regulation No 1, also prohibits a customer from furnishing controlled materials to a B product manufacturer. A special exception to this general rule is provided in Direction 36 to CMP Regulation No. 1. In all cases not covered by the exception, it is improper for a person to furnish controlled materials to a B product manufacturer for processing and consequently no preference rating can be used to get such processing done. In this connection, attention is called to the fact that all products, whether Class A products or Class B products, which are bought for use as maintenance, repair, or operating supplies are treated as though they were Class B products. This is covered by paragraph (k-1) (2) of CMP Regulation No. 1. As pointed out in Interpretation No. 13 to CMP Regulation No. 1, a Class A repair part is handled on a Class B basis and therefore paragraph (g) (3) of the regulation is applicable.

(d) *Ratings not to interfere with authorized controlled material orders.* While a person who has been assigned a rating to get material may use the rating to get the use of the facilities of a controlled materials producer to have the material processed (if the material, when processed, is not a controlled material) rated orders for the use of a controlled materials producer's facilities must not interfere with the acceptance, production, or delivery of orders which he is permitted to fill under paragraph (t) (3) of CMP Regulation No. 1. Attention is called to Interpretation No. 4 to Priorities Regulation No. 1 on this subject. (Issued Nov. 18, 1943.)

INTERPRETATION 8

ELECTRONIC INTERCOMMUNICATING SYSTEMS AND WIRE INTERCOMMUNICATING SYSTEMS

List B of Priorities Regulation 3 (§ 944.23) forbids the use of blanket MRO ratings to obtain electronic intercommunicating systems or wire intercommunicating systems. This restriction applies only to getting systems not yet installed. Therefore, blanket MRO ratings may be used to obtain repair parts and materials for existing intercommunicating systems. Also, those blanket MRO ratings which may be used for minor capital additions, may within prescribed dollar limits be used to add stations to an existing intercommunicating system to bring it to its designed capacity. Thus, if an intercommunicating system is designed for 16 stations, with only 12 stations originally installed, four stations may be added by the use of blanket MRO ratings. However, an expansion beyond the 16 stations, or any

enlargement of or an extension beyond the designed capacity, may not be obtained by use of blanket MRO ratings.

In conjunction with the above interpretation, it should be pointed out that a related item, signal and alarm equipment, also appears on List B of Priorities Regulation 3. With respect to signal and alarm equipment, blanket MRO ratings may be used to get parts and materials for repair and maintenance of existing equipment. However, since signal and alarm equipment is generally installed without a specific margin of unused designed capacity, no additions or extensions by the use of blanket MRO ratings are permitted. (Issued Jan. 6, 1944.)

INTERPRETATION 9

CERTAIN MRO RATINGS ASSIGNED UNDER P-93-b ARE NOT BLANKET MRO RATINGS

Paragraph (e) (2) of Priorities Regulation 3 prohibits the use of a "blanket MRO rating" to get any item on List B. See that paragraph for a definition of a "blanket MRO rating". Some of the items which are on List B also appear on Schedule B of Preference Rating Order P-93-b. That schedule provides a way to get a rating for the items which appear on it so that such P-93-b ratings will not be "blanket MRO ratings". These ratings are assigned to specific purchase orders for a specific kind and quantity of the material desired.

Therefore, when a rating assigned pursuant to Schedule B of P-93-b (as evidenced by the symbol MRO-P-3) is applied to a purchase order for any item which is set out on Schedule B of that order that rating is valid, despite the fact the item is also on List B of Priorities Regulation 3.

The order does not require the purchaser to furnish a copy of his approved purchase order to the supplier, and the supplier should give effect to the rating and certification unless he knows or has reason to believe that the purchase order has not been rated as provided in Schedule B of Order P-93-b. (Issued Jan. 24, 1944.)

[F. R. Doc. 44-5834; Filed, April 25, 1944; 11:34 a. m.]

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

[Priorities Reg. 3, Interpretation 10]

USE OF RATING TO OBTAIN LEASED MACHINERY

The following interpretation is issued with respect to Priorities Regulation 3:

(a) A preference rating which has been assigned for the delivery of an item of machinery or equipment may be used to lease the equipment as long as the following conditions are fulfilled:

(1) The lease must be a long-term semi-permanent arrangement where both parties contemplate the comparatively permanent installation of the machine or equipment. For instance, a rating could be used to obtain a machine under lease where the lease was for one year, with provision for renewal at the end of each year, and both parties expected that the lease would be renewed from time to time. However, the rating could not be used to obtain a machine for a month's use.

(2) If the rating is limited by specific dollar amount, it may be used only to lease machinery or equipment whose fair market value is no greater than the amount specified. For example, CMP Regulation No. 5 assigns a rating for the purchase of minor capital additions not exceeding \$500. This rating can be used to lease a machine if its fair market value is not more than \$500.

(b) If the instrument assigning the ratings specifies a lease rather than a purchase, it is not necessary to comply with the above conditions.

Issued this 25th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-5885; Filed, April 25, 1944;
11:34 a. m.]

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

[Priorities Reg. 3, Interpretation 11]

IDENTIFICATION OF BLANKET MRO RATINGS

The following interpretation is issued with respect to Priorities Regulation 3:

Generally speaking, ratings accompanied by the symbol "MRO" are blanket MRO ratings when they are applied to get an item on List B of Priorities Regulation 3. Therefore, any person receiving an order for a List B item bearing a rating accompanied by the symbol "MRO" must assume that the rating is a blanket MRO rating and give it no effect, unless the person who applied or extended it demonstrates (1) that it is not a blanket MRO rating or (2) that it is an extension of a blanket MRO rating applied on an order which was filled before the item was added to List B. (See paragraph (e) (2) of Priorities Regulation 3 for definition of "blanket MRO rating.")

It should not be assumed, however, that all blanket MRO ratings are accompanied by the "MRO" symbol. Several "P" and "U" Orders assign blanket MRO ratings which are accompanied by symbols other than "MRO." For example, a blanket MRO rating is assigned by Preference Rating Order P-68, but the symbol accompanying the rating is "S-8".

The question has been raised whether the War Production Board assigns the symbol "MRO" in connection with the assignment of a rating on Form WPB-541 (PD-1A) for a List B item. The answer to this question is "No." Therefore, no rating which was assigned on Form WPB-541 for a List B item could properly be accompanied by the "MRO" symbol.

Issued this 25th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

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

[Priorities Reg. 3, Interpretation 12]

RECORDS OF EXPORTERS

The following interpretation is issued with respect to Priorities Regulation 3:

Paragraph (g) (5) of Priorities Regulation No. 3 requires each person who applies or extends a rating to keep all documents including preference rating orders and certificates which authorize him to apply or extend the rating at his regular place of business. The Foreign Economic Administration and its predecessors, the Board of Economic Warfare and the Office of Economic Warfare, have assigned preference ratings to exporters for export by endorsing appropriate legends upon export licenses. The original of every export license, however, is required by other government regulations to be surrendered

to export officials at the time of shipment. Consequently, persons who receive their assignments of preference ratings on export licenses are not in a position to retain the original of the export license and thus are not required to do so by paragraph (g) (5) except only in those cases where other government regulations do not require the surrender to the government of the documents referred to.

Issued this 25th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

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11:34 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 4, as Amended Apr. 25, 1944]

SALES OF CONTROLLED MATERIALS BY WAREHOUSES AND DISTRIBUTORS

§ 3175.4 *CMP Regulation 4—(a) Purpose and scope.* This regulation describes the procedure to be followed by warehouses and distributors in delivering controlled materials from stock (including consigned stock) except that in the case of steel, deliveries from one distributor to another are governed by Orders M-21-b-1 and M-21-b-2.

Steel

(b) *Definitions with respect to steel.* The following definitions shall apply for the purpose of this regulation and for the purpose of any other CMP regulation unless otherwise indicated:

(1) "Steel" means carbon steel, alloy steel, and wrought iron, in the forms and shapes listed in Schedule I of CMP Regulation No. 1.

(2) "Distributor" means any person (including a warehouse, jobber, dealer or retailer) who is engaged in the business of receiving steel for sale or resale in the form received or after performing such operations as cutting to length, shearing to size, torch cutting or burning to shape, sorting and grading, pipe threading, or corrugating or otherwise forming sheets for roofing and siding; but a person who, in connection with any sale, bends, punches or performs any fabricating operation designed to prepare steel for final use or assembly shall not be deemed a distributor with respect to such sale.

(c) *Rejection of orders.* (1) A distributor must reject all orders except those which he is required or permitted to fill under paragraph (d).

(2) [Deleted Jan. 13, 1944.]

(3) A distributor must not deliver any steel on an authorized controlled material order bearing a specific allotment number except in the period for which the allotment was made or within 15 days before or 30 days after such period. For example, a distributor receiving an order bearing the allotment number N-1-4Q43 may fill the order at any time during the period September 15, 1943, through January 31, 1944. Orders bearing symbols such as MRO which do not have to bear any quarterly identification are not subject to this provision.

(4) A distributor may reject any order for steel on which the customer does not specify immediate delivery. Even if he elects to accept an authorized controlled material order calling for future delivery, he is not allowed to set aside the steel covered by such order. He must deliver it on any order calling for immediate delivery that he is required to fill under paragraphs (d) (1), (2) or (3), and may deliver it on any order calling for immediate delivery that he is permitted to fill under paragraph (d) (4).

(5) A distributor may reject any order calling for the delivery of steel which he does not have in stock or which he does not know is in transit to his stock.

(6) A distributor may reject all or any part of an order which the War Production Board specifically authorizes him to reject. If a delivery would deplete his stock to a point where his function in the distribution of steel would be seriously impaired, he may apply to the War Production Board for authority to reject the order and may delay filling the order until his application is acted upon.

(d) *Orders which must be filled.* A distributor must fill the following kinds of orders unless he is required or permitted to reject them under paragraph (c):

(1) A distributor must fill all authorized controlled material orders.

(2) A distributor must fill orders for delivery to farmers as required by Priorities Regulation No. 19.

(3) A distributor must fill orders bearing preference ratings of AAA.

(4) A distributor may fill other orders as follows, but is not required to do so regardless of whether rated or not:

(i) Orders in amounts of \$25 or less. No endorsement is required on such orders.

(ii) Orders calling for delivery to one customer during any calendar quarter of not more than 10 tons of carbon steel, 1,000 pounds of stainless steel and 2 tons of other alloy steel, providing such deliveries of any one product group and type to one customer do not exceed the amounts shown below:

| | Quantities in pounds per quarter unless otherwise stated | | |
|--------------------------------------|--|-----------|------------------------------|
| | Carbon (including wrought iron) | Stainless | Alloy (Other than stainless) |
| Tool steel, including drill rod..... | 300 | | 300 |
| Mechanical tubing..... | 1,000* | 100* | 300* |
| Wire rope and strand..... | 300* | | |
| Music Wire..... | 300 | | |
| All other steel products..... | 20,000 | 1,000 | 4,000 |

*Feet per quarter.

Each order placed under this paragraph (d) (4) (ii) must be accompanied by or endorsed with both the standard form of certification in CMP Regulation No. 7 and the following sentence: "This order is placed under paragraph (d) (4) (ii) of CMP Regulation No. 4."

The purpose of this paragraph (d) (4) (ii) is to permit persons using small

quantities of steel to obtain their requirements without the use of allotments; it is not to allow users of large quantities to obtain steel in addition to their purchases on authorized controlled material orders. Therefore, a person who buys any steel under this paragraph (d) (4) (ii) cannot receive any kind or type of steel from producers or distributors in any quarter in excess of the amounts shown in the above table whether it is received on authorized controlled material orders or otherwise. Consequently, in general, a person should plan to buy all his steel either under this paragraph or on authorized controlled material orders, but not both. Purchases of steel from persons other than producers or distributors do not affect the amount which can be bought under this paragraph. Such purchases are subject to the provisions of Priorities Regulation 13 and paragraph (u) of CMP Regulation No. 1.

Copper

(e) *Definitions with respect to copper.* The following definitions shall apply for the purpose of this regulation and for the purpose of any other CMP regulation unless otherwise indicated:

(1) "Copper wire mill product" means bare, insulated or armored wire or cable for electrical conduction made from copper or copper base alloy or copper-clad steel containing more than 20% copper by weight.

(2) "Brass mill product" means sheet, wire, rod or tube made from copper or copper base alloy. This does not include copper wire mill products.

(3) "Warehouse" means any industrial supplier, mill supplier, plumbing supply house, electrical wholesaler or other person engaged in the business of distributing brass mill products or copper wire mill products to industry or trade otherwise than as a controlled materials producer and includes warehouses owned by mills.

(4) "Item of copper wire mill product" means any wire or cable made from copper, copper base alloy or copper-clad steel containing more than 20% copper by weight for electrical conduction which is different from all other items of that form by reason of one or more differences of its specifications, such as size, alloy or insulation. Differences in temper or length do not differentiate items.

(5) "Item of brass mill product" means sheet, wire, rod or tube made from copper or copper base alloy, which is different from all other items of that form, by reason of one or more differences of its specifications, such as size, shape, gauge, thickness or alloy. Differences in temper or length do not differentiate items except in the case of copper and brass sheet, where differences in temper will constitute different items.

(6) "Warehouse stock" means brass mill or copper wire mill products physically located in warehouse inventories, whether owned or held on consignment by the warehouse.

(f) *Delivery of brass mill or copper wire mill products.*—(1) *Delivery from warehouse stock.* (i) A warehouse shall fill authorized controlled material orders

for brass mill or copper wire mill products, in accordance with this regulation, if it can fill the orders from its stock. In no case, however, may a warehouse fill an order for brass mill or copper wire mill products unless the purchaser has the right to accept delivery under the provisions of this paragraph (f) which limit the amount of brass mill and copper wire mill products which a purchaser may get from a warehouse. A warehouse is entitled to rely on a certificate furnished by any of its customers under paragraph (f) (1) (iv) of this regulation, unless it knows or has reason to believe the certificate to be false.

(ii) Beginning May 15, 1944 no person shall place orders for delivery from warehouse stock of any item of brass mill product to any one destination, during any calendar week which aggregates more than 500 pounds gross weight, or, effective immediately, for delivery, during any one calendar month, which aggregate more than 2,000 pounds gross weight and no person shall accept any delivery in excess of these amounts. However, the 500 pound limitation does not apply to a single continuous length of rod, tube, pipe, sheet or strip and neither the 500 pound nor the 2,000 pound limitation applies to condenser tubes or to the resale of brass mill products obtained by brass mill warehouses through an authorization issued by a Regional Office of the War Production Board or by the Copper Recovery Inventory Branch, War Production Board, 350 5th Avenue, New York City, New York.

(iii) No person shall place orders for delivery from warehouse stock of any item of copper wire mill product to any one destination, during any one calendar month, which aggregate more than 3,000 pounds copper content and no person shall accept any such delivery in excess of this amount, except that this limitation does not apply to the resale of copper wire mill products obtained by copper wire mill warehouses through an authorization issued by a Regional Office of the War Production Board or by the Copper Recovery Inventory Branch, War Production Board, 350 Fifth Avenue, New York City, New York.

(iv) No person shall place an order under this paragraph (f) (1) and no warehouse shall accept an order unless it is accompanied by, or endorsed with, a certificate in the form provided in CMP Regulation No. 7 (or a certificate prescribed by any regulation or order of the War Production Board for use in placing an authorized controlled material order), signed manually or as provided in Priorities Regulation No. 7.

(2) *Shipments direct to customer or to fill specific orders.* If a warehouse wants to order material to fill a specific authorized controlled material order of a customer instead of filling it from stock, it may order the material either for direct shipment to the customer or for shipment via the warehouse, by placing on its order the customer's name and allotment number or symbol. Such an

order is to be treated as an authorized controlled material order. The warehouse may not treat the delivery to the customer as made from stock and may not request a replacement. However, in the case of brass mill products, a warehouse may order from another warehouse only if it does not have the material in inventory and needs it for immediate delivery to a customer on an authorized controlled material order. It must state these facts on its order.

(3) *Rejection of orders.* (i) A warehouse must not fill any order for brass mill or copper wire mill products except those which it is required or permitted to fill under paragraph (f) (1) or (f) (2) above.

(ii) A warehouse must not deliver any brass mill or copper wire mill product on an authorized controlled material order except in the quarter for which the allotment appearing on the order is valid. Orders bearing symbols such as "MRO" or "SO" which do not have to bear any quarterly identification may be filled during any quarter, but such orders must indicate when delivery is required if for other than immediate delivery.

(iii) A warehouse may reject any order calling for immediate delivery of brass mill or copper wire mill products which it does not have in stock or know to be in transit to its stock.

(iv) A warehouse may reject an order calling for future delivery. If it elects to accept the order, it must not set aside or hold any material to fill it.

Aluminum

(g) *Definitions with respect to aluminum.* The following definitions shall apply for the purpose of this regulation and for the purpose of any other CMP Regulation unless otherwise indicated:

(1) "Aluminum" means aluminum in any of the forms and shapes constituting controlled material as defined in CMP Regulation No. 1.

(2) "Distributor" means any person who has received or proposes to receive physical delivery of aluminum into his stock for sale or resale in the same form, or after performing such operations as cutting to length, shearing to size, sorting and grading.

(h) (1) *Deliveries of aluminum by distributors.* Each distributor shall, to the extent of his available stock, fill authorized controlled material orders, orders bearing the symbol AM, and orders which he has been specifically directed in writing by the War Production Board to fill (1) except that he may reject any such order calling for delivery at any one time, to any one person at any one destination, of more than 2,000 lbs. of any gage, alloy and size of aluminum sheet, or more than 900 lbs. of any alloy, shape and size of aluminum wire, rod or bar, or more than 600 lbs. of any alloy, size or shape of aluminum tubing, extrusions or structural shapes and (ii) except that he also may reject any order from another distributor.

(2) No distributor shall deliver any aluminum except to fill an authorized controlled material order or pursuant to a specific direction of the War Production Board.

General Provisions Applicable to Steel, Brass Mill Products, Copper Wire Mill Products and Aluminum

(i) *Directions to distributors and warehouses.* Each distributor and warehouse shall comply with such directions as may be issued from time to time by the War Production Board with respect to making or withholding deliveries of steel, brass mill products, copper wire mill products or aluminum, and with respect to the earmarking of stocks of such material.

(j) *Placement of authorized controlled material orders.* A delivery order for steel, brass mill products, copper wire mill products or aluminum, shall be deemed an authorized controlled material order, if but only if,

(1) It is specifically designated as an authorized controlled material order by any regulation or order of the War Production Board; or

(2) It is endorsed with the appropriate certification and allotment number or symbol in the way prescribed by paragraph (s) (3) of CMP Regulation No. 1.

(3) A delivery order for steel, brass mill products, copper wire mill products or aluminum, placed with a distributor or warehouse shall be considered as calling for immediate delivery unless the order specifically provides otherwise.

(k) *Verbal delivery orders.* Any delivery order requiring shipment within seven days may be placed verbally or by telephone by stating to the distributor or warehouse the substance of the information required by this regulation, *Provided*, That the person placing the order furnishes to the distributor or warehouse, within fifteen days after placing the same, written confirmation of the order complying with the requirements of this regulation. In case of failure to receive written confirmation within fifteen days, the distributor or warehouse shall not accept any other order from, or deliver any additional material of any kind to, the purchaser until such written confirmation is furnished. On or before the twentieth day of each month any distributor or warehouse who has received in the prior month a delivery order by telephone, shall notify the appropriate Regional Compliance Office of the War Production Board, of any case in which a purchaser has failed to furnish to him the written confirmation when due.

(l) *Special provisions with respect to AAA orders.* Notwithstanding the foregoing provisions of this regulation, an authorized controlled material order placed with a distributor or warehouse bearing a rating of AAA shall be filled in preference to any other authorized controlled material orders regardless of time of receipt.

(m) *Communications.* All communications concerning this regulation should be addressed to the War Production Board, Washington 25, D. C., Ref: CMP Regulation No. 4 (specify whether steel, copper or aluminum).

Issued this 25th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

INTERPRETATION 1

DISTRIBUTORS OF AUTOMOTIVE REPLACEMENT PARTS

The definitions of "distributor" and "warehouse" appearing in paragraphs (b) (2) and (e) (3) of CMP Regulation No. 4 are not deemed to include persons engaged solely in the business of distributing automotive replacement parts. Consequently, such persons may sell, for use as automotive replacement parts, such items as bulk or spooled primary and spark plug wire, battery cables and magnet wire, without reference to the terms of CMP Regulation No. 4, but subject to the provisions of General Limitation Order L-158 and other applicable regulations or orders. (Issued Feb. 27, 1943)

[F. R. Doc. 44-5888; Filed, April 25, 1944; 11:33 a. m.]

PART 3274—MACHINE TOOLS AND INDUSTRIAL SPECIALISTS

[Conservation Order M-319, as Amended Apr. 25, 1944]

MANUFACTURED ABRASIVE GRAIN

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of manufactured abrasive grain 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:

§ 3274.91 *Conservation Order M-319—(a) Definitions.* For the purpose of this order:

(1) "Manufactured abrasive grain" means: (i) Any silicon carbide or fused aluminum oxide which has been classified as to particle size by mechanical, hydraulic, pneumatic, or other methods, and (ii) Abrasive optical finishing powders, abrasive flours, blasting grain, reclaimed grain, refractory grain, firesand, and other manufactured abrasive and refractory grain specialties, whether or not classified as to particle size.

Unfused or levigated alumina, and natural abrasives such as emery, garnet, corundum, and flint are not subject to this order.

(2) "Silicon carbide" means that product which results from combining silica and coke in a resistance-type electric furnace.

(3) "Fused aluminum oxide" means that product resulting from the fusion of alumina, or the fusion and purification of bauxite in an electric furnace, reduced by sledging or crushing to ungraded lumps or fine particles.

(4) "Reclaimed grain" means: (i) Any manufactured abrasive grain recovered from wheel stubs or other baked or fired abrasive or refractory stock, including lathe room turnings and dressings. The term does not include green shavings; (ii) Any manufactured abrasive grain recovered from coated abrasive products; (iii) Any manufactured abrasive grain previously used in grain form or on wheels, in blasting, grinding, or polishing operations.

(5) "Fine grit silicon carbide abrasive grain" means any abrasive grain manufactured from silicon carbide which has

been classified into any of the following grit sizes: 280, 320, 400, 500, 600, 1F, 2F, 3F, 4F, XF, SF, STF, and DCF. The term does not include reclaimed grain.

(6) "Producer" means any person who produces manufactured abrasive grain.

(7) "Importer" means any person who imports manufactured abrasive grain from sources outside the United States.

(8) "Branch outlet" means any branch store, branch warehouse, or other direct agent of a producer or importer, used for purposes of distributing manufactured abrasive grain.

(9) "Distributor" means any purchaser of manufactured abrasive grain for purposes of resale without further processing.

(10) "Ultimate consumer" means any purchaser of manufactured abrasive grain other than a distributor.

(11) "Period of authorization" means the period in which any producer or importer is authorized to use, and any person is authorized to accept delivery of manufactured abrasive grain pursuant to authorization on Form WPB-2781 (PD-886). Each period of authorization shall be of two calendar months' duration. The first period of authorization shall be for the months of May and June 1944; the second period shall be for the months of July and August 1944, etc.

Provisions Relating to Fine Grit Silicon Carbide

(b) *Restrictions on use and delivery of fine grit silicon carbide abrasive grain.*

(1) Except as permitted by paragraph (d) of this order, beginning May 1, 1944: (i) No producer or importer shall himself use, and no producer, importer, branch outlet, or distributor shall deliver to any person any fine grit silicon carbide abrasive grain unless specifically authorized to do so by the War Production Board on Form WPB-2781 (PD-886); (ii) No person shall accept delivery of any fine grit silicon carbide abrasive grain unless specifically authorized to do so by the War Production Board on Form WPB-2781 (PD-886).

(2) Deliveries pursuant to authorization on Form WPB-2781 (PD-886) may be made and accepted at any time during the two months period covered by the application or during the first ten days of the next month. An order which has been authorized by the War Production Board on Form WPB-2781 (PD-886) must be accepted by the producer, importer, branch outlet or distributor, and the producer, importer, branch outlet or distributor must make delivery under it unless it does not meet his regularly established prices and terms. However, within any given two-month period of authorization, delivery of orders for fine grit silicon carbide abrasive grain may be scheduled without regard to preference ratings in the sequence best suited to maximum production and customers' needs.

(3) No producer or importer authorized to use, and no person authorized to accept delivery of fine grit silicon carbide abrasive grain by an authorization on Form WPB-2781 (PD-886) shall use such abrasive grain for any purposes other than

the purposes authorized on the form except when otherwise specifically directed by the War Production Board.

(c) *Applications for authorization to use or accept delivery of fine grit silicon carbide abrasive grain.* (1) Every person requiring authorization to use or accept delivery of fine grit silicon carbide abrasive grain during May and June 1944 shall apply immediately if he has not already done so. Applications for subsequent periods shall be filed by the 15th day of the first month of the preceding period of authorization (i. e., on May 15th for the July and August period, etc.). All such applications shall be made on Form WPB-2781 (PD-886). Copies of Form WPB-2781 revised April 20, 1944, may be obtained at local Field Offices of the War Production Board.

Each applicant when filing his application with the War Production Board must also file one copy of his application with the producer from whom he expects to obtain the abrasive grain applied for. If the applicant is placing his order through a branch outlet or distributor, and does not know the name of the producer, he must file two copies with the branch outlet or distributor. The confidential information required to be reported on the application need only be furnished on the original of each application.

(2) No application need be filed by a branch outlet or distributor through whom an ultimate consumer is ordering fine grit silicon carbide abrasive grain, but the War Production Board, when acting on the ultimate consumer's application, will simultaneously grant or deny to the branch outlet or distributor authorization to accept delivery for, and to redeliver to, the ultimate consumer.

(3) Whenever any order for fine grit silicon carbide abrasive grain, previously authorized on Form WPB-2781 (PD-886) is cancelled, the producer, importer, branch outlet, or distributor, with whom such order was placed, shall immediately notify the War Production Board of the cancellation.

(d) *Small order exemption for fine grit silicon carbide abrasive grain.* (1) After May 1, 1944, any ultimate consumer who has not received a specific authorization on Form WPB-2781 (PD-886) for a particular two months period may accept delivery of fine grit silicon carbide abrasive grain in such period without specific authorization, but the list value of the total quantity of fine grit silicon carbide abrasive grain which he accepts from all sources combined in that period of authorization may not exceed \$850.

(2) Subject to the inventory limitations contained in paragraph (g), any branch outlet or distributor may accept delivery of fine grit silicon carbide abrasive grain for stock to fill small orders. No specific authorization on Form WPB-2781 (PD-886) shall be required for a branch outlet or distributor to accept delivery of such abrasive grain, but each such order for abrasive grain placed by a branch outlet or distributor with a producer, importer, or another branch outlet, must be accompanied by a certification by the branch outlet or dis-

tributor, signed manually, or as provided by Priorities Regulation No. 7, substantially as follows:

The abrasive grain specified on this purchase order is required by the undersigned for stock to fill small orders pursuant to paragraph (d) (1) of Conservation Order M-318, with the terms of which the undersigned is familiar. Delivery of this order will not increase the undersigned's inventory of the specified sizes and types of abrasive grain beyond a supply required under the undersigned's current practices for resale on such small orders during a period of sixty days.

(Name and address of distributor or branch outlet)

By-----
(Authorized signature)

(3) Beginning May 1, 1944, any producer, importer, branch outlet, or distributor, may deliver abrasive grain to fill orders authorized by paragraphs (d) (1) and (d) (2). However, the total quantity of abrasive grain which any producer or importer may deliver in any period of authorization pursuant to this paragraph (d) (3) shall not exceed the quantity which the War Production Board shall authorize him to deliver on such orders during such period. On or before May 15, 1944, and on or before the 15th day of each alternating succeeding calendar month, each producer or importer shall apply on Form WPB-2781 (PD-886) for the quantity of abrasive grain which he estimates will be required to fill orders authorized by paragraphs (d) (1) and (d) (2) during the next succeeding period of authorization. Deliveries of orders authorized by paragraphs (d) (1), (d) (2), and (d) (4) shall, so far as practicable, be scheduled evenly throughout each period of authorization without regard to preference ratings in the sequence best suited to maximum production and customers' needs.

(4) Delivery of sample lots of fine grit silicon carbide abrasive grain may be made, or may be accepted without specific authorization when the quantity of abrasive grain to be delivered to any person for experimental purposes in any period of authorization does not exceed 25 pounds of any grit size. Persons desiring to accept delivery of such abrasive grain shall state on their purchase order that the grain is desired for experimental purposes. All shipments of abrasive grain made by producers or importers pursuant to this paragraph shall be deducted from the quantity of abrasive grain authorized for delivery against small orders pursuant to paragraph (d) (3).

(e) *Necessity for placement of orders.* Every person who has been authorized on Form WPB-2781 (PD-886) to accept delivery of fine grit silicon carbide abrasive grain must place an order with the authorized supplier named in the approved application as soon as he receives it from the War Production Board. In the event that no order is placed within fourteen days from the date the application was approved by the War Production Board or if the orders which the applicant has placed within that time cover less than

the quantity of abrasive grain authorized, the authorization to accept delivery of the quantity of abrasive grain not covered by a purchase order shall be automatically canceled and the authorized supplier who will have received a copy of the original authorization shall immediately notify the War Production Board of the quantity of abrasive grain so canceled, in order that it may be made available for allocation to other consumers.

General Provisions

(f) *Use and delivery of manufactured abrasive grain other than fine grit silicon carbide.* Use and delivery of manufactured abrasive grain other than fine grit silicon carbide abrasive grain shall be in accordance with Priorities Regulation No. 1 and other applicable regulations of the War Production Board as amended from time to time.

(g) *Limitation on inventories.* No person other than a producer or importer shall purchase or accept delivery of any size and type of manufactured abrasive grain if his inventory thereof is or will by virtue of such purchase or acceptance become greater than the quantity of such size and type of abrasive grain which will be required under his current practices for use or resale during a period of sixty days: *Provided, however,* That the delivery of manufactured abrasive grain pursuant to the following designated types of purchase orders shall be permitted to effect such an increase:

(1) Purchase orders placed by any procurement agency of the United States, pursuant to the Act of March 11, 1941, entitled, "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(2) Purchase orders placed by the Army, Navy, or Maritime Commission for manufactured abrasive grain required for bases or supply depots outside the continental United States, or for bases or supply depots within the continental United States which are maintained for emergency purposes, or to supply such bases or supply depots outside the continental United States.

(3) Any other purchase order specifically excepted from this restriction by the War Production Board.

(h) *Proposed production schedules to be filed.* On or before June 5, 1944, and bi-monthly thereafter on or before the 5th day of each alternate succeeding calendar month, each producer shall file with the War Production Board his proposed schedule of production of manufactured abrasive grain for the next succeeding two calendar months. Proposed schedules for the production of manufactured abrasive grain shall be filed on Form WPB-2780 (PD-887).

Approved production schedules will be furnished to all producers by the War Production Board for each period of authorization. In the event that a producer finds that the quantity of manufactured abrasive grain which he is able to produce in any period will vary appreciably from the quantity indicated on his schedule as approved, he shall immediately notify the War Production Board of the amount of increase or decrease in available material and the reasons therefor.

(l) *Other allocation and scheduling directions.* Notwithstanding any other provisions of this order, the War Production Board may at any time;

(1) Direct the return or cancellation of any order for manufactured abrasive grain;

(2) Direct or change any schedule of production or delivery of manufactured abrasive grain;

(3) Allocate orders for manufactured abrasive grain placed with one person to another person;

(4) Revoke any authorization to use or accept delivery of manufactured abrasive grain, granted pursuant to this order;

(5) Take such other action as it deems necessary with respect to the placing of orders for, or the production, use, or delivery of, manufactured abrasive grain.

(j) *Intra-company deliveries.* The prohibitions and restrictions of this order with respect to deliveries of manufactured abrasive grain shall apply not only to deliveries to other persons, including affiliates and subsidiaries, but also to deliveries from one branch, division, or section, of a single integrated enterprise to another branch, division, or section of the same or any other enterprise under common ownership or control.

(k) *Notification to customers.* Each producer, importer, branch outlet, or distributor shall, as soon as practicable, notify each of his regular customers of the requirements of this order, but failure to give or receive such notice shall not excuse any such person from complying with the terms hereof.

(l) *Reports.* All producers, importers, branch outlets, or distributors, affected by this order shall execute and file with the War Production Board such reports and questionnaires as the War Production Board shall from time to time request, subject to the approval of the Bureau of the Budget, pursuant to the Federal Reports Act of 1942.

(m) *Applicability of regulations.* All transactions affected by this order are subject to applicable provisions of the regulations of the War Production Board as amended from time to time.

(n) *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 priorities control, and may be deprived of priorities assistance.

(o) *Appeals.* Any appeal from the provisions of this order shall be made on Form WPB-1477 (formerly PD-500) or by filing a letter in triplicate, referring to the particular provisions appealed from, and stating fully the grounds of the appeal. All appeals should be filed with the field office of the War Production Board for the district in which is located the plant to which the appeal relates.

(p) *Communications.* All reports to be filed, and other communications concerning this order should be addressed to: War Production Board, Tools Division, Washington 25, D. C. Ref: M-319.

(q) *Effective date.* This order as amended shall become effective May 1, 1944.

Issued this 25th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-5889; Filed, April 25, 1944;
11:33 a. m.]

PART 3274—MACHINE TOOLS AND INDUSTRIAL SPECIALTIES

[Conservation Order M-319, Interpretation 1, Revocation]

USE OF SMALL ORDER EXEMPTION BY CONSUMERS SPECIFICALLY AUTHORIZED TO RECEIVE ABRASIVE GRAIN

Interpretation 1 of Conservation Order M-319 is superseded by paragraph (d) (1) of the order as amended April 25, 1944.

Issued this 25th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-5890; Filed, April 25, 1944;
11:33 a. m.]

PART 3274—MACHINE TOOLS AND INDUSTRIAL SPECIALTIES

[Conservation Order M-319, Interpretation 2, as Amended Apr. 25, 1944]

USE OF SMALL ORDER CERTIFICATION BY PRODUCERS WHO ARE ALSO DISTRIBUTORS

Interpretation 2 of Conservation Order M-319 is hereby amended to read as follows:

A question has arisen as to whether a person who produces certain sizes and types of abrasive grain, but who also purchases abrasive grain from other producers for resale without further processing, may use the small order certification described in paragraph (d) (2) of Conservation Order M-319 to obtain abrasive grain for stock to fill small orders. Paragraph (a) (9) defines a distributor as any purchaser of manufactured abrasive grain for purposes of resale without further processing. To the extent that a producer obtains abrasive grain from other producers for resale without further processing, he is a distributor within the meaning of M-319 and, as such, may accept delivery of abrasive grain for stock to fill small orders, if he signs the certification required by paragraph (d) (2). The grain which he obtains by this means, however, can only be used to fill small orders placed with him, and is subject to the sixty-day inventory limitation contained in paragraph (g). This grain, when obtained, should not be reported as a part of his inventory in making out his proposed production schedule (Form WPB-2780), nor should he include it in the WPB-2781 application which he files as a producer, pursuant to paragraph (d) (3), for authorization to deliver his own grain to fill small orders.

Issued this 25th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-5891; Filed, April 25, 1944;
11:33 a. m.]

PART 3284—BUILDING MATERIALS

[Limitation Order L-327, as Amended Apr. 25, 1944]

AIRCRAFT LIGHTING EQUIPMENT

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of materials used to produce aircraft lighting equipment 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:

§ 3284.48 *Limitation Order L-327—*

(a) *Definitions.* For the purposes of this order "aircraft lighting equipment" means any light or lamp assemblies (whether portable or not) specifically designed or constructed for use on aircraft, either for purposes of illumination or indication. The term includes all parts, equipment, and devices specifically designed or constructed for use in conjunction with such light or lamp assemblies. The following are examples of types of assemblies included in this definition:

(1) "Landing light," meaning a light or lamp assembly, including any retractable mechanism or adapter, designed to illuminate the ground or other area for the purpose of facilitating the landing of aircraft;

(2) "Position light," meaning a light or lamp assembly used on aircraft to indicate its position and direction of motion;

(3) "Anchor or riding light," meaning a light or lamp assembly used on floating aircraft to indicate its position when anchored;

(4) "Formation light," meaning a light or lamp assembly used to facilitate formation flying;

(5) "Recognition light," meaning a light or lamp assembly used for the identification of friendly aircraft;

(6) "Instrument light," meaning a light or lamp assembly used to illuminate or irradiate aircraft instruments;

(7) "Cabin light," meaning a light or lamp assembly designed for the purpose of illuminating the interior of aircraft;

(8) "Signal light," meaning a light or lamp assembly designed to be operated manually for the purpose of signaling from aircraft;

(9) "Indicator light," meaning a light or lamp assembly which indicates a condition or the functioning of a device or indicates some action taken or to be taken;

(10) "Approach light," meaning a light or lamp assembly mounted on aircraft and designed for the purpose of facilitating the landing of aircraft on aircraft carriers.

The term "aircraft lighting equipment" does not include pyrotechnic devices, gunsights or bombsights, indicator lights incorporated as an integral part of radio and radar apparatus, or aviation ground lighting equipment as defined in Order L-235.

(b) *Restrictions on manufacture, sale, and delivery.* On and after April 10, 1944, no person may manufacture, assemble, sell or deliver any aircraft lighting equipment except:

(1) Aircraft lighting equipment certified by The Aeronautical Board of the United States, Washington, D. C., as conforming to specifications or drawings issued by such Board, or

(2) Aircraft lighting equipment certified by the Matériel Command of the Army Air Forces of the United States, Wright Field, Dayton, Ohio, as conforming to specifications or drawings issued by or acceptable to such Command, to the extent that Aeronautical Board specifications or drawings are not applicable, or

(3) Aircraft lighting equipment certified by the Bureau of Aeronautics of the Navy Department of the United States, Washington, D. C., as conforming to specifications or drawings issued by or acceptable to such Bureau, to the extent that Aeronautical Board specifications or drawings are not applicable, or

(4) Aircraft lighting equipment certified by the Civil Aeronautics Administration of the U. S. Department of Commerce, Washington, D. C., as conforming to the Civil Air Regulations, or

(5) Aircraft lighting equipment to be used only for purposes of experimentation, research and development, or test, or

(6) Aircraft lighting equipment specifically authorized in writing by the War Production Board. (Each person filing a request for authorization pursuant to this subparagraph shall provide information by letter in triplicate, including the following: Description of lighting equipment and/or accessories, giving type, specification, drawing numbers, and value; quantity; customer's name and location; purchase order number and date received; delivery schedule; prime contract number; and reasons why equipment certified under paragraphs (b) (1), (b) (2), (b) (3), or (b) (4) of this order cannot be used), or

(7) Parts required for the maintenance and repair of existing aircraft lighting equipment, and complete assemblies where required for replacement of aircraft lighting equipment damaged beyond repair, to the extent that equipment certified under paragraphs (b) (1), (b) (2), (b) (3), or (b) (4) of this order is impracticable for such replacement.

(c) *Restrictions on installation.* On and after April 10, 1944, no person may install any aircraft lighting equipment unless the manufacture, assembly, sale, and delivery of such equipment is permitted under the provisions of paragraph (b) of this order or unless specific authorization to install such equipment has been obtained from the War Production Board in the manner prescribed in paragraph (b) (6) of this order.

(d) *Table of acceptable aircraft lighting equipment.*¹ The table supplementing this order lists certain types, drawings, and specifications of acceptable aircraft lighting equipment and manufacturers whose products have been certified under paragraphs (b) (1), (b) (2), (b) (3), and (b) (4) of this order. This table will be brought up to date from time to

¹ Filed as part of the original document.

time to include new certifications granted subsequent to the latest revision of this table.

(e) *Applicability of regulations.* This order and all transactions affected by it are subject to all present and future regulations of the War Production Board.

(f) *Appeals.* Any appeal under the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of appeal.

(g) *Communications.* All communications and appeals concerning this order shall be addressed to War Production Board, Building Materials Division, Lighting and Fixtures Section, Washington 25, D. C., Ref: L-327.

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

NOTE: The reporting requirements of this order have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

Issued this 25th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-5892; Filed, April 25, 1944;
11:33 a. m.]

PART 3288—PLUMBING AND HEATING EQUIPMENT

[General Limitation Order L-79, as Amended
Apr. 25, 1944]

PLUMBING, HEATING AND COOKING EQUIPMENT

§ 3288.31 *General Limitation Order L-79*—(a) *What this order does.* The purpose of this order is to conserve the supply and direct the distribution of plumbing, cooking and heating equipment by preventing the sale of certain essential items on List A except for necessary replacements, or on rated orders. These are items, the production of which is restricted, and which can be made available to essential users only. The order provides a rating to enable sellers to get these items for necessary replacement. It permits other items of plumbing and heating equipment to be bought by sellers on unrated orders without restriction but provides a preference rating to enable sellers to buy these non-restricted items when a rating is needed. No preference ratings are assigned to consumers and deliveries to consumers for replacement and repair do not have to be on rated orders. It must be noted, however, that deliveries of certain parts for plumbing and heating equipment are also subject to applicable provisions of other limitation orders. The order su-

persedes the previous version of L-79, as well as General Preference Order P-84.

(b) *Assignment of preference ratings.* Preference rating AA-3 is assigned to any seller to enable him to get the following:

(1) Equipment shown in List A, including repair parts.

(2) Repair parts only for items on List B, and repair parts for stoves rationed by the O. P. A. under Ration Order 9-A.

(3) All other equipment, material and parts which are used to supply, store and heat water, to cook food, to remove waste matter and water borne waste, to treat waste matter chemically, and to heat buildings, including electric heat controls.

Any rating under this paragraph (b) cannot be used, however, to get equipment specifically designed for industrial processing, fire protection, the production or transmission of power, or for use by a public utility; equipment using electricity as fuel; heat exchangers subject to L-123; domestic water systems as covered by L-257; liquefied petroleum gas equipment as defined in L-86; fans, blowers and exhausters as covered by L-123 except those on List A of this order (L-79); steel or wrought iron pipe or steel sheets; industrial and domestic sump pumps; equipment specifically designed for refrigerating or dehumidifying; or portable items such as pans, domestic stove lid lifters and domestic stove pokers which are not designed to be built into or fastened to the building in which they are used. Directions will from time to time be issued specifying items which are subject to this paragraph (b) and items which are excluded.

(c) *Exception.* No rating is assigned to any delivery to which a rating is assigned by CMP Regulation 9A.

(d) *Inventory restrictions on sellers.*

(1) A seller who is a repair man as defined in CMP Regulation 9A may not accept delivery of any item of parts or materials obtained by applying a rating under this order if his inventory of that item of parts or materials is or would by accepting delivery become larger than he needs to continue his repair and maintenance services for a 60-day period, according to his current method of operation. However, if the supply of any item which he has on hand is less than the permitted amount, he may accept delivery of the smallest commercial amount of that item which his distributor normally sells, even if that will increase his supply beyond the amount specified.

(2) A seller who is not a repair man as defined in CMP Regulation 9A is subject to the limitation of inventory prescribed in Order L-63.

(e) *Up-rating.* In the case of ratings applied or extended by sellers under Order P-84 prior to its revocation, deliveries may be re-rated in accordance with the provisions of Priorities Regulation No. 12. However, any person with whom such an order was placed is authorized to treat it

as re-rated without requiring any notice or certificate to be furnished to him by the seller: *Provided*, That any manufacturer or seller who re-rates any orders placed with him under this paragraph must so re-rate all orders placed with him which can be re-rated.

(f) *Restrictions on deliveries of items on List A.* No person may deliver or accept delivery of equipment included in List A of this order except:

(1) Equipment which has previously been used.

(2) Equipment which is delivered to fill a rated order.

(3) When the delivery is to a consumer for installation to replace existing equipment which is worn out, damaged beyond repair or destroyed, but not to replace useable equipment or to make a substitution which would provide more extensive facilities than are necessary to replace the part or parts worn out, damaged or destroyed.

(g) *When a consumer needs a preference rating and how he gets it.* Consumers are not assigned ratings by this order and will not need ratings unless they want to buy items on List A for purposes other than replacement. When a rating is needed, application may be made on Form WPB-1319 to the nearest War Production Board field office.

However, if the material is to be used in new construction of a type which is restricted under Order L-41, the consumer must use the form specified in Schedule C of that order. Industries and government institutions may use CMP Regulations 5 and 5A ratings for repair parts and replacement items.

(h) *Consumer's certificates.* No seller may deliver an item on List A to fill a consumer's unrated order unless he obtains a certificate in substantially the following form:

I need the item included in this purchase to replace equipment worn out, damaged beyond repair, or destroyed. I will not use it to replace useable equipment or to make a substitution which would provide more extensive facilities than are necessary to replace the parts which are worn out, damaged, or destroyed.

Address of installation.....
Consumer's signature.....
Address

Any certification is a representation to the War Production Board as well as to the seller. No one may deliver relying on a certification being true if he knows or should know it is false, but anyone who reasonably relies on the truth of a certificate is not to be held responsible if it turns out to be false. No one shall make a false statement in a certification. Sellers shall retain certificates in their files for two years for inspection by WPB representatives.

(i) *Salvage.* No person may install equipment on List A for replacement unless he takes any replaced metal parts or equipment, not coated with a fused or nonmetallic surface, and arranges for its further use, or turns it in for salvage to any authorized scrap metal dealer within thirty days after the replacement.

This requirement does not mean that the installer is entitled to take old equipment without the owner's consent or without crediting him with its value.

(j) *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.

(k) *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.

(l) *Violations and false statements.* Any person who wilfully 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 or both. 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.

(m) *Appeals.* Any person affected by this order may appeal from its provisions by filing Form WPB 1477 (formerly PD-500) with a field office of the War Production Board.

(n) *Communications.* All reports to be filed and other communications concerning this order, except appeals, shall be addressed to the War Production Board, Plumbing and Heating Division, Washington 25, D. C., Ref: L-79.

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

(1) "Seller" means any person who buys plumbing, heating, or cooking equipment for resale, whether or not he makes the installation. A manufacturer who sells directly to the consumer is to be considered a seller with respect to those sales.

(2) "Consumer" means any person who buys plumbing, heating, or cooking equipment for installation or use on premises owned or occupied by him.

Issued this 25th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST A

The following items of plumbing and heating equipment:

1. Furnaces, heating (as defined in Order L-22), and cast iron boilers, heating (as defined in Order L-187), but excluding furnace-burner and boiler-burner units in which the boiler or furnace is designed for use of oil or gas only as a fuel.

2. Water heaters, not electric or industrial (direct fired and indirect fired as defined in Order L-185), but excluding direct hand fired (solid fuel) hot water heaters of the following types: bucket-a-day stoves, dome-type water heaters, and service water and tank heaters.

3. Tanks, including range boilers and expansion tanks (as defined in Order L-199).

4. Cast iron tubular radiators.
5. Steel low pressure heating boilers not designed to withstand a steam pressure of more than 15 pounds per square inch. All types exclusive of those for marine, shipboard, or locomotive use.

6. Furnace fans 16" diameter and under, less electric motors.

7. Forced draft blowers for warm air, hot water and low pressure steam systems.

LIST B

1. Commercial cooking and food and plate warming equipment as defined in Limitation Order L-182, as amended: all not electric.

Bakers.
Broilers.
Fryers.
Food warmers.
Griddles: commercial cooking.
Grills.
Hot plates: commercial.
Ovens: bake, except industrial type.
Ranges.
Roasters: commercial.
Steamers: oven.
Toasters: commercial.
Urns.
Warmers: food-plate.

2. Commercial dishwashing machines: not domestic: as defined in Limitation Order L-248 as amended.

3. Class A stokers: grate area 36 sq. ft. or less, capacity in excess of 60 lbs. per hour, as defined in Limitation Order L-75 as amended.

4. Class B oil burners: not designed specifically for shipboard use or heat processing; as defined in Limitation Order L-74 as amended.

5. Extended surface heating equipment as defined in Limitation Order L-107, as amended.

Unit heaters: steam or hot water.
Unit ventilators, heating: steam or hot water.

Convectors.
Blast heating coils: steam or hot water.
Special heating coils: steam or hot water.
Heat transfer element: metal: fin tube: for transferring heat from steam or water to air.
6. Steel boilers of types listed in Order M-293, Table 14, excluding low pressure boilers on List A of this order.

INTERPRETATION 1

NOTE: Interpretation 1 is obsolete.

INTERPRETATION 2

Office of Price Administration requirements not affected. Question has been raised as to whether this order dispenses with the necessity of conforming to the requirements of O. P. A. Ration Order 9-A.

The words "without restriction" as used in L-79 refer only to restrictions placed by the War Production Board, and Order L-70 is not intended in any way to affect rationing or other requirements of the Office of Price Administration or any other agency. (Issued Feb. 29, 1944.)

INTERPRETATION 3

SUBSTITUTION REQUIRING CHANGE OF DISTRIBUTION SYSTEM PROHIBITED

The restrictions of paragraph (f) (3) of Limitation Order L-79 prohibit the substitution of one type of heating system for another (e. g. cast iron heating boiler for heating furnace) if it will require the change of a useable distribution system. (Issued Apr. 13, 1944.)

[F. R. Doc. 44-5893; Filed, April 25, 1944; 11:33 a. m.]

PART 3290—TEXTILES, CLOTHING AND LEATHER

[General Conservation Order M-310, General Direction 3]

MANDATORY PROCESSING, SALE AND DELIVERY OF CABRETTAS AND SPANISH OR PORTUGUESE LAMBSKINS AND SHEEPSKINS FOR MILITARY PURPOSES

The following general direction is issued pursuant to General Conservation Order M-310:

(a) No person shall process any South African, Sudan, Nigerian, Abyssinian, Djed-dah or Brazil cabretta into suede, mocha or doeskin type leather.

(b) No person shall process any cabretta, Spanish or Portuguese lambskin or sheepskin, or leather made therefrom, except:

(1) To produce suitable leather meeting Army Air Forces Specification 12029A, as revised or amended from time to time—Class I in the case of cabrettas, and Class II in the case of Spanish or Portuguese lambskins or sheepskins, or

(ii) To fill a specific military order.

(c) No person shall sell or deliver any leather made from cabrettas, Spanish or Portuguese lambskins or sheepskins, or incorporate or manufacture such leather into any product, except to fill a specific military order.

(d) The restrictions of paragraphs (a), (b) and (c) of this direction shall not apply to any person who at no time puts into process, splits, shaves, skives, sells, delivers, or uses more than 100 cabrettas, Spanish or Portuguese lambskins and sheepskins during any calendar month (beginning with April, 1944) or causes more than 100 cabrettas, Spanish or Portuguese lambskins and sheepskins to be processed, split, shaved, skived, sold, delivered or used for his account during any such month.

(e) The restrictions of paragraphs (b) and (c) of this direction shall not apply to:

(1) Any cabretta, Spanish or Portuguese lambskin or sheepskin, or leather made therefrom, which does not meet and cannot be made to meet the above specification.

(ii) Leather rejected in writing by the Army Air Forces Eastern Procurement District, Inspection Section, New York, N. Y.

(iii) Any "blackhead" cabretta which is put in process for mocha leather and finished into such leather.

(f) For the purpose of this direction "cabretta" means the skin of a hair sheep.

(g) This direction shall take effect immediately and shall continue in force until December 31, 1944.

Issued this 24th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-5825; Filed, April 24, 1944;
4:48 p. m.]

Chapter XI—Office of Price Administration

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5F, Amdt. 7]

MILEAGE RATIONING: GASOLINE REGULATIONS FOR THE TERRITORY OF HAWAII

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

*Copies may be obtained from the Office of Price Administration.

8 F.R. 10742, 10757, 13125, 14155, 15985.

Ration Order 5F is amended in the following respects:

1. The first sentence of section 11.6 (c) (1) is amended to read as follows:

(1) Upon receiving the surrender, pursuant to section 11.6 (a), of all of the unused coupons and coupon books which represent a ration for use with a motor vehicle transferred to a new owner, and upon having the seller execute OPA Form TEP-3 (Rev. 3-44) (in the event a used passenger vehicle is transferred) or OPA Form 694-457 (in the event a used commercial vehicle is transferred) in accordance with the instructions thereon, the Board shall issue a Receipt (OPA Form R-569) in duplicate: Provided, that OPA Form 694-457 shall not be required where a used commercial vehicle is transferred to a motor vehicle dealer.

2. Section 11.6 (c) (3) is amended to read as follows:

(3) After December 1, 1943, the purchaser of a motor vehicle shall present the original copy of the receipt (OPA Form R-569) to the appropriate registrar of motor vehicles before such vehicle can be registered for use. The duplicate copy of the Receipt (OPA Form R-569), together with OPA Form TEP-3 (Rev. 3-44), executed by the buyer in accordance with the instructions thereon, must be filed with the buyer's Board before a gasoline ration can be issued for the vehicle.

This amendment shall become effective April 24, 1944.

Note: All record keeping and reporting requirements of this amendment have been approved by the Bureau of the Budget as required by the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong., E.O. 9125, 7 F.R. 562, Supp. Dir. 1-Q 7 F.R. 9121, General Order No. 48, 8 F.R. 2898)

Issued this 24th day of April 1944.

MELVIN C. ROBBINS,
Territorial Director,
Territory of Hawaii.

Approved:

JAMES P. DAVIS,
Regional Administrator,
Region IX.

[F. R. Doc. 44-5830; Filed, April 24, 1944;
4:48 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. Order 111 Under 3 (b)]

ALASKA FUR SEAL SKINS AND FOX PELTS

Maximum prices authorized under § 1499.3 (b) of the General Maximum Price Regulation. Sales by the Department of the Interior of the United States Government and other persons of dyed and dressed Alaska fur seal skins and dressed blue and white Alaska fox pelts.

Order No. 111 under § 1499.3 (b) of the General Maximum Price Regulation is revised and amended to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and under the authority vested in the

Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9323 and in accordance with Revised Procedural Regulation No. 1, issued by the Office of Price Administration, it is ordered:

§ 1499.975 *Approval of maximum prices for sales by the Department of the Interior of the United States Government and other persons of dyed and dressed Alaska fur seal skins and dressed blue and white Alaska fox pelts.* (a) On and after April 21, 1944, the maximum prices at which the Department of the Interior of the United States Government, or the Fouke Fur Company of St. Louis, Missouri, acting as its agent, may sell, deliver or offer for sale dyed and dressed Alaska fur seal skins and dressed blue and white Alaska fox pelts shall be the highest prices received by the Department of the Interior of the United States Government for the same or similar skins or pelts sold by it at the auction sale conducted for its account by the Fouke Fur Company of St. Louis, Missouri, on April 20, 1942.

(b) Within 10 days after a maximum price for any such skin or pelt has been determined in accordance with paragraph (a) of this order, the Department of the Interior of the United States Government shall report such price to the Office of Price Administration, Washington, D. C.

(c) On and after April 21, 1944, the maximum price at which any other person may sell, deliver or offer for sale any skin or pelt priced under paragraph (a) of this order shall be the price at which said skin or pelt was sold at the auction sale conducted for the account of the Department of the Interior of the United States Government by the Fouke Fur Company of St. Louis, Missouri plus 10% of such price, plus freight actually paid thereon.

(d) The Department of the Interior of the United States Government or the Fouke Fur Company of St. Louis, Missouri, acting as its agent, shall, in connection with each sale of skins or pelts priced under paragraph (a) of this order, deliver to the purchaser an invoice or similar document showing: (1) the date of sale, (2) the name and address of the purchaser, (3) the lot number and price per skin or pelt and (4) the size, color and quality of each skin or pelt.

(e) Any other person selling any skin or pelt priced under paragraph (a) of this order shall, in connection with each sale of such skin or pelt deliver to the purchaser an invoice or similar document showing: (1) the date of sale, (2) the name and address of the seller and the purchaser, (3) the shipping terms, (4) the terms of sale and selling price of each skin or pelt, (5) a complete description of the furs sold stating the color, size and quality of each skin or pelt, (6) the lot number under which each skin or pelt was sold and the price charged by the Department of the Interior of the United States Government or the Fouke Fur Company of St. Louis, Missouri, acting as its agent, and the date of such sale and (7) the freight actually paid thereon.

(f) The maximum prices established by paragraph (a) and (c) of this Revised Order No. 111 shall be subject to adjustment by the Office of Price Administration at any time.

(g) This order may be amended or revoked by the Office of Price Administration at any time.

(h) This Revised Order No. 111 (§ 1499.975) shall become effective April 21, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 21st day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5716; Filed, April 21, 1944;
4:46 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 422,¹ Amdt. 16]

CEILING PRICES OF CERTAIN FOODS SOLD AT RETAIL IN GROUP 3 AND GROUP 4 STORES

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

Maximum Price Regulation No. 422 is amended in the following respect:

1. In section 39 (b) (2) the undesignated paragraph commencing with the word "Berries" is amended to read as follows:

"Berries" means blackberries, boysenberries, gooseberries, loganberries, black raspberries, red raspberries, strawberries and youngberries. Each of these eight kinds of berries shall be treated as a separate item and priced separately. Whenever fresh berries are sold in quarts or pints, they must have a minimum net weight of 20 ounces per quart or 10 ounces per pint. If you purchase berries on the basis of a price per pound and sell them in pints or quarts, you must multiply your cost per pound by 20/16 to figure your "net cost" per quart, and

*Copies may be obtained from the Office of Price Administration.

¹ 8 F.R. 9395, 10569, 10987, 12443, 12611, 13294, 15251, 14853, 15586, 15607, 17369, 17370; 9 F.R. 95, 3510, 3648, 4017.

by 10/16 to figure your "net cost" per pint.

This amendment shall become effective at 12:01 a. m. April 27, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 24th day of April 1944.

CHESTER BOWLES,
Administrator.

Approved as to action contained herein with respect to agricultural commodities: April 21, 1944.

GROVER B. HILL,
Acting War Food Administrator.

[F. R. Doc. 44-5826; Filed, April 24, 1944;
4:47 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 423,¹ Amdt. 17]

CEILING PRICES OF CERTAIN FOODS SOLD AT RETAIL IN GROUP 1 AND GROUP 2 STORES

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

Maximum Price Regulation No. 423 is amended in the following respect:

1. In section 28 (b) (2) the undesignated paragraph commencing with the word "Berries" is amended to read as follows:

"Berries" means blackberries, boysenberries, gooseberries, loganberries, black raspberries, red raspberries, strawberries and youngberries. Each of these eight kinds of berries shall be treated as a separate item and priced separately. Whenever fresh berries are sold in quarts or pints, they must have a minimum net weight of 20 ounces per quart or 10 ounces per pint. If you purchase berries on the basis of a price per pound and sell them in pints or quarts, you must multiply your cost per pound by 20/16 to figure your "net cost" per quart, and by 10/16 to figure your "net cost" per pint.

¹ 8 F.R. 9407, 10570, 10988, 12443, 12611, 13294, 14854, 15587, 15608, 16031, 17371; 9 F.R. 95, 3510, 3648, 4017.

This amendment shall become effective at 12:01 a. m., April 27, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 24th day of April 1944.

CHESTER BOWLES,
Administrator.

Approved as to action contained herein with respect to agricultural commodities: April 21, 1944.

GROVER B. HILL,
Acting War Food Administrator.

[F. R. Doc. 44-5827; Filed, April 24, 1944;
4:47 p. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 426,¹ Amdt. 25]

FRESH FRUITS AND VEGETABLES FOR TABLE USE, SALES EXCEPT AT RETAIL

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

Section 15 of Maximum Price Regulation 426 is amended in the following respects:

1. Appendix C is deleted.
2. Appendix H is amended in the following respects:

a. In the third undesignated paragraph in paragraph (a) a parenthetical phrase reading "(except fresh fruits and berries)" is added immediately after the words "the provisions of this appendix do not apply to sales of any listed commodities."

b. In paragraph (b) the third undesignated paragraph is amended to read as follows:

Regardless of whether maximum f. o. b. shipping point prices are named for any or all sales, all listed commodities are subject to the maximum prices named in Column 6 and 7 of the following tables, irrespective of where produced or shipped.

c. In paragraph (b), Table 8 is added to read as follows:

¹ 8 F.R. 16409, 16294, 16519, 16423, 17372; 9 F.R. 790, 1581, 2008, 2023, 2091, 2493, 4030, 4086, 4088.

TABLE 8—MAXIMUM PRICES FOR STRAWBERRIES

| 1 | 2 | 3 | 4 | 5 | 6 | 7 |
|------|---|-------|---------------------------------|---|--|---|
| Item | Zone | Unit | Season | Maximum price f. o. b. country shipping point | Maximum price for sales delivered at any wholesale receiving point in any quantity ¹ | Maximum prices for sales by certain persons in less than carlots or less than trucklots delivered to the premises of any retail store, Government procurement agency, or institutional buyer ² |
| 1 | States of North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, Texas, and all States east thereof. | Pint | Beginning through April 15..... | Cents 23 | Price in Column 5 plus freight from shipping point to wholesale receiving point, and plus actual costs of protective services. | Column 6 price plus 33¢ct. |
| 2 | | Quart | April 16 through May 1..... | 19½ | | Column 6 price plus 5¢. |
| 3 | | Pound | May 2 to end of season..... | 16½ | | Column 6 price plus 33¢ct. |
| 4 | States of Montana, Wyoming, Colorado, Idaho, New Mexico, Arizona, Nevada, Utah and California. | Pint | Beginning through April 15..... | 44 | Price in Column 5 plus freight from shipping point to wholesale receiving point, and plus actual costs of protective services. | Column 6 price plus 33¢ct. |
| 5 | | Quart | April 16 through May 1..... | 37 | | Column 6 price plus 5¢. |
| 6 | | Pound | May 2 to end of season..... | 32½ | | Column 6 price plus 33¢ct. |
| 7 | States of Washington and Oregon. | Pint | Beginning through April 15..... | 29½ | Price in Column 5 plus freight from shipping point to wholesale receiving point, and plus actual costs of protective services. | Column 6 price plus 33¢ct. |
| 8 | | Quart | April 16 through May 1..... | 24½ | | Column 6 price plus 5¢. |
| 9 | | Pound | May 2 to end of season..... | 21½ | | Column 6 price plus 33¢ct. |

¹ The units in Column 3 are pints and quarts of strawberries packed in pint and quart containers respectively. The pound unit is for strawberries in any other container.
² In determining the delivered price at a wholesale receiving point, the Column 6 price to be used is the price for the zone in which the shipping point is located, in effect at the time of shipment of the particular goods being priced from the country shipping point.
³ The prices named in Columns 6 and 7 are maximum prices for each individual lot or shipment of strawberries received and sold by the particular seller. For the sellers covered by Column 7, see general provisions of this appendix.

D. In the table in paragraph (c), the titles to Columns 4 and 7, are amended, in each case, by deleting the word "terminal," and item 8 is added, to read as follows:

| Col. 1 | Col. 2 | Col. 3 | Col. 4 | Col. 5 | Col. 6 | Col. 7 | Col. 8 | Col. 9 | Col. 10 | |
|----------|--------------|--|--|--|--|---|--|---|---------------------------|---------------------------|
| Item No. | Commodity | Unit | Sales by a grower or a country shipper Through a broker, shipper's sales agent or commission merchant in carlots or trucklots or through broker, shipper's sales agent, or auction in less-than-carlot or less-than-trucklot. | Through a commission merchant in less-than-carlots or less-than-trucklots. | Sales by anyone, other than a grower or country shipper, who has purchased a carlot or trucklot, and sells such a carlot or trucklot unbroken. | Sales by carlot receivers in less-than-carlots or less-than-trucklots. (For sales by carlot received through auction the mark-ups named in Col. 4 shall be applied) | Sales by secondary jobbers in any quantity delivered to the premises of the purchaser. | Sales by a service wholesaler delivered to the premises of any retail store, government procurement agency, or institutional buyer, within the free delivery zone | Half container or larger. | Less than half container. |
| 8 | Strawberries | Pint..... Quart..... Pound..... 24 pint crate..... 24 quart crate..... | \$1.00..... 91¢..... 41¢..... \$0.10..... \$0.15..... | 19¢..... 24¢..... 19¢..... \$0.45..... \$0.70..... | 41¢..... 31¢..... 19¢..... \$0.10..... \$0.15..... | 19¢..... 24¢..... 31¢..... \$0.45..... \$0.70..... | 37¢..... 5¢..... 37¢..... \$0.80..... \$1.20..... | 37¢..... 5¢..... 37¢..... \$0.80..... \$1.20..... | | |

e. In paragraph (d) (2) the headnote is amended by deleting the word "terminal".

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

(iii) The maximum price in each case for sales by growers or country shippers through any auction is the maximum price, f. o. b. country shipping point, in the case of sales through auction at a country shipping point, or the maximum delivered price, in the case of sales through auction at a terminal market or other wholesale receiving point, as named in column 6 of the applicable table in paragraph (b), plus the respective actual commissions or fees charged for the particular sale, not to exceed the maximum allowable commission or fee which the agent of the auction seller and which the auction company may charge under Maximum Price Regulation No. 165, plus any actual unloading charges in the terminal market, or, the markup named in Column 4 of the table in paragraph (c), whichever is lower.

"Auction" means a place where, on the basis of competitive bidding open to any person who has established credit with the auction company or pays cash, the listed commodity being priced is sold

by persons operating through a licensed sales organization, known as an "auction company", for whose services a fee is charged.

This amendment shall become effective at 12:01 a. m. April 27, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 24th day of April 1944.

CHESTER BOWLES,
Administrator.

Approved: April 21, 1944.

GROVER B. HILL,
Acting War Food Administrator.

[F. R. Doc. 44-5828; Filed, April 24, 1944; 4:46 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14 to GMPR, Amdt. 126]

FURS AND PELTRIES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith,

19 F.R. 1385.

has been filed with the Division of the Federal Register.*

Revised Supplementary Regulation No. 14 to the General Maximum Price Regulation is amended in the following respects:

1. The headnote of section 3.4 is amended to read as follows: "Raw skins and hides".

2. Section 3.4 (a) is amended by substituting the words "raw skins or hides" for the words "raw furs, skins or peltries", wherever such words appear.

3. Section 3.4 (b) is amended to read as follows:

(b) *Definition.* The term "raw skins and hides" means undressed or untanned skins or hides, whether imported or domestic, the sale or delivery of which is subject to the General Maximum Price Regulation. It does not include raw furs and peltries as defined in section 3.12 (a).

4. Section 3.12 is added to read as follows:

Sec. 3.12 *Raw, dressed, and dressed and dyed furs and peltries*—(a) *Definitions.* The definitions in § 1499.20 of the

*Copies may be obtained from the Office of Price Administration.

General Maximum Price Regulation shall apply to the terms used herein, to the extent that they are not inconsistent with the definitions set forth in this paragraph.

(1) "Raw furs and peltries". The term "raw furs and peltries" means undressed or untanned fur skins or peltries, whether imported or domestic, which are commonly known as fur skins and the sale or delivery of which was subject to the General Maximum Price Regulation, section 3.4 of this Regulation or the Maximum Import Price Regulation.

(2) "Dressed or dressed and dyed furs and peltries". The term "dressed or dressed and dyed furs and peltries" means raw fur skins or peltries which have been processed with the hair on and made suitable for use in the manufacture of fur garments or fur trimmings.

(3) "Highest price". The term "highest price" means the highest price at which the seller delivered the particular type of fur or peltry to any purchaser during the base period, including all commissions paid by the seller, but not including freight paid by the seller.

(4) "Base period". The term "base period" means the period from October 1, 1941 to April 30, 1942, inclusive.

(5) "Seller" means a person who sells furs or peltries which he owns.

(6) "Bulk lot". The term "bulk lot" means a lot containing furs or peltries of more than one grade billed at a flat unit price for all furs or peltries included in the lot.

(7) "Graded lot". The term "graded lot" means a number of skins graded as to size and either quality, condition, fineness or color and texture, and sold with a statement specifying the grades included in the lot, the number or percentage of skins of each grade, and the price per skin for each grade.

(8) "Matched lot" is a number of dressed or dressed and dyed skins sufficient to make more than one garment, matched as to size, quality, condition, grade, fineness, color and texture, dye and suitability for use with the lot and sold as a unit.

(9) "Matched bundle" is a number of dressed or dressed and dyed skins sufficient to make not more than one garment, matched as to size, quality, condition, grade, fineness, color and texture, dye and suitability for use in a single garment and sold as a unit.

(10) "Auction company" means a person who sells at auction furs or peltries owned by another person, and who receives a commission for making such sale.

(11) "Broker" means any person, other than an auction company, who sells, on commission, furs or peltries owned by another person.

(12) "Types of fur or peltry." Each species of raw fur or peltry, dressed fur or peltry, and dressed and dyed fur or peltry is a "type", and, in addition, each fur listed in paragraph (1) is a "type".

(13) "General level of prices prevailing among sellers of the same class" means a price or price range at which a substantial number of skins were delivered during the base period by a representative group of sellers of the same class.

(14) "Sellers of the same class" means sellers dealing in the same or similar types of furs or peltries, selling in the same trading area, performing the same services, doing a similar volume of business and selling to the same classes of purchasers.

(b) *Relation to other maximum price regulations.* This section shall apply, and the General Maximum Price Regulation and the Maximum Import Price Regulation² shall not apply to sales of furs and peltries, whether raw, dressed or dressed and dyed, except that furs or peltries pelted outside the continental United States and purchased by the original importer pursuant to a written contract entered into on or before April 24, 1944 may be priced under the General Maximum Price Regulation or the Maximum Import Price Regulation.

(c) *Maximum prices for types of furs and peltries delivered during the base period.* All maximum prices established under this paragraph are f. o. b. domestic shipping point. The maximum prices established in this paragraph apply to all sales of domestic and imported furs and peltries, except sales covered by Revised Order No. 111 issued under § 1499.3 (b) of the General Maximum Price Regulation and sales exempted by section 3.2 (f) of Revised Supplementary Regulation No. 1 to the General Maximum Price Regulation.

(1) *Raw furs and peltries.* The maximum price for any type of raw fur or peltry delivered by the seller during the base period shall be a price in line with the highest price at which the seller delivered the same type of raw fur or peltry during the base period, making downward adjustments for differences in size, quality, condition, grade, fineness, color and texture and suitability for use with a lot when offered for sale as part of such lot. *Provided:* That until the seller has received written authorization from the Office of Price Administration under paragraph (d), his maximum price for any raw fur or peltry may not be higher than the highest price at which he delivered the same type during the base period.

(2) *Dressed or dressed and dyed furs and peltries—(i) Sales in bulk lots.* The maximum price for any dressed or dressed and dyed fur or peltry, sold in a bulk lot, shall be a price in line with the highest price at which the seller delivered the same type of dressed or dressed and dyed fur or peltry in a bulk lot during the base period, making downward adjustments for differences in size, quality, condition, grade, fineness, color and texture. *Provided:* That until the seller has received written authorization from the Office of Price Administration under paragraph (d), his maximum price for any dressed or dressed and dyed fur or peltry sold in a bulk lot may not exceed the highest price at which he delivered the same type in a bulk lot during the base period.

(ii) *Sales in matched or graded lots.* The maximum price for any dressed or dressed and dyed fur or peltry sold in a

matched or graded lot shall be a price in line with the highest price at which the seller delivered the same type of dressed or dressed and dyed fur or peltry in a matched or graded lot during the base period, making downward adjustments for differences in size, quality, condition, grade, fineness, color and texture and suitability for use with the lot. *Provided,* That until the seller has received written authorization from the Office of Price Administration under paragraph (d), his maximum price for any dressed or dressed and dyed fur or peltry sold in a matched or graded lot may not exceed the highest price at which he delivered the same type in a matched or graded lot during the base period.

(iii) *Sales in matched bundles.* The maximum price for any dressed or dressed and dyed fur or peltry sold in a matched bundle shall be a price in line with the highest price at which the seller delivered the same type of dressed or dressed and dyed fur or peltry in a matched bundle during the base period, making downward adjustments for differences in size, quality, condition, grade, fineness, color and texture and suitability for use with the lot. *Provided,* That until the seller has received written authorization from the Office of Price Administration under paragraph (d), his maximum price for any dressed or dressed and dyed fur or peltry sold in a matched bundle may not exceed the highest price at which he delivered the same type in a matched bundle during the base period.

(3) *Reduction of highest prices.* The highest price at which the seller delivered a type of fur or peltry during the base period may be reduced by the Office of Price Administration if, and to the extent that, it is in excess of the general level of prices prevailing during the base period among sellers of the same class for furs or peltries of the same type.

(d) *Maximum prices for furs or peltries not priced under paragraph (c).* (1) Until he has received written authorization from the Office of Price Administration to establish maximum prices:

(i) No seller who delivered any raw, dressed or dressed and dyed furs or peltries during the base period may sell, offer to sell or deliver any furs or peltries at prices higher than those established under paragraph (c).

(ii) No seller may sell, offer to sell or deliver any type of fur or peltry which he did not deliver during the base period, and

(iii) No seller who did not deliver any furs or peltries during the base period may sell, offer to sell or deliver any furs or peltries.

(2) Maximum prices under this paragraph (d) will be established in line with the general level of prices prevailing during the base period among sellers of the same class for raw, dressed or dressed and dyed furs or peltries of the same type, size, quality, condition, grade, fineness, color and texture and suitability for use with a lot when offered for sale as part of such lot.

(3) The seller shall file two signed copies of an application with the Office

² 8 F.R. 11681, 12237.

of Price Administration at the district office having jurisdiction over the area in which the seller is located. Such application shall contain the following:

(i) Name of seller and address of principal place of business.

(ii) A list of each grade of each type of fur or peltry and each kind of sale (sales in bulk, matched, graded, bundled) for which applicant seeks a price.

(iii) A list of the prices requested for each type, grade and kind of sale listed in (ii).

(iv) Names and addresses of 5 of applicant's most closely competitive sellers of the same class.

(v) The general level of price prevailing among sellers of the same class (defined in paragraph (a) (13) during the base period, for each type, grade and kind of sale listed in (ii).

(vi) A statement showing how the applicant determined the price levels listed in (v).

(e) *Auction companies and brokers.* No auction company or broker shall sell any fur or peltry which it does not own at a price higher than the owner's maximum price for such fur or peltry established under paragraph (c) or (d) of this section.

(f) *Invoices—(1) Auction companies and brokers.* Every auction company and broker shall, in connection with each sale of furs or peltries, deliver to the purchaser an invoice showing:

(i) Date of sale,

(ii) Name and address of the auction company or broker and the purchaser,

(iii) Shipping terms, if any,

(iv) Identifying lot number and sample number for each lot sold (in the case of auction companies these must be as set forth in the descriptive catalogue³ of the sale),

(v) Quantity of each type and grade in each lot (in the case of auction companies these must be as set forth in the descriptive catalogue³ of the sale),

(vi) Selling price per skin for each type and grade, and

(vii) Maximum price per skin for each type and grade.

(2) *All other sellers.* Every seller other than a hunter or trapper shall, in connection with every sale of furs or peltries other than sales made through auction companies or brokers, deliver to the purchaser an invoice showing:

(i) Date of sale,

(ii) Name and address of seller and purchaser,

(iii) Shipping terms, if any,

(iv) Terms of sale.

(v) Description of the furs or peltries sold, as follows:

(a) Type of skin,

(b) Size, color, grading, quality and assortment, and,

(c) If sold on a bundled basis, the bundle number,

³ If the catalogue of the auction company does not contain a complete description of the furs sold, giving the species of skin, whether raw, dressed or dressed and dyed, and if applicable, the size, color, grading, quality, type and assortment and, if sold on a bundled or a graded basis, the bundle number or grade, this information must be shown on the invoices.

(vi) Identifying lot number for each lot sold,

(vii) Quantity of each type and grade sold, and, if bundled, number of bundles and number of skins in each bundle,

(viii) Selling price per skin for each type, grade or bundle sold, and

(ix) Maximum price per skin for each type, grade or bundle.

(g) *Records—(1) Current records.* Every seller must keep a duplicate of the invoice delivered by him in connection with every sale, and every buyer, in the course of trade or business, must keep the invoices received by him in connection with every purchase for which a maximum price is established by this section. Every seller and every purchaser of raw, dressed or dressed and dyed furs and peltries must keep a record either in the form of the duplicate invoice or otherwise of each sale or purchase of furs or peltries, including the type of fur or peltry, the quantity of each type, and the price at which each fur or peltry was purchased or sold (a seller or purchaser who sold or purchased through an auction company or broker must also state that fact in his record and state the name and address of the auction company or broker). In addition, every seller must record on either his retained duplicate of the invoice delivered in connection with every sale, or elsewhere in his records, the fact that he purchased the furs from a hunter or trapper, or in the case of a purchase from another person, the name of that person or persons and identifying lot and purchase invoice number or numbers covering such purchase by the seller.

(2) *Base period records.* Every seller must preserve the records required by § 1499.11 of the General Maximum Price Regulation, and such other records relating to purchases and deliveries during the base period as may be in his possession on the effective date of this section.

(3) *Auction companies and brokers.* Every auction company and every broker must keep the records required by subparagraph (1) of this paragraph and must also supply to his consignee or principal the information required in subparagraph (1).

In addition, every auction company which sells an original consignment at auction in separately graded lots (regardless of whether such lots are made exclusively from skins contained in that consignment, or whether skins from several consignments are made into a single lot) must maintain records for each such consignment which will:

(i) State the date of receipt of the consignment,

(ii) State the number of skins contained in the consignment,

(iii) State the name and address of the consignee,

(iv) State the consignee's maximum price for the consignment,

(v) State whether such maximum price was determined under paragraph (c) or (d) of this section,

(vi) State the lot numbers of the graded lots which include skins from this consignment,

(vii) State the number of skins from this consignment included in each lot listed in (vi),

(viii) State the selling price per skin for each graded lot listed in (vi),

(ix) State the name and address of the purchaser or purchasers, and

(x) Identify by lot number and sample number each sale to each such purchaser.

For purposes of this subparagraph each type of fur or peltry included in an original consignment shall be considered a separate consignment.

(h) *Prohibitions.* (1) No seller shall sell, offer for sale or deliver any furs or peltries at a higher selling price than the prices established under paragraph (c) or (d) of this section.

(2) No seller shall change his customary discounts, allowances, or other price differentials if the change would result in a higher net price.

(3) No seller shall make a sale of furs or peltries which is conditioned directly or indirectly on the purchase of any other commodity or service.

(4) No person shall, in the course of trade or business, buy or receive any fur or peltry which was sold in violation of subparagraphs (1), (2) or (3) of this paragraph. However, dealers purchasing furs from a breeder, trapper or hunter at prices higher than the maximum prices established by this section shall not be deemed to have violated this section unless they know or have reason to believe that such purchases are subject to this section.

(5) No person shall, for the purpose of evading the price limitations set forth in this regulation, 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. No person shall do any other act which directly or indirectly increases the consideration paid for any fur or peltry. Any practice which is a device to secure the effect of a higher-than-ceiling price is as much a violation as an outright raising of the maximum price. This applies to devices making use of commissions, services, transportation arrangements, premiums, discounts, special privileges, tying agreements, trade understandings and all similar practices.

(6) No person shall agree, offer, solicit or attempt to do any of the acts prohibited in this paragraph (h).

(i) *Types of furs and peltries.* Each species of raw fur or peltry, dressed fur or peltry, and dressed and dyed fur or peltry is a type, and in addition, each of the following furs in the raw, dressed, and dressed and dyed state, is a type:

Badger—Canadian.

Badger—United States.

Badger—Russian.

Brazilian Cats.

Civet Cats (North American).

Lynx Cats and Wild Cats (North American).

Ringtail Cats.

Spotted Cat (South American).

North American Ermine.

Russian Ermine.

Black Fitch.

White Fitch.

Australian Fox.

South American Fox.

Blue Fox (Alaskan).

Blue Fox (Russian).

Blue Fox (Scandinavian).

Cross Fox (North American).

MAXIMUM PRICE REGULATION No. 529—SECOND
HAND PAPERBOARD SHIPPING CONTAINERS

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Appendix A.—Maximum prices for sales of second hand paperboard shipping containers.

SECTION 1. Applicability—(a) Commodity. This regulation establishes maximum prices for sales of second hand paperboard shipping containers. The term, "second hand paperboard shipping container," shall include any used corrugated or solid fibre paperboard shipping containers except fibre drums which is either:

(1) "Reusable," that is, can be used as a shipping container without being repaired, or

(2) "Repairable," that is, can be made reusable by repair or alteration, or

(3) "Reconditioned," that is, has been repaired or altered so as to be reusable.

Any used paperboard shipping container which is not reusable or repairable is wastepaper and is not a second hand paperboard shipping container. Any used container which has an outside surface tear or a hole in the fibre or which is not knocked down flat shall not be considered as a reusable or repairable container. All sales of used or second hand paperboard shipping containers to any person who uses wastepaper as a raw material in any manufacturing process are sales of wastepaper, regardless of the condition of the containers. Maximum prices for sales of such wastepaper shall be determined under Maximum Price Regulation No. 30.¹

(b) *Levels covered.* The maximum prices established by this regulation apply to sales by all persons at all levels of distribution, except where otherwise specifically stated.

(c) *Relationship of this regulation to other regulations.* This regulation supersedes the General Maximum Price Regulation² with respect to all sales of second hand paperboard shipping containers for which maximum prices are established by this regulation. It will be noted that under this regulation maximum prices are now established for certain sales which have hitherto been exempt from all price control by reason of their exemption from the General Maximum Price Regulation. This regulation does not apply to any sales for which maximum prices are established by Revised Maximum Price Regulation No. 187³ (Certain Paperboard Products), or

¹ 7 F.R. 9732; 8 F.R. 3845, 6109, 7350, 7109, 7821, 13049, 17483.

² 8 F.R. 3096, 3849, 4347, 4486, 4724, 4076, 6047, 6962, 8511, 9025, 9991, 11955, 13724; 9 F.R. 1385.

³ 8 F.R. 14395, 17367; 9 F.R. 1320, 2404.

PART 1340—FUEL

[RMPR 122, Corr. to Amdt. 20]

SOLID FUELS SOLD AND DELIVERED BY
DEALERS

In the table of § 1340.256 (c) (3), the date over the third column is corrected to read July 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 25th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5894; Filed, April 26, 1944;
11:44 a. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW
MATERIALS FOR PAPER AND PAPER PROD-
UCTS, PRINTING AND PUBLISHING

[MPR 529]

SECOND HAND PAPERBOARD SHIPPING CON-
TAINERS

In the judgment of the Price Administrator, it is necessary and proper to establish maximum prices for second hand paperboard shipping containers by a specific maximum price regulation.

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.*

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 purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328. So far as practicable, the Price Administrator has advised and consulted with members of the industry which will be affected by this regulation. Insofar as this regulation uses specifications and standards which were not, prior to such use, in general use in the trade or industry affected, or insofar as their use was not lawfully required by another Government agency, the Administrator has determined, with respect to such standardization, that no practicable alternative exists for securing effective price control with respect to the commodities subject to this regulation.

§ 1347.807 *Maximum prices for second hand paperboard shipping containers.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328, Maximum Price Regulation No. 529 (Second Hand Paperboard Shipping Containers), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1347.803 issued under 56 Stat. 27, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

*Copies may be obtained from the Office of Price Administration.

Cross Fox (Russian).
Grey Fox.
Kitt Fox.
Red Fox (Alaska Type).
Red Fox (Central Type).
Red Fox (Northeastern Type).
Red Fox (Northwestern Type).
Red Fox (Russian).
Red Fox (Swedish).
Silver Fox.
White Fox (Canadian).
White Fox (Russian).
Lambskin (Chinese).
Lamb (Indian).
Lamb (Lincoln).
Lynx (Alaskan).
Lynx (Russian).
Marten (Coast).
Marten (Canadian).
Baum Marten (Russian).
Stone Marten (Russian).
Muskrat (Northern).
Muskrat (Southern).
Muskrat (Russian).
Opossum (Australian).
Opossum (New Zealand).
Opossum (North American).
Opossum (South American).
Ringtail Opossum.
Pony (Russian).
Pony (South American).
Skunk (North American).
Skunk (South American).
Weasel (Chinese).
Weasel (North American).
Weasel (South American).
Wolf (Canadian and Martava Type).
Wolf (Northwestern Type).
Wolf (Russian).
Wolf (Southwestern Type).
Wolf (Western Type).
Timber Wolf.
Kildskin, Grey.
Kildskin, (Far Eastern, China).
Kildskin, White and Black.
Mink, Ranch.
Mink, Wild.
Mink, Jap.
Persian Lamb (Russian).
Persian Lamb (Afghanistan).
Persian Lamb (Southwestern African).
Persian Lamb, Broadtail.
Raccoon, Heavy trimming.
Raccoon, Semi heavy.
Raccoon, Coat only.
Squirrels (North American).
Squirrels (Siberian, East and North Europe).
Shiraz Lamb, Black.
Shiraz Lamb, Grey.
Rabbits—Australian, New Zealand, United Kingdom, South American, North American.
Hares—Russian, South American, Spanish, Australian, New Zealand, United Kingdom, North American.
Otter—North American, South American.
Beaver—Canadian, United States, Alaska.

This amendment shall become effective June 23, 1944.

Note: The reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 24th day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-5829; Filed, April 24, 1944;
4:44 p. m.]

by Maximum Price Regulation No. 117⁴ (Used Egg Cases and Used Component Parts), or by Maximum Price Regulation No. 434⁵ (Used Fruit and Vegetable Containers).

(d) *Geographical applicability.* The provisions of this regulation shall be applicable to the forty-eight States and to the District of Columbia.

Sec. 2. Export sales. The maximum prices at which any person subject to this regulation may export second hand paperboard shipping containers for which maximum prices are established by this regulation shall be determined in accordance with the provisions of the Second Revised Maximum Export Price Regulation⁶ issued by the Office of Price Administration.

Sec. 3. Imports. No person importing second hand paperboard shipping containers shall pay a total price therefor, including United States customs duties paid directly or indirectly by him, which exceeds the maximum price established by this regulation for a domestic sale of the same containers.

Sec. 4. Federal and state taxes. Any tax upon, or incident to, the sale, delivery, processing or use of second hand paperboard shipping containers imposed by any statute of the United States or statute or ordinance of any state or any subdivision thereof, shall be treated as follows in determining the seller's maximum price for such second hand paperboard shipping containers and in preparing the records of such seller with respect thereto:

If, at the time the seller determines his maximum price the statute or ordinance imposing such tax does not prohibit the seller from stating and collecting the tax separately from the purchase price, and the seller does state it separately, the seller may collect, in addition to the maximum price, the amount of the tax actually paid by him or an amount equal to the amount of tax paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased, and in such case the seller shall not include such amount in determining the maximum price under this regulation.

Sec. 5. Adjustable pricing. Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration

to whom the authority to grant such authorization has been delegated. The authorization will be given by order.

Sec. 6. Petitions for amendment. Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.⁷

Sec. 7. Evasion. The price limitations set forth in this regulation shall not be evaded whether by direct or indirect methods, in connection with an offer, solicitation, agreement, delivery, purchase, or receipt of or relating to second hand paperboard shipping containers alone or in connection with any other commodity, or by way of commission, service, transportation, or other charges or discount, premium, or other privilege, or by tying agreement, or other trade understanding, or otherwise.

Sec. 8. Enforcement. Persons violating any provisions of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for suspension of license as provided by the Emergency Price Control Act of 1942, as amended.

Sec. 9. Licensing. The provisions of Licensing Order No. 1⁸ licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

Sec. 10. Records and reports. (a) Every person making sales or purchases of second hand paperboard shipping containers shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, shall remain in effect, complete and accurate records of each such sale or purchase, showing the following:

- (1) Date of purchase or sale.
- (2) Name and address of the buyer or seller.
- (3) Quantity and weight purchased or sold, broken down to show whether containers are reusable, repairable, or reconditioned.
- (4) Prices paid or received.

Such records shall set forth separately the price charged, the origin and destination of the shipment, the means of transportation used, the amount of the transportation charge, and any other amounts paid or received in connection with such sale. Such records may be in the form of the invoice or a copy thereof furnished in connection with each such sale or purchase, providing the invoice contains the information specified above.

(b) On or before May 22, 1944 every person who purchases second hand paperboard shipping containers for resale shall file with the Office of Price Administration, Washington, D. C., an inventory statement of second hand paperboard shipping containers on hand as of

May 1, 1944. This inventory statement shall show the number of pounds of second hand paperboard shipping containers owned or possessed by him or for his account and shall be broken down to show the location of all second hand paperboard shipping containers covered by it.

(c) Persons required to keep records by paragraph (a) of this section shall keep such other records and shall submit such reports as the Office of Price Administration may from time to time require subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

Sec. 11. Definitions. (a) When used in this regulation, the term:

(1) "Person" means an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representatives 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) "Second hand paperboard shipping containers" has the meaning stated in section 1.

(3) "Reusable" has the meaning stated in section 1.

(4) "Repairable" has the meaning stated in section 1.

(5) "Reconditioned" has the meaning stated in section 1.

(6) "Broker" has the meaning stated in Appendix A.

(7) "Commission agent" has the meaning stated in Appendix A.

(8) "Dealer" means a person who purchases second hand paperboard shipping containers for resale.

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

Sec. 12. Pricing provisions—(a) Prohibitions. On and after May 1, 1944, regardless of any contract or other obligation:

(1) No person shall sell or deliver or negotiate the sale or delivery of second hand paperboard shipping containers at higher prices than those set forth in Appendix A of this regulation;

(2) No person shall buy or receive second hand paperboard shipping containers in the course of trade or business at higher prices than those set forth in Appendix A of this regulation.

(b) *Less than maximum prices.* Lower prices than those established by this regulation may be charged, demanded, paid or offered.

APPENDIX A—MAXIMUM PRICES FOR SALES OF SECOND HAND PAPERBOARD SHIPPING CONTAINERS

(a) The following prices apply only to sales and deliveries of second hand paperboard shipping containers as defined in section 1.

| Description: | Maximum price per cwt. |
|---|------------------------|
| Repairable..... | \$1.75 |
| Reusable—unsorted..... | 2.25 |
| Reusable or reconditioned (sorted by size)..... | 3.75 |
| Reusable or reconditioned (sorted by size and by brand name)..... | 4.00 |

⁴ 8 F.R. 13727.

⁵ 8 F.R. 10086, 11382, 12477; 9 F.R. 908.

⁶ 8 F.R. 4132, 5987, 7662, 9998, 15192; 9 F.R. 1036.

⁷ 7 F.R. 6961; 8 F.R. 3313, 3533, 6173, 11606;

9 F.R. 1594, 3075.

⁸ 8 F.R. 13240.

Where reusable or reconditioned second hand paperboard shipping containers are sold by dealers in lots of less than 100 containers 95¢ per cwt. may be added to the price established above for such containers sorted by size and \$1.00 per cwt. may be added to the price established above for such containers sorted by size and by brand name.

(b) *Transportation and delivery charges.*

(1) When the distance between the point of shipment and the point of delivery is 10 miles or less: (i) If delivery is by rail, or by truck or other carrier owned, controlled or hired by the seller, then the applicable price set forth in paragraph (a) above shall apply on a delivered basis; (ii) If sales are made f. o. b. seller's place of business, shipment to be made by carrier other than by railroad, then the maximum price f. o. b. truck shall be the applicable price set forth in paragraph (a) above less the sum of \$0.25 for each hundred pounds of second hand paperboard shipping containers in the shipment.

(2) When the distance between the point of shipment and the point of delivery is in excess of 10 miles, then the following rules shall apply: (i) When shipment is made by rail the maximum prices f. o. b. cars shall be those set forth in paragraph (a); (ii) When shipment is made by the seller either in his own truck or by common or contract carrier (other than by rail) the maximum price shall be the applicable price set forth in paragraph (a) less \$0.25 for each hundred pounds of second hand paperboard shipping containers contained in the shipment plus the actual cost of transportation incurred by him; (iii) If the purchaser sends a truck owned or controlled by him to take delivery at seller's place of business, then the maximum price shall be the applicable price set forth in paragraph (a) less the sum of \$0.25 for each hundred pounds of second hand paperboard shipping containers contained in the shipment.

(c) If the weight of any such delivery contains 5% or less of wastepaper, including any used containers which have an outside tear or hole in the fibre and which are not knocked down flat, then the total weight may be treated as a delivery of second hand paperboard shipping containers. If, however, the weight of any such delivery contains more than 5% of wastepaper, including any used containers which have an outside tear or hole in the fibre and which are not knocked down flat, then the charge for the entire shipment shall not exceed the appropriate maximum price established under this regulation, applied only to the actual weight of second hand paperboard shipping containers in such shipment.

(d) Upon sales of mixtures of repairable containers with reusable and reconditioned containers, the maximum price for repairable containers applies if the repairable containers in the mixture constitute more than 5%. If any such mixture contains 5% or less by weight of repairable containers, then the entire shipment may be treated as reusable or reconditioned containers.

(e) *Brokerage Allowance.* Under the circumstances stated in this paragraph (e) an allowance not in excess of 40¢ for each hundred pounds of second hand paperboard shipping containers may be paid to a broker for selling or negotiating for the sale of second hand paperboard shipping containers. The maximum price at which a broker may sell second hand paperboard shipping containers shall not exceed the sum of the price paid by him under this regulation for such containers plus 40¢ for each hundred pounds of second hand paperboard shipping containers in the shipment. The broker may include in the computation of the price paid by him, any amount actually paid to another for repairing, reconditioning and/or sorting such containers. In no event, however, may the broker's selling price exceed the maximum price established under paragraphs (a) (b) (c) and (d) of this Appendix A for

the type of second hand paperboard shipping containers involved in the broker's sale plus the sum of 40¢ for each hundred pounds of second hand paperboard shipping containers in the shipment.

In addition the following requirements must be satisfied:

(1) The sale must comply with all the requirements of this regulation;

(2) The containers must not have been repaired or sorted by the broker or by any person with whom the broker has any connection consisting of a community or ownership or other beneficial interest, profit-sharing arrangement, agreement for division of losses, or control based on close family relationship.

(3) The allowance must not be split or divided with any other person; and

(4) The allowance must be shown on a separate invoice or as a separate item on the invoice accompanying the delivery. In connection with each delivery the broker must send to the purchaser a statement that the broker does not engage in the business of repairing or sorting second-hand paperboard shipping containers.

A "broker" is any person who complies with the requirements of this paragraph (e) and who purchases and resells reusable or reconditioned second hand paperboard shipping containers or who arranges for the sale thereof.

Nothing herein contained shall prevent a buyer from paying a finder's fee for the procurement of second hand paperboard shipping containers, provided the total amount paid by him does not exceed the maximum price which a broker might receive under this regulation for selling or negotiating for the sale of second hand paperboard shipping containers. For the purpose of this paragraph (e) it is immaterial whether or not title is taken by the person to whom the brokerage allowance is paid.

This Maximum Price Regulation No. 529 shall become effective May 1, 1944.

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

Issued this 25th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5895; Filed, April 25, 1944;
11:45 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 289, Amdt. 32]

BULK POWDERED SKIM MILK

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

Maximum Price Regulation 289 is amended in the following respect:

Section 1351.1522 (a) (2) is amended to read as follows:

(2) In addition to the maximum prices established in subparagraph 1 of this paragraph (a) any manufacturer or wholesaler who is designated as an "authorized receiver" of bulk powdered skim

*Copies may be obtained from the Office of Price Administration.

¹7 F.R. 10996; 8 F.R. 490, 1458, 1885, 1972, 3252, 3327, 4335, 4513, 4338, 4918, 6440, 7566, 14312, 7593, 8276, 8751, 9380, 9229, 10667, 11245, 15423, 15327, 15455, 16524, 16842, 16836; 9 F.R. 2135, 2289, 3072, 3649, 8947.

milk by the Food Distribution Administration, may charge $\frac{3}{4}$ cents per pound on sales of carlot quantities.

This amendment shall become effective May 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9320, 8 F.R. 4681).

Issued this 25th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5896; Filed, April 26, 1944;
11:45 a. m.]

PART 1386—SOAP AND GLYCERINE

[MPR 390, Amdt. 4]

HOUSEHOLD SOAPS AND CLEANSERS SOLD BY
RETAIL FOOD STORES

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

Maximum Price Regulation No. 390 is amended in the following respects:

1. Section 5 is deleted and in lieu thereof the following is inserted:

Sec. 5. *Posting your ceiling prices.* After you have found your group of store, you should apply to your local War Price and Rationing Board which will supply you with a list of maximum prices for your group of store setting out in dollars and cents the prices for all brands of household soaps and cleansers listed in this regulation. You are required to post this list in plain view of your customers either at the points in your store where the soaps and cleansers you sell are displayed or at the points where purchases of soap are ordinarily paid for. In addition to posting this list of prices, you are required to figure your maximum prices for all unlisted brands of soap you sell. You must also post these prices at the places specified above.

2. Section 3. *Your ceiling prices* is amended by adding the following paragraph:

(c) Manufacturers may be required to change the size of packs in the tables of sections 17, 18, and 19 below, in compliance with War Production Board Limitation Order No. 317, Fibre Shipping Containers, dated March 23, 1944, which order is designed to conserve paper board. This change has no effect on your maximum prices listed in the tables or otherwise determined as required, because these maximum prices are per unit contained in the pack regardless of the size of the pack.

3. The following paragraphs of section 17, *Maximum prices for sales of household soaps and cleansers by Group 1 stores*, are amended by inserting in the table of maximum prices, in alphabetical order, the commodities listed below:

a. In section 17 (a), *Maximum prices for bar or cake toilet soap*, insert:

Cashmere Bouquet,

Regular, 144----- .10 (3 for 27¢)

¹8 F.R. 6428, 9847, 9360, 13490.

b. Section 17 (b), *Maximum prices for bar laundry soap*, is amended by deleting Octagon, large, 100, .05, and inserting in lieu thereof:

Octagon, Large..... 100 .06

c. In section 17 (c), *Maximum prices for cleansers and scouring powders*, insert:

Cameo Cleanser..... 14 48 .09

d. In section 17 (d), *Maximum prices for package soaps*, insert:

Par granulated..... 23 24 .26
 Par granulated..... 50 12 .53
 Par granulated..... 69 8 .69

4. The following paragraphs of section 18, *Maximum prices for sales of household soaps and cleansers by Group 2 stores* are amended by inserting in the table of maximum prices, in alphabetical order, the commodities listed below:

a. In section 18 (a), *Maximum prices for bar or cake toilet soaps*, insert:

Cashmere Bouquet,
 Regular, 144..... .10 (3 for 27¢)

b. In section 18 (c), *Maximum prices for cleansers and scouring powders*, insert:

Cameo Cleanser..... 14 48 .09

c. In section 18 (d), *Maximum prices for package soaps*, insert:

Par granulated..... 23 24 .26
 Par granulated..... 50 12 .53
 Par granulated..... 69 8 .69

5. The following paragraphs of section 19, *Maximum prices for sales of household soaps and cleansers by Group 3 and 4 stores* are amended by inserting in the table of maximum prices, in alphabetical order, the commodities listed below:

a. In section 19 (a), *Maximum prices for bar or cake toilet soaps*, insert:

| | Group 3 price | | Group 4 price | |
|------------------------------------|---------------|------|---------------|------|
| | Multiple sale | Unit | Multiple sale | Unit |
| Cashmere Bouquet, regular 144..... | 3 for 27¢ | .10 | 3 for 27¢ | .10 |

b. In section 19 (c), *Maximum prices for cleansers and scouring powders*, insert:

| | Group 3 price | | Group 4 price | |
|-------------------------|---------------|------|---------------|------|
| | Multiple sale | Unit | Multiple sale | Unit |
| Cameo Cleanser, 14, 48. | 3 for 27¢ | .08 | 3 for 27¢ | .08 |

c. In section 19 (d), *Maximum prices for packaged soaps*, insert:

| | Group 3 price per unit | Group 4 price per unit |
|-----------------------------|------------------------|------------------------|
| Par granulated, 23, 24..... | .23 | .23 |
| Par granulated, 50, 12..... | .48 | .46 |
| Par granulated, 69, 8..... | .63 | .61 |

This amendment shall become effective May 5, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 25th day of April 1944.

CHESTER BOWLES,
 Administrator.

[F. R. Doc. 44-5697; Filed, April 25, 1944; 11:46 a. m.]

PART 1386—SOAP AND GLYCERINE

[MPR 391, Amdt. 2]

HOUSEHOLD SOAPS AND CLEANSERS SOLD BY MANUFACTURERS AND CERTAIN WHOLESALEERS

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

Maximum Price Regulation No. 391 is amended in the following respects:

1. Section 3 (g) is amended to read as follows:

(g) *Import sales.* The provisions of this regulation supersede the provisions of the Maximum Import Price Regulation and the General Maximum Price Regulation with respect to sales, deliveries and transfers of imported household soaps and cleansers for which maximum prices are established by this regulation.

2. The following paragraphs of section 5, *Maximum prices for sales of household soaps and cleansers by manufacturers*, are amended by inserting in the table of maximum prices, in alphabetical order, the commodities listed below:

a. In paragraph (a), *Maximum prices for bar or cake toilet soaps*, insert:

Cashmere Bouquet, Regular, 144.... \$10.100

b. In paragraph (c), *Maximum prices for cleansers and scouring powders*, insert:

Cameo Cleanser..... 14 48 \$2.780

c. In paragraph (d), *Maximum prices for package soaps*, insert:

Par granulated..... 23 24 \$4.925
 Par granulated..... 50 12 5.225
 Par granulated..... 69 8 4.575

3. Section 5 (h) is amended to read as follows:

(h) Each manufacturer shall continue to allow the cash and quantity discounts allowed by him during January 1943 which were most favorable to the buyer.

Redemption or premium plans offered by the manufacturer wherein the manufacturer offers to redeem a tag, wrapper, coupon or other evidence of a purchase of his product, for something of value, whether cash, commodity, "trading stamp" or similar right, or a service, shall be deemed a cash or quantity discount to the buyer within the meaning of this section whether the buyer purchases directly from the manufacturer or indirectly through a wholesaler, distributor, or retailer.

*Copies may be obtained from the Office of Price Administration.

¹ 8 F.R. 6435, 13500.

4. The following paragraphs of section 6, *Maximum prices for sales of household soaps and cleansers by wholesalers to retail food stores*, are amended by inserting in the table of maximum prices in alphabetical order the commodities listed below.

a. In paragraph (a), *Maximum prices for bar or cake toilet soaps*, insert:

Cashmere Bouquet,
 Regular, 144..... \$10.42 \$10.64

b. In paragraph (c), *Maximum prices for cleansers and scouring powders*, insert:

Cameo Cleanser. 14 48 \$3.13 \$3.20

c. In paragraph (d), *Maximum prices for package soaps*, insert:

Par granulated. 23 24 \$5.08 \$5.19
 Par granulated. 50 12 5.39 5.51
 Par granulated. 69 8 4.72 4.82

This amendment shall become effective May 5, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 25th day of April 1944.

CHESTER BOWLES,
 Administrator.

[F. R. Doc. 44-5698; Filed, April 25, 1944; 11:44 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 11 to GMPR, Corr. to Amdt. 45¹]

EXCEPTIONS FOR CERTAIN SERVICES

Section 1499.46 (c) (2) is corrected by deleting the reference therein to paragraph (b) (73).

This correction shall become effective as of March 24, 1944.

(56 Stat. 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 25th day of April 1944.

CHESTER BOWLES,
 Administrator.

[F. R. Doc. 44-5900; Filed, April 25, 1944; 11:44 a. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter V—Military Reservations and National Cemeteries

PART 51—LIST OF EXECUTIVE ORDERS, PROCLAMATIONS AND PUBLIC LAND ORDERS AFFECTING MILITARY RESERVATIONS²

CORDOVA AIRFIELD, ET AL.

§ 51.1 *Executive orders, proclamations, and public land orders.* The following military reservations are set apart for the use of, or transferred to, the War Department, either wholly or in part, by the indicated documents:

¹ 9 F.R. 3331.

² Executive orders and public land orders issued during the period, 2 June 1943 to 31 December 1943, both dates inclusive, supplementary to § 51.1, Title 10, Code of Federal Regulations. No proclamations affecting military reservations during this period are on record.

| Designation | State or Territory | Acreage | Documents affecting | | |
|---|--------------------|---------------------------------|---------------------|---------------------------|---------------|
| | | | No. | Date | Citation |
| Cordova Airfield | Alaska | | P.L.O. 154 | 29 July 1943 | 8 F.R. 10995. |
| Valdez Garrison Site | Alaska | 5.6 | P.L.O. 161 | Not published | |
| Kingman Gunnery Range | Ariz. | 20,780.00 | P.L.O. 166 | 15 Sept. 1943 | 8 F.R. 13069. |
| Navajo Ordnance Depot | Ariz. | 22.8 | P.L.O. 176 | 29 Sept. 1943 | 8 F.R. 14017. |
| Kingman Aerial Gunnery Range | Ariz. | 302,161.62 | P.L.O. 192 | 2 Nov. 1943 | 8 F.R. 15385. |
| Camp Bouse | Ariz. | 352,300.00 | P.L.O. 186 | 8 Dec. 1943 | 8 F.R. 16999. |
| Yuma Aerial Gunnery Range | Ariz. | 235.75 | P.L.O. 197 | 20 Dec. 1943 | 8 F.R. 17330. |
| Camp Young | Calif. | 950.00 | P.L.O. 146 | 8 July 1943 | 8 F.R. 10027. |
| Rice Field | Calif. | 20.00 | P.L.O. 181 | 1 Oct. 1943 | 8 F.R. 13325. |
| March Field Rifle Range | Calif. | 40.00 | P.L.O. 199 | 22 Dec. 1943 | 9 F.R. 110. |
| Leadville Landing Strip | Colo. | 240.00 | P.L.O. 152 | 28 July 1943 | 8 F.R. 10942. |
| Mountain Home Airbase | Idaho | 7,672.20 | P.L.O. 172 | 27 Sept. 1943 | 8 F.R. 13746. |
| Pocatello Army Air Base | Idaho | 4,862.53 | P.L.O. 178 | 1 Oct. 1943 | 8 F.R. 13824. |
| Gowen Field | Idaho | 14,795.20 | P.L.O. 179 | 1 Oct. 1943 | 8 F.R. 13825. |
| Pocatello Army Air Base | Idaho | 5,322.65 | P.L.O. 180 | 1 Oct. 1943 | 8 F.R. 13825. |
| Pocatello Demolition and Incendiary Bombing Range | Idaho | 3,840.00 | P.L.O. 185 | 7 Oct. 1943 | 8 F.R. 14093. |
| Gove County Aerial Gunnery Range | Kansas | 40.00 | P.L.O. 182 | 1 Oct. 1943 | 8 F.R. 13825. |
| Lewiston Bombing Range | Mont. | 80.00 | P.L.O. 134 | 7 June 1943 | 8 F.R. 8557. |
| Fort Peck Aerial Gunnery Range | Mont. | 511,689.49 | P.L.O. 137 | 10 June 1943 | 8 F.R. 8558. |
| Black Rock Desert Bombing Range | Nev. | Revokes P. L. O. 53 4 Nov. 1942 | P.L.O. 153 | 28 July 1943 | 8 F.R. 10942. |
| Las Vegas Army Air Field | Nev. | 37.40 | P.L.O. 168 | 17 Sept. 1943 | 8 F.R. 13261. |
| Alamogordo Bombing Range | N. Mex. | 160 | P.L.O. 173 | 27 Sept. 1943 | 8 F.R. 13746. |
| Carlsbad Army Air Field | N. Mex. | 9,722.24 | P.L.O. 186 | 11 Oct. 1943 | 8 F.R. 14317. |
| Kirtland Advance Flying School | N. Mex. | Revokes P. L. O. 113 | P.L.O. 190 | 1 Nov. 1943 | 8 F.R. 15330. |
| Camp White | Oreg. | 16,891.50 | P.L.O. 167 | 15 Sept. 1943 | 8 F.R. 13069. |
| Pierre Pattern Gunnery Range | S. Dak. | 80.00 | P.L.O. 147 | 12 July 1943 | 8 F.R. 10578. |
| Ephrata Bombing Range | Wash. | 3,160.00 | P.L.O. 164 | 6 Sept. 1943 | 8 F.R. 12823. |
| Ephrata Bombing Range | Wash. | | P.L.O. 164 | Correcting 8 F. R. 12823. | 8 F.R. 14317. |
| Hanford Engineer Works | Wash. | 12,032.56 | P.L.O. 165 | 6 Sept. 1943 | 8 F.R. 12823. |
| Hanford Engineer Works | Wash. | 6,850.31 | P.L.O. 191 | 1 Nov. 1943 | 8 F.R. 15330. |
| Yakima Anti-Aircraft Firing Range | Wash. | 45,726.51 | P.L.O. 194 | 24 Nov. 1943 | 8 F.R. 16171. |
| Casper Low Altitude Bombing Range | Wyo. | 680.88 | P.L.O. 183 | 1 Oct. 1943 | 8 F.R. 13820. |

[SEAL]

ROBERT H. DUNLOP,
Brigadier General,
Acting The Adjutant General.

[F. R. Doc. 44-5769; Filed, April 24, 1944; 10:58 a. m.]

TITLE 46—SHIPPING
Chapter III—War Shipping Administration

[Rev. Gen. Order 8, Revocation of Rev. Supp. 8]

PART 302—CONTRACTS WITH VESSEL OWNERS AND RATES OF COMPENSATION RELATING THERETO

Sections 302.76 to 302.87, inclusive, are revoked. The matters treated in such revoked sections will hereafter be dealt with in operations regulations issued from time to time by the Administrator. (E.O. 9054, 7 F.R. 837)

[SEAL]

E. S. LAND,
Administrator.

APRIL 20, 1944.

[F. R. Doc. 44-5839; Filed, April 25, 1944; 9:48 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[S. O. 184, Amdt. 3]

PART 95—CAR SERVICE

REQUIREMENTS CONCERNING BILL OF LADING ON CERTAIN MEAT SHIPMENTS

At a session of the Interstate Commerce Commission, Division 3, held at

its office in Washington, D. C., on the 24th day of April, A. D. 1944.

Upon further consideration of Service Order No. 184 (9 F.R. 2613) of March 3, 1944, as amended (9 F.R. 2924; 9 F.R. 3594) and good cause appearing therefor; *It is ordered*, That:

Service Order No. 184 (9 F.R. 2613) of March 3, 1944, 49 CFR, § 95.333, as amended (9 F.R. 2924; 9 F.R. 3594) be further amended by striking from the last ordering paragraph as amended, the clause "That this order shall become effective at 7:00 a. m., May 3, 1944;" and by inserting in lieu thereof the following clause "That this order shall become effective at 7:00 a. m., August 3, 1944;" (40 Stat. 101, Sec. 402, 41 Stat. 476, Sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

It is further ordered, That this order shall become effective at 7:00 a. m., May 3, 1944; that copy of this order and direction shall be served upon each state railroad commission and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the Office of the Secretary of the Commission at Washington, D. C., and by filing it with the

Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 44-5851; Filed, April 25, 1944; 11:05 a. m.]

[S. O. 180, Amdt. 4]

PART 95—CAR SERVICE

DEMURRAGE CHARGES FOR STORAGE IN REFRIGERATOR CARS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 24th day of April, A. D. 1944.

Upon further consideration of Service Order No. 180 (9 F.R. 1598-99) of February 5, 1944, as suspended and amended (9 F.R. 1679-80; 9 F.R. 1827; 9 F.R. 2095; 9 F.R. 3747) and good cause appearing therefor; *It is ordered*, That:

Service Order No. 180 (9 F.R. 1598-99) of February 5, 1944, 49 CFR § 95.330, as suspended and amended (9 F.R. 1679-80; 9 F.R. 1827; 9 F.R. 2095; 9 F.R. 3747) be, and it is hereby, further suspended until August 5, 1944. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

And it is further ordered, That this order shall become effective May 5, 1944; that a copy of this order and direction shall be served upon each State Railroad Commission and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this order shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 44-5853; Filed, April 25, 1944; 11:05 a. m.]

[S. O. 165-A]

PART 95—CAR SERVICE

USE OF REFRIGERATOR CARS FOR CANNED GOODS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 24th day of April, A. D. 1944.

Upon further consideration of Service Order No. 165 (8 F.R. 16172) of November 23, 1943, as amended (8 F.R. 17428-29; 9 F.R. 542; 9 F.R. 1183-84) and good cause appearing therefor; *It is ordered*, That:

Service Order No. 165 (8 F.R. 16172), of November 23, 1943, 49 CFR § 95.324, as amended (8 F.R. 17428-29; 9 F.R. 542; 9 F.R. 1183-84) prohibiting the movement of canned foodstuffs in refrigerator cars, be, and it is hereby, vacated and set aside. (40 Stat. 101, Sec. 402, 41 Stat. 476, Sec. 4, 54 Stat. 901; 49 USC 1 (10)-(17))

It is further ordered, That this order shall become effective immediately; that copies of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44-5852; Filed, April 25, 1944;
11:05 a. m.]

Chapter II—Office of Defense Transportation

[General Permit ODT 3, Rev. 5A]

PART 521—CONSERVATION OF MOTOR EQUIPMENT—EXCEPTIONS, PERMITS AND EXEMPTIONS

COMMON CARRIERS OF PROPERTY; SMALL AND SPECIALLY DESIGNED TRUCKS

Pursuant to § 501.8 of General Order ODT 3, Revised, as amended, General Permit ODT 3, Revised-5 (7 F.R. 7102) is hereby superseded, and it is hereby authorized, that:

§ 521.504 *Small and specially designed trucks.* Any common carrier operating a motor truck (a) which can be utilized only for the transportation of that type of property for which it is specially designed, and not for the transportation of property generally; or, (b) where the primary carrying capacity is occupied by built-in loading racks, trays or crates designed for the loading of specific property; or, (c) where the rated load-carrying ability as defined in paragraph (f) of § 501.4 of General Order ODT 3, Revised, as amended, does not exceed 12,000 pounds, is hereby relieved, in respect of such trucks, from compliance with the provisions of subparagraphs (1) and (2) of paragraph (a) of § 501.6 (registering of empty or partially loaded trucks) of General Order ODT 3, Revised, as amended: *Provided*, That such trucks be loaded to capacity while operated over a considerable portion of the outbound or inbound route travelled in over-the-road service, and that the carrier use due diligence in maintaining a capacity load upon such trucks at all times while en route.

General Permit ODT 3, Revised-5 is hereby revoked as of the effective date of this General Permit ODT 3, Revised-5A.

This General Permit ODT 3, Revised-5A shall become effective April 25, 1944.

No. 83—4

(E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; E.O. 9156, 7 F.R. 3349; General Order ODT 3, Revised, as amended, 7 F.R. 5445, 6689, 7694, 8 F.R. 4660, 14582, 9 F.R. 2793, 3264, 3357)

Issued at Washington, D. C., this 25th day of April 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 44-5844; Filed, April 25, 1944;
11:08 a. m.]

[General Permit ODT 17-14A]

PART 521—CONSERVATION OF MOTOR EQUIPMENT; EXCEPTIONS, PERMITS AND EXEMPTIONS

MOTOR CARRIERS OF PROPERTY; SMALL AND SPECIALLY DESIGNED TRUCKS

Pursuant to § 501.71 of General Order ODT 17, as amended, General Permit ODT 17-14 (7 F.R. 7102) is hereby superseded, and it is hereby authorized, that:

§ 521.2890 *Small and specially designed trucks.* Any motor carrier operating a truck (a) which can be utilized only for the transportation of that type of property for which it is specially designed, and not for the transportation of property generally; or, (b) where the primary carrying capacity is occupied by built-in loading racks, trays or crates designed for the loading of specific property; or, (c) where the rated load-carrying ability, as defined in paragraph (g) of § 501.65 of General Order ODT 17, as amended, does not exceed 12,000 pounds, is hereby relieved, in respect of such trucks, from compliance with the provisions of subparagraphs (1) and (2) of paragraph (a) of § 501.69 (registering of empty or partially loaded trucks) of General Order ODT 17, as amended: *Provided*, That such trucks be loaded to capacity while operated over a considerable portion of the outbound or inbound route travelled in over-the-road service, and that the carrier use due diligence in maintaining a capacity load upon such trucks at all times while en route.

General Permit ODT 17-14 is hereby revoked as of the effective date of this General Permit ODT 17-14A.

This General Permit ODT 17-14A shall become effective April 25, 1944.

(E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; E.O. 9156, 7 F.R. 3349; General Order ODT 17, as amended, 7 F.R. 5678, 7694, 9623, 8 F.R. 12750, 14582, 9 F.R. 2795)

Issued at Washington, D. C., this 25th day of April 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 44-5845; Filed, April 25, 1944;
11:08 a. m.]

Notices

INTERSTATE COMMERCE COMMISSION.

[S. O. 70-A, Special Permit 210]

RECONSIGNMENT OF TOMATOES AT KANSAS CITY, Mo.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph § 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Kansas City, Missouri, April 20, 1944, by E. E. Fadler Company of car FFE 17012, tomatoes, now on the Rock Island Lines to Nash Finch Company at Davenport, Iowa, with stop for partial unloading at Cedar Rapids, Iowa.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 20th day of April 1944.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 44-5798; Filed, April 24, 1944;
11:30 a. m.]

[S. O. 70-A, Special Permit 211]

RECONSIGNMENT OF PEPPERS AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, April 20, 1944, by Gridley Maxson of car GARX 67389, peppers, now on the Wood Street Terminal to Detroit, Michigan.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice

of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 20th day of April 1944.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 44-5799; Filed, April 24, 1944;
11:30 a. m.]

[S. O. 70-A, Special Permit 212]

RECONSIGNMENT OF CABBAGE AT CHICAGO,
ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, April 20, 1944, by La Mantia Brothers, of car NRC 7005, cabbage, now on the Chicago Produce Terminal to Detroit, Michigan.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 20th day of April 1944.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 44-5800; Filed, April 24, 1944;
11:30 a. m.]

[S. O. 70-A, Special Permit 213]

RECONSIGNMENT OF POTATOES AT CHICAGO,
ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, April 20, 1944, by Christ Hansen Company of car GARX 67389, potatoes, now on the Wood Street Terminal, to Detroit, Michigan.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under

the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 20th day of April 1944.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 44-5801; Filed, April 24, 1944;
11:30 a. m.]

[S. O. 70-A, Special Permit 214]

RECONSIGNMENT OF POTATOES AT CHICAGO,
ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, April 20, 1944, by F. E. Baldwin Company, of car BREX 78333, potatoes, now on the Wood Street Terminal to Indianapolis, Indiana.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 20th day of April 1944.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 44-5802; Filed, April 24, 1944;
11:30 a. m.]

[S. O. 70-A, Special Permit 215]

RECONSIGNMENT OF POTATOES AT MINNE-
APOLIS, MINN.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Minneapolis, Minnesota, April 20, 1944, by Marshall Fruit, Inc., of car SFRD 33077, potatoes, now on the Chicago, Minneapolis, St. Paul & Pacific to Owatonna, Minnesota.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent

of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 20th day of April 1944.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 44-5803; Filed, April 24, 1944;
11:30 a. m.]

[S. O. 70-A, Special Permit 216]

RECONSIGNMENT OF POTATOES AT KANSAS
CITY, MO.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Kansas City, Missouri, April 20, 1944, by Innes Brothers, of car NYC 133400, potatoes, now on the Union Pacific to Paragould, Arkansas.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 20th day of April 1944.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 44-5804; Filed, April 24, 1944;
11:30 a. m.]

[S. O. 70-A, Special Permit 217]

RECONSIGNMENT OF POTATOES AT KANSAS
CITY, MO.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Kansas City, Missouri, April 20, 1944, by Innes Brothers, of car PRR 565197, potatoes, now on the Chicago, Rock Island & Pacific Railway, to St. Joseph, Missouri.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American

Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 20th day of April 1944.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 44-5805; Filed, April 24, 1944;
11:30 a. m.]

[S. O. 70-A, Special Permit 218]

RECONSIGNMENT OF POTATOES AT COLUMBIA,
S. C.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F. R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Columbia, South Carolina, April 20, 1944, by War Food Administration of cars WFEX 62776, FGEX 33607, CX 50139, FGEX 31794, WFEX 61341, potatoes, now on the Seaboard Air Line Railway, to Franklinton, Georgia.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 20th day of April 1944.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 44-5806; Filed, April 24, 1944;
11:30 a. m.]

[S. O. 164, Special Permit 23]

RECEIVING OF ORANGES FROM ORLANDO, FLA.

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.323, 8 F. R. 15491) of Service Order No. 164 of November 10, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To receive in transit to full bunker capacity one time only, after the first or initial icing, cars SFRD 4500, FGE 25492, MDZ 3085, oranges, shipped from Orlando, Florida, by Babl-Juice Corporation of Florida, to S. A. Albertson, Boston, Massachusetts. (S. A. L.-R. F. & P.-B. & O.)

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 29th day of January 1944.

HOMER C. KING,
Director, Bureau of Service.

[F. R. Doc. 44-5807; Filed, April 24, 1944;
11:31 a. m.]

[S. O. 70-A, Special Permit 219]

RECONSIGNMENT OF LETTUCE AT CHICAGO,
ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F. R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, April 21, 1944, by La Mantia Brothers Arrigo of car NP 93595, lettuce, now on the Chicago Produce Terminal to Decatur, Illinois.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 21st day of April 1944.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 44-5848; Filed, April 25, 1944;
11:05 a. m.]

[S. O. 70-A, Special Permit 220]

RECONSIGNMENT OF CAULIFLOWER AT
CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F. R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, April 21, 1944, by Julius Berman, of car RD 32543, cauliflower, now on the Chicago Produce Terminal to Philadelphia, Pennsylvania.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 21st day of April 1944.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 44-5847; Filed, April 25, 1944;
11:05 a. m.]

[S. O. 70-A, Special Permit 221]

RECONSIGNMENT OF POTATOES AT CHICAGO,
ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F. R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, April 19 to 22, 1944, by W. J. Engle Company, of cars containing potatoes, now on the Wood Street Terminal, as follows:

CB&Q 103011 to St. Louis, Missouri.

SFRD 119753 to Flora, Illinois.

PFE 22367 to Springfield, Illinois.

NorPac 12377 to unknown destination.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 19th day of April 1944.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 44-5848; Filed, April 25, 1944;
11:05 a. m.]

[S. O. 164, General Permit 18]

RECEIVING OF CITRUS FRUITS AT POINTS IN
IOWA, ETC.

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.323, 8 F. R. 15491) of Service Order No. 164 of November 10, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To receive once in transit to full bunker capacity at any point in the States of Iowa, Minnesota, or States located east of the Mississippi River and north of the Ohio

silver, any refrigerator car loaded with citrus fruits which have been sterilized prior to loading into refrigerator cars at Texas origins. This ruling shall be in addition to the icing services authorized on Texas citrus fruits in Amended General Permits Nos. 8 and 9 under Service Order 164.

The waybills shall show reference to this general permit.

This permit shall become effective at 12:01 a. m., April 23, 1944, and shall expire June 30, 1944.

A copy of this permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 22d day of April 1944.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 44-5850; Filed, April 25, 1944;
11:05 a. m.]

[S. O. 197, Amended General Permit 2]

TRANSPORTATION OF POTATOES FROM
DESIGNATED WESTERN STATES

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.336, 9 F.R. 4033) of Service Order No. 197 of April 11, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 197 insofar as it applies to the acceptance for transportation and movement of any railroad box car or refrigerator car loaded with potatoes, other than sweet, of any grade, from origins in the States of California, Colorado, Idaho, Montana, Nebraska, Nevada, Oregon, Utah, Washington, or Wyoming, consigned to dehydrating plants located at Bakersfield, Campbell, Healdsburg, Modesto, Salinas, San Jose, Turlock, or Visalia, California; Burley, Caldwell, Emmett, Idaho Falls, Jerome, New Plymouth or Payette, Idaho; Sioux City, Iowa; Mitchell or Scottsbluff, Nebraska; Dallas, Milton, Freewater, Lebanon, or Salem, Oregon; or Olympia, or Yakima, Washington; for dehydration purposes only: *Provided*, The bill of lading carries a certification by the shipper that the shipment is intended for dehydration purposes only.

This general permit shall become effective at 7:00 a. m., April 22, 1944.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 21st day of April 1944.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 44-5849; Filed, April 25, 1944;
11:05 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 3, Rev. 225]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS
IN ILLINOIS AND WISCONSIN

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 947, 2793, 3264, 3357) a copy of which plan is attached hereto as Appendix 2,¹ and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

¹Filed as part of the original document.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective April 29, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 25th day of April 1944.

J. M. JOHNSON,
Director,

Office of Defense Transportation.

APPENDIX 1

1. Knox Motor Service, Inc., Cherry Valley, Ill.
2. Rockford-Milwaukee Dispatch, Inc., Rockford, Ill.

[F. R. Doc. 44-5843; Filed, April 25, 1944;
11:08 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 188, Order 1539]

HOMER FURNACE AND FOUNDRY CORP.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 1539 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and con-

sumers' goods other than apparel. Authorization of maximum prices for the Homer Furnace and Foundry Corporation, its national distributor (The Rudy Furnace Company) and its jobbers.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and § 1499.158 of Maximum Price Regulation No. 188, *It is hereby ordered, That:*

(a) The Homer Furnace and Foundry Corporation, General Foundry Division, Coldwater, Michigan, may sell, offer to sell, and deliver to the persons listed below the following models of Hot-water supply boilers (also referred to as tank heaters) at the net prices indicated:

| Model | Sales to national distributor (Rudy Furnace Co.) | Sales to jobbers | Sales to dealers |
|-----------|--|------------------|------------------|
| 20-0..... | \$7.40 | \$8.46 | \$11.29 |
| 20-4..... | 8.11 | 9.27 | 12.36 |
| 30-0..... | 8.63 | 9.92 | 13.22 |
| 30-8..... | 9.31 | 10.64 | 14.19 |
| 155..... | 19.75 | 22.53 | 30.10 |

(b) The maximum net prices established in (a) shall be subject to the rendition of the same services and the absorption of the same transportation charges which the Rudy Furnace Company rendered or absorbed or would have rendered or absorbed during March 1942 on sales to purchasers of the same class.

(c) The National Distributor, The Rudy Furnace Company, and all jobbers of the Homer Furnace and Foundry Corporation, General Foundry Division, may sell, offer to sell, and deliver to the classes of purchasers listed below the following models of hot-water supply boilers (also referred to as tank heaters) at the net prices indicated:

(1) *National Distributor (The Rudy Furnace Company).*

| Model | Sales to jobbers | Sales to dealers |
|-----------|------------------|------------------|
| 20-0..... | \$8.46 | \$11.29 |
| 20-4..... | 9.27 | 12.36 |
| 30-0..... | 9.92 | 13.22 |
| 30-8..... | 10.64 | 14.19 |
| 155..... | 22.53 | 30.10 |

(2) *Jobbers.*

| Model: | Sales to dealers |
|-----------|------------------|
| 20-0..... | \$11.29 |
| 20-4..... | 12.36 |
| 30-0..... | 13.22 |
| 30-8..... | 14.19 |
| 155..... | 30.10 |

(d) The maximum net prices established in (c) shall be subject to the rendition of the same services and the absorption of the same transportation charges which the national distributor or each jobber rendered or absorbed or would have rendered or absorbed during March 1942 on sales to the same class of purchaser.

(e) This Order No. 1539 may be revoked or amended by the Price Administrator at any time.

(f) This Order No. 1539 shall become effective April 25, 1944.

Issued this 24th day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-5834; Filed, April 24, 1944; 4:44 p. m.]

[MPR 528, Order 1]

U. S. RUBBER CO. OF NEW YORK

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to Appendix A (d) of Maximum Price Regulation 528, *It is ordered:*

(a) The maximum retail prices for the following sizes and types of tires manufactured by the United States Rubber Company of New York, New York, shall be:

| Size | Ply | Maximum retail price, each |
|-----------------|-----|----------------------------|
| 10.00 x 22..... | 14 | \$132.40 |
| 11.00 x 22..... | 14 | 153.70 |

U. S. MASTER GRIP CON-TRAC-TOR TYPE

| Size | Ply | Maximum retail price, each |
|-----------------|-----|----------------------------|
| 9.00 x 20..... | 12 | \$100.00 |
| 10.00 x 20..... | 14 | 123.03 |

U. S. INDUSTRIAL PNEUMATIC

| Size | Ply | Maximum retail price, each |
|---------------------|-----|----------------------------|
| 3.50 x 6, tire..... | 6 | \$5.60 |
| 4.00 x 7, tire..... | 4 | 5.00 |
| 4.00 x 7, tube..... | | 1.75 |

(b) All other provisions of Maximum Price Regulation 528 not inconsistent with this order shall apply to such sales.

(c) This order may be amended or revoked by the Office of Price Administration at any time.

This order shall become effective May 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 24th day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-5831; Filed, April 24, 1944; 4:44 p. m.]

[MPR 528, Order 2]

GOODYEAR TIRE AND RUBBER CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to Appendix A (d) of Maximum Price Regulation 528: *It is ordered:*

(a) The maximum retail prices for the following sizes and types of new tires manufactured by the Goodyear Tire and Rubber Company of Akron, Ohio, shall be:

| TRACTION IMPLEMENT | | |
|--------------------|-----|-------------------------------|
| Size | Ply | Maximum retail price per tire |
| 7.50 x 20..... | 8 | \$24.60 |
| 7.50 x 24..... | 8 | 34.35 |

| GALDEN TRACTOR | | |
|----------------|-----|-------------------------------|
| Size | Ply | Maximum retail price per tire |
| 5.50 x 16..... | 2 | \$11.75 |

(b) All other provisions of Maximum Price Regulation 528 not inconsistent with this order shall apply to such sales.

(c) This order may be amended or revoked by the Office of Price Administration at any time.

This order shall become effective May 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 24th day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-5832; Filed, April 24, 1944; 4:45 p. m.]

[MPR 528, Order 3]

PENNSYLVANIA RUBBER CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to Appendix A (d) of Maximum Price Regulation 528, *It is ordered:*

(a) The maximum retail prices for the following sizes of Pennsylvania Rock Service and Loggers' Special new tires manufactured by the Pennsylvania Rubber Company of Jeannette, Pennsylvania, shall be:

| Size | Ply | Maximum retail price per tire |
|-----------------|-----|-------------------------------|
| 8.25 x 20..... | 12 | \$32.20 |
| 9.00 x 20..... | 12 | 100.00 |
| 10.00 x 20..... | 14 | 123.65 |
| 11.00 x 20..... | 14 | 154.00 |
| 11.00 x 24..... | 14 | 162.60 |

(b) All provisions of Maximum Price Regulation 528 not inconsistent with this order shall apply to such sales.

(c) This order may be amended or revoked by the Office of Price Administration at any time.

This order shall become effective May 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 24th day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-5833; Filed, April 24, 1944; 4:45 p. m.]

[MPR 120, Order 223]

D AND B COAL CO.

ESTABLISHMENT OF PRICE CLASSIFICATIONS AND MAXIMUM PRICES

Order No. 723 under Maximum Price Regulation No. 120. Bituminous coal de-

[MFR 120, Order 724] STANDARD COAL CO. ESTABLISHMENT OF PRICE CLASSIFICATIONS AND MAXIMUM PRICES

Order No. 724 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant. Establishing price classifications and maximum prices for coals of the Leonard Sasso T/A Standard Coal Company.

For the reasons given in an opinion issued simultaneously herewith and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, it is ordered:

(a) The Leonard Sasso No. 5 Mine of The Leonard Sasso T/A Standard Coal Company of Washington County, Pennsylvania, Subdistrict No. 7 in District No. 2, is hereby assigned Mine Index No. 4001 and classified in Railroad Fuel Price Group No. 1.

(b) Coals produced by The Leonard Sasso T/A Standard Coal Company at his Leonard Sasso No. 5 Mine, a strip mine, Mine Index No. 4001, located in Washington County, Pennsylvania in District No. 2, for the uses indicated and by methods of transportation appearing herein, may be sold and purchased at per net ton prices not exceeding the following:

(c) The maximum prices established herein are f. o. b. the mine for truck shipment and f. o. b. the rail shipping point for rail shipment and for railroad locomotive fuel.

(d) This order may be revoked or amended at any time.

(e) All prayers of the applicant not granted herein are hereby denied.

(f) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein.

This order shall become effective April 25, 1944.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 24th day of April 1944.

JAMES F. BROWNLEE, Acting Administrator.

[F. R. Doc. 44-5887; Filed, April 24, 1944; 4:46 p. m.]

Production Group No. 11, District No. 15, is hereby assigned Mine Index No. 2016 and classified in Production Group No. 11.

(b) Coals produced by the D and B Coal Company at its No. 1 Mine, Mine Index No. 2016, located in Tulsa County, Oklahoma in District No. 15, for the uses indicated and by methods of transportation appearing herein, may be sold and purchased at per net ton prices not exceeding the following:

Table with columns for size groups (1-2 and 3, 4, 6, 8, 9, 10, 11, 14, 15) and rows for Rail shipments and Truck shipments.

RAILROAD LOCOMOTIVE FUEL Regulation No. 120. Bituminous coal delivered from mine or preparation plant. Establishing price classifications and maximum prices for coals of B. A. Gardetto, Inc.

For the reasons given in an opinion issued simultaneously herewith and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120: It is ordered:

(a) The Roxbury No. 5 Seam and Roxbury No. 6 Seam, Mines of the B. A. Gardetto, Inc., of Perry County, Ohio in District No. 4, are hereby assigned Mine Index Nos. 4044 and 4045, respectively, and classified in Crooksville Freight Origin Group and Railroad Fuel Group No. 102.

(b) Coals produced by the B. A. Gardetto, Inc., Company at its Roxbury No. 5 Seam and Roxbury No. 6 Seam Mines, Mine Index Nos. 4044 and 4045, respectively, located in Perry County, Ohio in District No. 4, for the uses indicated and by methods of transportation appearing herein, may be sold and purchased at per net ton prices not exceeding the following:

Table with columns for size groups (1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12) and rows for Rail shipment, Truck shipment, and Railroad fuel.

livered from mine or preparation plant. Establishing price classifications and maximum prices for coals of the D and B Coal Company.

For the reasons given in an opinion issued simultaneously herewith and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120: It is ordered:

(a) The No. 1 Mine of the D and B Coal Company of Tulsa County, Oklahoma,

Table with columns for size groups (1-2 and 3, 4, 6, 8, 9, 10, 11, 14, 15) and rows for Rail shipments and Truck shipments.

Any size not specifically listed below-- 3" x 1/4" unwashed 2.60 2" x 1/4" unwashed 2.45 1 1/4" x 0 unwashed 2.30

(c) The maximum prices established herein are f. o. b. the mine for truck shipment and f. o. b. the rail shipping point for rail shipment and for railroad locomotive fuel.

(d) This order may be revoked or amended at any time.

(e) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein.

This order shall become effective April 25, 1944.

(56 Stat. 23, 765; Pub. Law 151 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R.)

Issued this 24th day of April 1944.

JAMES F. BROWNLEE, Acting Administrator.

[F. R. Doc. 44-5885; Filed, April 24, 1944; 4:46 p. m.]

[MFR 120, Order 725] B. A. GARDETTO, INC. ESTABLISHMENT OF PRICE CLASSIFICATIONS AND MAXIMUM PRICES

Order No. 725 under Maximum Price Regulation No. 120.

Table with columns for size groups (1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12) and rows for Rail shipment, Truck shipment, and Railroad fuel.

Table with columns for size groups (1-10) and rows for Price classifications, Rail shipments, Truck shipments, and Railroad fuel.

(c) The maximum prices established herein are f. o. b. the mine for truck shipment and f. o. b. the rail shipping point for rail shipment and for railroad fuel use.

(d) This order may be revoked or amended at any time.

(e) All prayers of the applicant not granted herein are hereby denied.

(f) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein.

This order shall become effective April 25, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 24th day of April 1944.

JAMES F. BROWNLEE, Acting Administrator.

[F. R. Doc. 44-5886; Filed, April 24, 1944; 4:46 p. m.]

Regional and District Office Orders.

(Region III Order G-5 Under RMPR 122, Amdt. 2)

SOLID FUELS IN DESIGNATED OHIO LOCALITIES

Amendment No. 2 to Revised Order No. G-5 under Revised Maximum Price

Regulation No. 122. Maximum prices for specified solid fuels in the municipalities of Akron, Barberton and Cuyahoga Falls in the State of Ohio.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by §§ 1340.254, 1340.259 (a) and 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered, That Revised Order No. G-5 under Revised Maximum Price Regulation No. 122 be amended in the following respects:

(a) The introductory paragraph to the price schedules in section (c) (1) is amended to read as follows:

(c) *Schedule for sales of coal*—(1) *Price schedules*. This schedule sets forth maximum prices for sales of specified sizes, kinds, and quantities of solid fuels. Column I describes the coal for which prices are established; Column II shows maximum prices for sales on a "direct delivery" basis, where account is not paid on or before the tenth day of the month following; Column III shows maximum prices for sales on a "direct delivery" basis, where account is paid on or before the tenth day of the month following, (including cash sales); Column IV shows cash or credit prices for all "yard sales" to dealers and to consumers. All prices are for sales on a net ton basis.

(b) Subparagraph (1) (a) of Paragraph A, Part II in section (c) (1) is amended to read as follows:

| Column I | Column II | Column III | Column IV |
|---|-----------|------------|-----------|
| a. Ohio No. 8 and Middle Freight Origin District..... | \$7.30 | \$7.05 | \$6.05 |

(c) Subparagraph (1) (a) of Paragraph A, Part III of the price schedule in section (c) (1) is amended to read as follows:

| Column I | Column II | Column III | Column IV |
|--|-----------|------------|-----------|
| a. Mine Price Classifications D and E, excepting until July 1, 1944, Mine Index No. 136..... | \$7.40 | \$7.15 | \$6.15 |

This Amendment No. 2 to Revised Order No. G-5 under Revised Maximum Price Regulation No. 122 shall become effective April 15, 1944.

(56 Stat. 23, 765; Pub. Laws 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued April 15, 1944.

CLIFFORD J. HOUSER,
Acting Regional Administrator.

[F. R. Doc. 44-5724; Filed, April 21, 1944; 4:51 p. m.]

[Region III Order G-9 Under RMPR 122, Amdt. 4]

SOLID FUELS IN MARION COUNTY, IND.

Amendment No. 4 to Order No. G-9 under Revised Maximum Price Regulation No. 122. Maximum prices for specified solid fuels in Marion County, in the State of Indiana.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration §§ 1340.254 and 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered that Order No. G-9 under Revised Maximum Price Regulation No. 122 be amended in the following respects:

(a) Part I of Schedule I, in section (c) is revised to read as follows:

SCHEDULE I

| Column I | Column II | Column III |
|--|-----------|------------|
| I. High volatile bituminous coals from Producing District No. 8 (Eastern Kentucky, Southwestern West Virginia, Western Virginia and Northeastern Tennessee), excluding Mine Index Nos. 124, 127, 235 and 638: | | |
| A. Lump: | | |
| 1. Size Group Nos. 1, 2, 3 (larger than 2") Mine Price Classification A..... | \$9.85 | \$8.65 |
| 2. Size group Nos. 1 and 2 (larger than 3"): | | |
| a. Mine Price Classification D through E..... | 9.25 | 8.50 |
| b. Mine Price Classifications J and K..... | 9.29 | 8.53 |
| c. Mine Price Classifications L through O..... | 9.05 | 8.05 |
| d. Mine Price Classifications P and lower..... | 8.05 | 7.85 |
| B. Egg: | | |
| 1. Size Group Nos. 6 and 7 (top size larger than 3" but not exceeding 6" x bottom size 2" and smaller; top size 3" but not exceeding 6" x bottom size larger than 2" but not exceeding 3"): | | |
| a. Mine Price Classification A..... | 9.15 | 8.19 |
| b. Mine Price Classifications B through K..... | 9.00 | 8.00 |
| c. Mine Price Classifications L through N..... | 8.00 | 7.80 |
| d. Mine Price Classifications O and lower..... | 8.25 | 7.60 |
| 2. Junior Egg (or Stone), Size Group No. 8 (top size larger than 2" but not exceeding 3" x bottom size 2" and smaller): | | |
| a. Mine Price Classification A..... | 8.05 | 7.65 |
| b. Mine Price Classifications B through G..... | 8.85 | 7.76 |
| c. Mine Price Classifications H and lower..... | 8.05 | 7.65 |
| O. Stoker—Size Group No. 10 (top size 1 1/2" and smaller x bottom size 1/2" and larger): | | |
| 1. Mine Price Classification A..... | 0.40 | 8.75 |
| 2. Mine Price Classifications B through E..... | 0.10 | 8.40 |
| 3. Mine Price Classifications F and lower..... | 8.00 | 8.10 |
| D. Run of mine (straight, resultant or altered), Size Group Nos. 16 and 17 (larger than 2 3/4" x 0; no coal smaller than 3/8" removed)—Mine Price Classifications A through G..... | | 7.60 |
| E. Screenings, size Group Nos. 19, 20, 21 (straight screenings larger than 3/8" x 0, but not exceeding 2 3/4" x 0; and altered screenings top size not exceeding 2 3/4" from which all of the 1" to 1 1/4" top and 3/8" to 3/4" bottom coal has been removed): | | |
| 1. Mine Price Classifications A through D..... | | 7.65 |

SCHEDULE I—Continued

| Column I | Column II | Column III |
|---|-----------|------------|
| I. High volatile bituminous coals from Producing District No. 8—Continued. | | |
| E. Screenings, size Group Nos. 19, 20, 21—Continued. | | |
| 2. Mine Price Classifications E through L..... | | \$7.45 |
| 3. Mine Price Classifications M and lower..... | | 7.20 |
| F. To the prices stated in Sections A, B, C, D, and E of Part I may be added \$0.15 per ton provided the coal is mined in Sub-district 6 of Producing District No. 8. Sub-district 6 includes that portion of District 8 which is in northern Tennessee and the following counties in Kentucky: Bell, Clay, Clinton, Jackson, Knox, Laurel, Leslie, Madison, McCreary, Owsley, Pulaski, Rock Castle, Wayne and Whitley. | | |

(b) Part II of Schedule I, in section (c) is revised to read as follows:

SCHEDULE I

| Column I | Column II | Column III |
|--|-----------|------------|
| II. High volatile bituminous coals from Producing District No. 11 (Indiana): | | |
| A. Lump and Egg, Size Group Nos. 1, 2, 3 (bottom size larger than 2", washed or raw): | | |
| 1. Linton-Sullivan District: | | |
| a. Price Group No. 6..... | \$7.50 | \$6.85 |
| b. Price Group Nos. 7, 13, 19..... | 6.50 | 6.60 |
| c. Price Group Nos. 8 through 12..... | 6.25 | 5.65 |
| 2. Princeton-Ayrshire District—Price Group No. 10..... | 6.45 | 5.75 |
| B. Lump, Egg and Stone, Size Group Nos. 4, 5, 6, 8 (bottom size 2", and smaller, washed or raw)—Linton-Sullivan District: | | |
| a. Price Group Nos. 7, 13, 19..... | 6.70 | 5.75 |
| b. Price Group No. 15..... | 6.70 | 6.00 |
| C. Raw Nut and Egg, Size Group Nos. 9, 10, 11, 12 (bottom size larger than 10 mesh or 3/8"): | | |
| 1. Linton-Sullivan District: | | |
| a. Price Group No. 6..... | 7.05 | 6.25 |
| b. Price Group Nos. 7, 13, 19..... | 6.10 | 5.45 |
| c. Price Group Nos. 8 through 12..... | 6.10 | 5.45 |
| 2. Princeton-Ayrshire District—Price Group No. 10..... | 6.25 | 5.45 |
| 3. Brazil-Clinton District—Price Group No. 1..... | 6.05 | 5.40 |
| D. Raw screenings, size Group Nos. 13 and 14 (larger than 3/8" x 0 but not exceeding 2" x 0)—Linton-Sullivan District—Price Groups Nos. 7, 13, 19..... | 5.50 | 5.15 |
| E. Washed or air cleaned nut, size Group Nos. 17 through 22 (bottom size larger than 10 mesh or 3/8"): | | |
| 1. Linton-Sullivan District—Price Group Nos. 8 through 12..... | 6.20 | 5.55 |
| 2. Princeton-Ayrshire District: | | |
| a. Price Group No. 10..... | 6.35 | 5.60 |
| b. Price Group No. 14..... | 7.10 | 6.40 |
| 3. Booneville District—Price Group No. 11..... | 6.35 | 5.60 |
| F. Washed or air cleaned screenings, size Group Nos. 23 and 24 (larger than 3/8" x 0 but not exceeding 2" x 0)—Princeton-Ayrshire District—Price Group No. 14..... | 6.20 | 5.65 |
| G. Dry deducted screenings, size Group Nos. 25 and 27 (larger than 3/8" x 0 but not exceeding 2" x 0): | | |
| 1. Linton-Sullivan District—Price Group Nos. 8 through 12..... | 5.85 | 5.20 |
| 2. Princeton-Ayrshire District—Price Group No. 10..... | 5.90 | 5.25 |
| H. Water deducted screenings, size Group Nos. 29 and 31 (larger than 3/8" x 0 but not exceeding 2" x 0)—Princeton-Ayrshire District—Price Group No. 10..... | 5.65 | 5.20 |
| I. A charge of 10¢ per ton may be made for treating coals described under Parts C, E and G above if the producer has customarily and is now making such a charge. | | |

(c) Schedule II in section (c) is deleted from said section.

(d) Part VII of Schedule I in section (c) is amended to read as follows:

SCHEDULE I

| Column I | Column II | Column III |
|-------------------------------------|-----------|------------|
| VII. Briquettes (low volatile)----- | \$10.70 | ----- |

This amendment to Order No. G-9 under Revised Maximum Price Regulation No. 122 shall become effective April 5, 1944.

(56 Stat. 23, 765, Pub. Laws 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued April 5, 1944.

CLIFFORD J. HOUSER,
Acting Regional Administrator.

[F. R. Doc. 44-5725; Filed, April 21, 1944; 4:51 p. m.]

[Region III Order G-18 Under 18 (c), Revocation]

MILK IN KENTUCKY

Revocation of Order No. G-18 under § 1499.18 (c) of the General Maximum Price Regulation. Order adjusting the maximum prices of fluid whole milk and special milk sold at retail and wholesale in the State of Kentucky.

For the reasons set forth in an opinion attached hereto and pursuant to the authority vested in the Regional Administrator of Region III under the provisions of § 1499.18 (c) of the General Maximum Price Regulation and § 1351.807 of Maximum Price Regulation No. 280: It is hereby ordered:

(a) That Order No. G-18 under § 1499.18 (c) of the General Maximum Price Regulation, as amended, be, and the same is, hereby revoked.

(b) That the revocation of said Order No. G-18 under § 1499.18 (c) of the General Maximum Price Regulation, as amended, shall be subject to all of the conditions, stipulations, and provisions of Supplementary Order No. 40.

This order shall become effective April 16, 1944.

(56 Stat. 23, 765, Pub. Laws 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued April 15, 1944.

CLIFFORD J. HOUSER,
Acting Regional Administrator.

[F. R. Doc. 44-5722; Filed, April 21, 1944; 4:50 p. m.]

[Region III Rev. Order G-18 Under 18 (c)]

MILK IN KENTUCKY

Revised Order No. G-18 under § 1499.18 (c) of the General Maximum Price Regulation. Order adjusting the maximum prices of fluid whole milk and special milk sold at retail and wholesale in the State of Kentucky.

For the reasons set forth in an opinion attached hereto, and pursuant to the authority vested in the Regional Administrator of Region III under the provisions of § 1499.18 (c) of the General Maximum Price Regulation and § 1351.807 of Maximum Price Regulation No. 280, it is hereby ordered that:

(a) Sales of approved fluid milk. (1) Any person may sell or deliver approved fluid milk at retail or wholesale in the Counties of Anderson, Franklin, Jessamine, Oldham, Shelby, and Woodford in the State of Kentucky at: (1) The maximum prices established for him under § 1499.2 of the General Maximum Price Regulation, or (2) The maximum prices established for him under any previous order issued by the Regional Administrator of Region III, or (3) At the prices set forth in the following schedule, whichever are greater:

(2) Any person may sell or deliver approved fluid milk at retail or wholesale in the Counties of Barren, Bourbon, Bullitt, Carroll, Harrison, Montgomery, Nelson, Owen, Scott and Spencer in the State of Kentucky at: (1) The maximum prices established for him under § 1499.2 of the General Maximum Price Regulation, or (2) The Maximum prices established for him under any previous order issued by the Regional Administrator of Region III, or (3) at the prices set forth in the following schedule, whichever are greater:

| Type of delivery | Container | Size | Adjusted maximum price |
|------------------|----------------------------|-------------------------------------|---|
| Retail----- | Glass, paper or other----- | One gallon or multiples thereof.... | 60¢ per gal. |
| Retail----- | Glass or paper----- | One quart or multiples thereof.... | 13 ³ / ₄ ¢ per qt. |
| Retail----- | Glass or paper----- | One pint----- | 7¢ per pint. |
| Retail----- | Glass or paper----- | One half-pint----- | 4¢ per one-half pint. |
| Wholesale----- | Glass, paper or other----- | One gallon or multiples thereof.... | 40¢ per gal. |
| Wholesale----- | Glass or paper----- | One quart or multiples thereof.... | 11¢ per qt. |
| Wholesale----- | Glass or paper----- | One pint----- | 6 ¹ / ₂ ¢ per pint. |
| Wholesale----- | Glass or paper----- | One-half pint----- | 3¢ per one-half pint. |

(3) The maximum prices of any person selling or delivering approved fluid milk at retail or wholesale in the Counties of Bell, Boone, Bracken, Calloway, Campbell, Carter, Christian, Daviess, Elliott, Fleming, Gallatin, Grant, Hardin, Henderson, Kenton, Lawrence, Lewis, Logan, Pendleton, Robertson, Rowan, Simpson and Warren in the State of

Kentucky shall be (1) the maximum prices established for him under § 1499.2 of the General Maximum Price Regulation, or (2) the maximum prices established for him under any previous order issued by the Regional Administrator of Region III, or (3) the prices set forth in the following schedule, whichever are greater:

| Type of delivery | Container | Size | Adjusted maximum price |
|------------------|----------------------------|-------------------------------------|--|
| Retail----- | Glass, paper or other----- | One gallon or multiples thereof.... | 60¢ per gallon. |
| Retail----- | Glass or paper----- | One quart or multiples thereof.... | 13 ³ / ₄ ¢ per quart. |
| Retail----- | Glass or paper----- | One pint----- | 7¢ per pint. |
| Retail----- | Glass or paper----- | One-half pint----- | 4¢ per one-half pint. |
| Wholesale----- | Glass, paper or other----- | One gallon or multiples thereof.... | 40¢ per gallon. |
| Wholesale----- | Glass or paper----- | One quart or multiples thereof.... | 11 ³ / ₄ ¢ per quart. |
| Wholesale----- | Glass or paper----- | One pint----- | 6 ³ / ₄ ¢ per pint. |
| Wholesale----- | Glass or paper----- | One half-pint----- | 3 ³ / ₄ ¢ per one-half pint. |

(4) Any person may sell or deliver approved fluid milk at retail or wholesale in the Counties of Boyd and Greenup in the State of Kentucky at: (1) The maximum prices established for him under § 1499.2 of the General Maximum

Price Regulation, or (2) The maximum prices established for him under any previous order issued by the Regional Administrator of Region III, or (3) The prices set forth in the following schedule, whichever are greater:

| Type of delivery | Container | Size | Adjusted maximum price |
|------------------|---------------------|-------------------------------------|---|
| Retail----- | Glass or other----- | One gallon or multiples thereof.... | 62¢ per gallon. |
| Retail----- | Glass or paper----- | One-half gallon----- | 27¢ per one-half gallon. |
| Retail----- | Glass or paper----- | One quart----- | 14¢ per quart. |
| Retail----- | Glass or paper----- | One pint----- | 7 ¹ / ₂ ¢ per pint. |
| Retail----- | Glass or paper----- | One-half pint----- | 4¢ per one-half pint. |
| Wholesale----- | Glass or other----- | One gallon or multiples thereof.... | 44¢ per gallon. |
| Wholesale----- | Glass or paper----- | One-half gallon----- | 23¢ per half-gallon. |
| Wholesale----- | Glass or paper----- | One quart----- | 12¢ per quart. |
| Wholesale----- | Glass or paper----- | One pint----- | 6¢ per pint. |
| Wholesale----- | Glass or paper----- | One-half pint----- | 3 ³ / ₄ ¢ per one-half pint. ¹ |

¹ 3³/₄¢ per one-half pint for sales within the corporate limits of the municipalities of Morehead, County of Rowan in the State of Kentucky.

(5) Any person may sell or deliver approved fluid milk at retail or wholesale in the Counties of Anderson, Franklin, Jessamine, Oldham, Shelby, and Woodford in the State of Kentucky at: (1) The maximum prices established for him under § 1499.2 of the General Maximum

Price Regulation, or (2) The maximum prices established for him under any previous order issued by the Regional Administrator of Region III, or (3) The prices set forth in the following schedule, whichever are greater:

| Type of delivery | Container | Size | Adjusted maximum price |
|------------------|---------------------|--|--|
| Retail----- | Glass or other----- | One gallon or multiples thereof.... | 62¢ per gallon. |
| Retail----- | Glass or paper----- | One-half gallon or multiples thereof.... | 30¢ per half-gallon. |
| Retail----- | Glass or paper----- | One quart or multiples thereof.... | 16 ¹ / ₄ ¢ per quart. |
| Retail----- | Glass or paper----- | One pint----- | 10¢ per pint. |
| Retail----- | Glass or paper----- | One-half pint----- | 7¢ per half-pint. |
| Wholesale----- | Glass or other----- | One gallon or multiples thereof.... | 40¢ per gallon. |
| Wholesale----- | Glass or paper----- | One-half gallon or multiple thereof.... | 27¢ per half-gallon. |
| Wholesale----- | Glass or paper----- | One quart or multiples thereof.... | 13 ¹ / ₄ ¢ per quart. |
| Wholesale----- | Glass or paper----- | One pint----- | 8 ¹ / ₄ ¢ per pint. |
| Wholesale----- | Glass or paper----- | One-half pint----- | 4 ¹ / ₂ ¢ per one-half pint. |

Regulation, (2) The maximum prices established, for him under any previous order issued by the Regional Administrator of Region III, or (3) The prices set forth in the following schedule, whichever are greater:

| Type of delivery | Container | Size | Adjusted maximum price |
|------------------|----------------|---------------------------------|------------------------|
| Retail | Glass or other | One gallon or multiples thereof | 62¢ per gallon |
| Retail | Glass or paper | One quart or multiples thereof | 14¢ per quart |
| Retail | Glass or paper | One pint | 8¢ per pint |
| Retail | Glass or paper | One-half pint | 6¢ per half pint |
| Wholesale | Glass or other | One gallon or multiples thereof | 46¢ per gallon |
| Wholesale | Glass or paper | One quart or multiples thereof | 12¢ per quart |
| Wholesale | Glass or paper | One pint | 6 1/2¢ per pint |
| Wholesale | Glass or paper | One-half pint | 3 3/4¢ per half pint |

(9) The maximum prices of any person selling or delivering approved fluid milk at retail or wholesale in the Counties of Clark, Madison, Allen, Ballard, Butler, Caldwell, Carlisle, Crittenden, Fulton, Graves, Hickman, Hopkins, Livingstone, Lyon, McLean, Marshall, Muhlenberg, Ohio, Todd, Trigg, Union and Webster in the State of Kentucky shall be (1) The maximum prices established for him under any previous order issued by the Regional Administrator of Region III, or (2) The maximum prices established for him under any previous order issued by the Regional Administrator of Region III, or (3) The prices set forth in the following schedule, whichever are greater:

| Type of delivery | Container | Size | Adjusted maximum price |
|------------------|----------------|---------------------------------|------------------------|
| Retail | Glass or other | One gallon or multiples thereof | 62¢ per gallon |
| Retail | Glass or paper | One half gallon | 27¢ per half gallon |
| Retail | Glass or paper | One quart | 14¢ per quart |
| Retail | Glass or paper | One pint | 8¢ per pint |
| Retail | Glass or paper | One-half pint | 6¢ per half pint |
| Wholesale | Glass or other | One gallon or multiples thereof | 46¢ per gallon |
| Wholesale | Glass or paper | One half gallon | 24¢ per half gallon |
| Wholesale | Glass or paper | One quart | 12¢ per quart |
| Wholesale | Glass or paper | One pint | 6 1/2¢ per pint |
| Wholesale | Glass or paper | One-half pint | 3 3/4¢ per half pint |

(10) Any person may sell or deliver approved fluid milk at retail or wholesale in the Counties of Clay, Mason and Whitley in the State of Kentucky at (1) The maximum prices established for him under § 1499.2 of the General Maximum Price Regulation or (2) The maximum prices established for him under any previous order issued by the Regional Administrator of Region III, or (3) The prices set forth in the following schedule, whichever are greater:

| Type of delivery | Container | Size | Adjusted maximum price |
|------------------|----------------|---------------------------------|------------------------|
| Retail | Glass or other | One gallon or multiples thereof | 61¢ per gallon |
| Retail | Glass or paper | One-half gallon | 29¢ per half gallon |
| Retail | Glass or paper | One quart | 16¢ per quart |
| Retail | Glass or paper | One pint | 9¢ per pint |
| Retail | Glass or paper | One-half pint | 7¢ per half pint |
| Wholesale | Glass or other | One gallon or multiples thereof | 45¢ per gallon |
| Wholesale | Glass or paper | One half gallon | 25¢ per half gallon |
| Wholesale | Glass or paper | One quart | 13¢ per quart |
| Wholesale | Glass or paper | One pint | 8¢ per pint |
| Wholesale | Glass or paper | One-half pint | 4¢ per half pint |

(11) The maximum prices of any person selling or delivering approved fluid milk at retail or wholesale in the County of Johnson in the State of Kentucky shall be (1) The maximum prices established for him under § 1499.2 of the General Maximum Price Regulation, or (2) The maximum prices established for him under any previous order issued by the Regional Administrator of Region III, or (3) The prices set forth in the following schedule, whichever are greater:

(5) The maximum prices of any person selling or delivering approved fluid milk at retail or wholesale in the Counties of Harlan and Knott in the State of Kentucky shall be (1) the maximum prices established for him under § 1499.2 of the General Maximum Price Regulation, or (2) The maximum prices established for him under any previous order issued by the Regional Administrator of Region III, or (3) The prices set forth in the following schedule, whichever are greater:

| Type of delivery | Container | Size | Adjusted maximum price |
|------------------|----------------|---------------------------------|------------------------|
| Retail | Glass or other | One gallon or multiples thereof | 62¢ per gallon |
| Retail | Glass or paper | One-half gallon | 32¢ per half gallon |
| Retail | Glass or paper | One quart | 17¢ per quart |
| Retail | Glass or paper | One pint | 10¢ per pint |
| Retail | Glass or paper | One-half pint | 8 1/2¢ per half pint |
| Wholesale | Glass or other | One gallon or multiples thereof | 46¢ per gallon |
| Wholesale | Glass or paper | One half gallon | 26¢ per half gallon |
| Wholesale | Glass or paper | One quart | 13¢ per quart |
| Wholesale | Glass or paper | One pint | 7 1/2¢ per pint |
| Wholesale | Glass or paper | One-half pint | 4¢ per half pint |

(6) Any person may sell or deliver approved fluid milk at retail or wholesale in the Counties of Floyd, Letcher, Perry and Pike in the State of Kentucky at: (1) The maximum prices established for him under § 1499.2 of the General Maximum Price Regulation, or (2) The maximum prices established for him under any previous order issued by the Regional Administrator of Region III, or (3) at the prices set forth in the following schedule, whichever are greater:

| Type of delivery | Container | Size | Adjusted maximum price |
|------------------|-----------------------|---------------------------------|------------------------|
| Retail | Glass, paper or other | One gallon or multiples thereof | 64¢ per gallon |
| Retail | Glass or paper | One quart or multiples thereof | 17¢ per quart |
| Retail | Glass or paper | One-half pint | 9 1/2¢ per half pint |
| Retail | Glass or paper | One pint | 6 1/2¢ per pint |
| Wholesale | Glass, paper or other | One gallon or multiples thereof | 46¢ per gallon |
| Wholesale | Glass or paper | One quart or multiples thereof | 16¢ per quart |
| Wholesale | Glass or paper | One-half pint | 7 1/2¢ per half pint |
| Wholesale | Glass or paper | One pint | 4¢ per half pint |

(7) Any person may sell or deliver approved fluid milk at retail or wholesale in the County of McCreary in the State of Kentucky at (1) The maximum prices established for him under § 1499.2 of the General Maximum Price Regulation, or (2) The maximum prices established for him under any previous order issued by the Regional Administrator of Region III, or (3) The prices set forth in the following schedule, whichever are greater:

| Type of delivery | Container | Size | Adjusted maximum price |
|------------------|----------------|--------------------------------------|------------------------|
| Retail | Glass or other | One gallon or multiples thereof | 61¢ per gallon |
| Retail | Glass or paper | One-half gallon or multiples thereof | 29¢ per half gallon |
| Retail | Glass or paper | One quart or multiples thereof | 15¢ per quart |
| Retail | Glass or paper | One pint | 8¢ per pint |
| Retail | Glass or paper | One-half pint | 7¢ per half pint |
| Wholesale | Glass or other | One gallon or multiples thereof | 45¢ per gallon |
| Wholesale | Glass or paper | One-half gallon or multiples thereof | 25¢ per half gallon |
| Wholesale | Glass or paper | One quart or multiples thereof | 13¢ per quart |
| Wholesale | Glass or paper | One pint | 8¢ per pint |
| Wholesale | Glass or paper | One-half pint | 4 1/2¢ per half pint |

(8) Any person may sell or deliver approved fluid milk at retail or wholesale in the County of Fayette in the State of Kentucky at: (1) The maximum prices established for him under § 1499.2 of the General Maximum Price Regulation, or (2) The maximum prices established for him under any previous order issued by the Regional Administrator of Region III, or (3) The prices set forth in the following schedule, whichever are greater:

| Type of delivery | Container | Size | Adjusted maximum price |
|------------------|---------------------|--------------------------------------|------------------------|
| Retail..... | Glass or other..... | One gallon or multiples thereof..... | 58¢ per gallon. |
| Retail..... | Glass or paper..... | One-half gallon..... | 30¢ per half gallon. |
| Retail..... | Glass or paper..... | One quart..... | 16½¢ per quart. |
| Retail..... | Glass or paper..... | One pint..... | 9¢ per pint. |
| Retail..... | Glass or paper..... | One-half pint..... | 6¢ per half pint. |
| Wholesale..... | Glass or other..... | One gallon or multiples thereof..... | 53¢ per gallon. |
| Wholesale..... | Glass or paper..... | One-half gallon..... | 27¢ per half gallon. |
| Wholesale..... | Glass or paper..... | One quart..... | 14½¢ per quart. |
| Wholesale..... | Glass or paper..... | One pint..... | 7¢ per pint. |
| Wholesale..... | Glass or paper..... | One half pint..... | 4¢ per half pint. |

(12) The maximum prices of any person selling or delivering approved fluid milk at retail or wholesale in the County of McCracken in the State of Kentucky shall be (1) The maximum prices established for him under § 1499.2 of the Gen-

eral Maximum Price Regulation, or (2) The maximum prices established for him under any previous order issued by the Regional Administrator of Region III, or (3) The prices set forth in the following schedule whichever are greater:

| Type of delivery | Container | Size | Adjusted maximum price |
|------------------|---------------------|--------------------------------------|------------------------|
| Retail..... | Glass or other..... | One gallon or multiples thereof..... | 54¢ per gallon. |
| Retail..... | Glass or paper..... | One-half gallon..... | 28¢ per half gallon. |
| Retail..... | Glass or paper..... | One quart..... | 14½¢ per quart. |
| Retail..... | Glass or paper..... | One pint..... | 8½¢ per pint. |
| Retail..... | Glass or paper..... | One-half pint..... | 7¢ per half pint. |
| Wholesale..... | Glass or other..... | One gallon or multiples thereof..... | 47¢ per gallon. |
| Wholesale..... | Glass or paper..... | One-half gallon..... | 25¢ per half gallon. |
| Wholesale..... | Glass or paper..... | One quart..... | 12½¢ per quart. |
| Wholesale..... | Glass or paper..... | One pint..... | 7½¢ per pint. |
| Wholesale..... | Glass or paper..... | One-half pint..... | 3¾¢ per half pint. |

(13) Any person may sell or deliver approved fluid milk at wholesale or retail in any county in the State of Kentucky not specifically mentioned in section (a), sub-sections (1) to (12) inclusive, of this section (a) at (1) the maximum prices established for him under

§ 1499.2 of the General Maximum Price Regulation, or (2) the maximum prices established for him under any previous order issued by the Regional Administrator of Region III, or (3) the prices set forth in the following schedule, whichever are greater:

| Type of delivery | Container | Size | Adjusted maximum price |
|------------------|---------------------|--------------------------------------|------------------------|
| Retail..... | Glass or other..... | One gallon or multiples thereof..... | 48¢ per gallon. |
| Retail..... | Glass or paper..... | One quart or multiples thereof..... | 13¢ per quart. |
| Retail..... | Glass or paper..... | One pint..... | 7¢ per pint. |
| Retail..... | Glass or paper..... | One half pint..... | 6¢ per one-half pint. |
| Wholesale..... | Glass or other..... | One gallon or multiples thereof..... | 40¢ per gallon. |
| Wholesale..... | Glass or paper..... | One quart or multiples thereof..... | 11¢ per quart. |
| Wholesale..... | Glass or paper..... | One pint..... | 5½¢ per pint. |
| Wholesale..... | Glass or paper..... | One half pint..... | 3¢ per half pint. |

(b) *Sales of special milk.* (1) Except as hereinafter provided in paragraph (2) of this section (b), any person selling special milk, as hereinafter defined, at retail or wholesale in any County in the State of Kentucky, who is permitted under the provisions of this order or has been permitted under the provisions of any previous order issued by the Regional Administrator of Region III to increase the price of approved fluid milk (raw or pasteurized regular, standard milk) sold by him, may add an amount equal to such increase and/or the sum of such increases to the retail and wholesale prices of special milk established for him under the provisions of § 1499.2 of the General Maximum Price Regulation or under the provisions of any previous order issued by the Regional Administrator of Region III.

(2) The adjusted maximum price of plain homogenized milk, chocolate drink, buttermilk and skim milk as established under the preceding paragraph (1) shall in no event exceed the adjusted maximum price of approved fluid milk (raw or pasteurized regular, standard milk) established under the applicable provisions of this order.

(3) If any person selling special milk at retail or wholesale in any County in

the State of Kentucky cannot determine his maximum prices for such special milk under the provisions of (1) or (2) of this section (b), he may apply by letter to the Regional Office, Office of Price Administration, Union Commerce Building, Cleveland, Ohio, for determination of his maximum prices. He shall submit full information as to his present maximum prices, the prices of his most closely competitive sellers, the type and approximate butterfat content of the special milk sold by him and his most closely competitive sellers, and a full statement of the reasons why he is unable to determine adjusted prices under paragraph (1) and (2) hereof.

(c) Notwithstanding the provisions of paragraph (a) and (b) of this order, there shall be no increase in the prices of approved fluid milk or special milk, as hereinafter defined, in the County of Jefferson in the State of Kentucky.

(d) *Fractional sales.* (1) Whenever the seller's maximum price, as established under this order, results in a unit figure containing a fraction of a cent, the seller, if the sale be at retail, may adjust the unit price therefor to the next highest full cent. For sales of two or more such units, such seller shall, however, multiply such fractional unit figure by the number of units in such

sale; for example, a maximum price of 7½¢ per unit may be adjusted to 8¢ for the sale of one unit, but must be 15¢ for the sale of two units, etc.

(2) Whenever the seller's maximum price, as established under this order, results in a unit figure containing a fraction of a cent, the seller, if the sale be at wholesale, shall multiply such fractional unit figure by the number of units in such sale; for example, the maximum price for 24 pints of fluid milk at a per unit cost of 5½¢ would be \$1.32.

(e) *Reports.* Each person, other than a retail store, adjusting his maximum prices pursuant to the provisions of this order, shall, within five (5) days after such action, notify the Regional Office of the Office of Price Administration, Union Commerce Building, Cleveland Ohio, by letter, of his maximum prices established pursuant to this order, together with a statement of his previous maximum prices.

Each such person shall, in addition to the above, file with the Regional Office of the Office of Price Administration, Union Commerce Building, Cleveland, Ohio, such reports as may hereafter be required by said Regional Office.

(f) *Discounts.* Any person selling approved fluid milk and/or special milk at retail or wholesale in the State of Kentucky may discontinue the granting of discounts.

(g) *Notification of retail stores.* Each distributor selling approved fluid milk and/or special milk at wholesale to a retail store or stores shall notify each store to whom he sells, by letter, of the adjustment permitted by this order, and each retail store is hereby required to comply with the requirements of the General Maximum Price Regulation as to the posting of prices of cost-of-living commodities.

(h) The provisions of this order supersede the provisions of General Order No. 1 pertaining to certain trade practices in Region III. Said Order No. 1 is therefore revoked as to all counties, except Jefferson County in the State of Kentucky.

(i) *Definitions*—(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons or successors of the foregoing.

(2) *Approved fluid milk and special milk.* (i) "Approved fluid milk" is defined to mean fluid cows' milk, whether raw or pasteurized, meeting the minimum butterfat content, sanitary and health requirements for fluid milk for human consumption in the particular area wherein it is delivered, including standards set by the army or navy purchasing officer making purchases for the armed forces of the United States.

(ii) "Special milk" is defined to mean plain homogenized milk, softcurd milk, buttermilk, regular or standard milk flavored with chocolate, chocolate drink, skim milk and, in addition to the foregoing, any milk conforming to both of the following requirements: (a) it must contain a greater butterfat content than regular or standard milk, and (b) it must have sold during the month

of March, 1942, at a price higher than regular or standard milk.

(3) "Sale or delivery at retail" means a sale or sales of approved fluid milk in glass or paper containers to an ultimate consumer, other than an industrial or commercial user.

(4) "Sale or delivery at wholesale" refers to a sale of approved fluid milk or special milk in glass, paper or other containers to any person, including an industrial or commercial user, other than an ultimate consumer. For the purposes of this order, a sale or delivery at wholesale shall include a sale or delivery to stores, hotels, restaurants, institutions, and any branch of the Armed Forces of the United States. A sale or delivery at wholesale does not include a sale of bulk milk made by one distributor to another, or a sale by a cooling station to a distributor.

(j) This order shall remain in effect until modified or revoked by the Regional Administrator.

This order shall become effective April 16, 1944.

(56 Stat. 23, 765, Pub. Laws 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued April 15, 1944.

CLIFFORD J. HOUSER,
Acting Regional Administrator.

[F. R. Doc. 44-5723; Filed, April 21, 1944; 4:50 p. m.]

[Region III Order G-28 Under MPR 329]

MILK IN CLARK COUNTY, OHIO

Order No. G-28 under Maximum Price Regulation No. 329. Purchases of milk from producers for resale as fluid milk, Clark County, Ohio.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by §§ 1351.408 (b) and 1351.408 (c) of Maximum Price Regulation No. 329, *It is hereby ordered:*

(a) Any milk distributor in Clark County, Ohio, may pay to producers the following quantity bonuses, in addition to his maximum producer price established by (1) Maximum Price Regulation No. 329, or (2) any applicable order thereunder:

| | Bonus (cents per cwt.) |
|--------------------------------------|---------------------------|
| 150-299 lbs. daily average..... | 5 |
| 300-399 lbs. daily average..... | 10 |
| 400 lbs. and over daily average..... | 15 |

(b) Each distributor increasing his price to producers pursuant to the provisions of this order shall, within five days after such action, notify the Regional Office of the Office of Price Administration, Union Commerce Building, Cleveland, Ohio, by letter or postcard, of his price established pursuant to the provisions of this order, together with a statement of his previous price.

(c) *Definitions*—(1) "Milk distributor" is defined to mean any individual, corporation, partnership, association, or any other organized group of persons or successors of the foregoing who pur-

chases "milk" in a raw and unprocessed state for the purpose of resale as fluid milk in glass, paper or other containers.

(2) "Producer" means a farmer, or other person or representative, who owns, superintends, manages, or otherwise controls the operations of a farm on which "milk" is produced. For the purposes of this order, farmers' cooperatives are producers when (1) they do not own or lease physical facilities for receiving, processing, or distributing milk, and (2) they do own or lease physical facilities for receiving, processing or distributing milk, but they act as selling agents for producers, whether members of such cooperative or not.

(3) "Milk" means liquid cow's milk in a raw, unprocessed state, which is purchased for resale for human consumption as fluid milk. "In a raw, unprocessed state" means unpasteurized and not sold and delivered in glass or paper containers.

(d) This order may be modified, amended or revoked at any time by the Office of Price Administration.

This order shall be effective as of April 1, 1944.

(56 Stat. 23, 765; Pub. Laws 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued April 15, 1944.

CLIFFORD J. HOUSER,
Acting Regional Administrator.

[F. R. Doc. 44-5721; Filed, April 21, 1944; 4:50 p. m.]

[Region IV Order G-3 Under MPR 280]

FLUID MILK IN ATLANTA, GA., REGION

Order No. G-3 under Maximum Price Regulation No. 280, as amended. Maximum prices for specific food products. Maximum prices for interhandler sales of bulk fluid milk.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region IV of the Office of Price Administration by § 1351.817a of Maximum Price Regulation No. 280, as amended: *It is hereby ordered:*

(a) On and after the effective date of this order, regardless of any contract, agreement or other obligation, no handler shall sell or deliver, or agree, solicit, or attempt to sell or deliver, fluid milk in bulk (other than in glass or paper containers) to persons other than stores, hotels, restaurants, and institutions, at a price higher than the maximum price permitted by this order. No handler or dealer shall buy such fluid milk at a price higher than the maximum price permitted by this order, or agree, offer, solicit, or attempt to do so. Lower prices may be offered, demanded, paid or received.

(b) The maximum price at which a primary or intermediate handler may sell or deliver fluid milk in bulk (other than in glass or paper containers) to persons, other than stores, hotels, restaurants, and institutions, and the maximum price at which such persons may purchase or receive such fluid milk in the course of trade or business shall be determined by adding the following

charges, according to service rendered, to the handler's fluid milk cost:

(1) A "maximum base handling charge" of not more than 40 cents per cwt. for a "primary handler" and 20 cents per cwt. for an "intermediate handler"; and

(2) Charges and deductions, if any, according to "handling services" and "contract terms", which are set forth below opposite each such service or term:

(i) Handling services:

(a) For receiving, cooling and inspecting (plant or farm) fluid milk there shall be no allowance added to the maximum base handling charge of the respective seller.

(aa) For loading into bulk tank cars or bulk tank trucks for delivery there shall be no allowance added to the maximum base handling charge of the respective seller.

(b) For standardizing there may be added not more than 5¢ per each cwt. of fluid milk.

(c) For pasteurizing there may be added not more than 15¢ per each cwt. of fluid milk.

(d) For the service of filling containers of more than 5 gallons content, there may be added 5¢ for each cwt. of fluid milk.

(e) For the rental of sellers' cans (any size over five gallons content) there may be added not more than 5¢ for each can.

(ii) Contract terms:

(a) For a contract for the delivery of a specified volume of fluid milk where the contract extends for thirty or more consecutive days, no additional charge is permitted.

(b) For a contract for deliveries of fluid milk extending less than thirty days or for "spot shipments" of fluid milk, there may be added not more than 10¢ for each cwt.

(c) For a contract during which the entire plant output is purchased by the handler there shall be deducted at least 5¢ for each cwt.

(3) *Butterfat content and differentials.* The maximum prices specified in this section (b) are applicable to fluid milk of 3.5% butterfat content. For each one-tenth of one percent butterfat content in excess of 3.5% an additional charge of 6¢ per cwt. may be made. For each one-tenth of one percent butterfat content less than 3.5% at least 6¢ per cwt. shall be deducted from the prices specified.

(c) *Transportation charges.* In the event a handler delivers such fluid milk to a place designated by the purchaser, there may be added to the applicable maximum price established in section (b) hereof, transportation charges not to exceed the lowest of any of the following:

(1) The lowest available common carrier rate or,

(2) The lowest available contract rate, or

(3) When transportation is provided in trucks owned or controlled by the seller, the reasonable value of such transportation.

(d) *Agency.* Every broker taking part in a purchase or sale of bulk fluid milk subject to the provisions of this order, shall be considered the agent of the seller and not the agent of the buyer;

and the total of the amount paid by the buyer to the seller plus any amount paid by the buyer to the broker shall not exceed the maximum amount for the particular sale which a seller is permitted to charge by the terms of this order in the absence of a broker.

(e) *Applicability.* This order applies to all sales by a handler of fluid milk, destined for human consumption in fluid form, (1) first physically received from producers by any handler at a receiving station or processing plant located within the Atlanta Regional Area, which comprises the states of Virginia, North Carolina, Tennessee, South Carolina, Georgia, Florida, Alabama and Mississippi; or (2) purchased from any handler who, directly or indirectly, has purchased such fluid milk from any producer at a receiving station or processing plant located within the Atlanta Regional Area.

(f) *Maximum prices for handlers other than primary or intermediate handlers.* The maximum price at which any handler, except as defined in paragraph

(j) (3) and (4), may sell or deliver fluid milk in bulk (other than in glass or paper containers) to persons other than stores, hotels, restaurants and institutions, and the maximum price at which any such handler may purchase or receive such fluid milk in the course of trade or business shall be the maximum price of his supplier, f. o. b. supplier's plant, plus transportation charges, if any to the handler's place of business.

(g) *Inability to fix maximum prices.* If a primary or intermediate handler cannot establish a maximum price under the provisions of paragraph (b) of this order, he shall apply to the Atlanta Regional Office, Candler Building, Atlanta, Georgia, for a maximum price. Such application shall contain a statement of the reason why the applicant cannot avail himself of the pricing provisions of this order and such additional information as the applicant may deem necessary to the proper consideration of his application. The applicant shall furnish such additional information as the Regional Office may subsequently request in order to act on the application.

(h) *Records and reports.* (1) Every handler subject to the provisions of this order shall preserve all existing records relative to the prices which he paid for "fluid milk" for the months of July, August and December, 1943 and the transportation charges made for delivery since January, 1943, and maintain and preserve all records of the same kind as he has customarily kept relating to "fluid milk cost" and transportation charges so long as the Emergency Price Control Act of 1942, as amended, shall remain in effect.

(2) Every handler making a sale of "fluid milk" shall furnish the purchaser at the time of delivery of such "fluid milk" a written statement setting forth the name and address of the buyer and seller; the f. o. b. plant price; and, if the seller makes delivery, the amount of the transportation charges for such delivery.

(i) *Adjustment of established maximum prices.* The Atlanta Regional Office

of the Office of Price Administration may, upon application of any person seeking an adjustment of a maximum price for the sale or delivery by and purchase from handlers of fluid milk established by this Order No. G-3 under Maximum Price Regulation No. 280, adjust any maximum price established hereunder in accordance with the adjustment provisions of § 1351.817a (c) of Maximum Price Regulation No. 280. Such application for adjustment shall be filed in accordance with Revised Procedural Regulation No. 1.

(j) *Definitions.* (1) "Fluid Milk" means liquid cow's milk sold or resold for human consumption in fluid form.

(2) "Handler" means any person, firm, or corporation who, on his own behalf or on behalf of another, purchases fluid milk from any producer, association of producers, or other handler, and who sells such fluid milk at wholesale in bulk to any person, firm or corporation other than stores, hotels, restaurants and institutions.

(i) A producer is a "handler" with respect to that fluid milk purchased by him from any producer, association of producers, or other handler, which fluid milk is sold by him at wholesale in bulk to any person other than stores, hotels, restaurants and institutions.

(ii) A farmers' cooperative association is a "handler" with respect to that fluid milk processed for it by any operator of a receiving or processing plant, and with respect to that fluid milk handled in physical facilities for receiving, processing or distributing fluid milk which are owned or leased by the cooperative, which fluid milk is sold by it at wholesale in bulk to any person other than stores, hotels, restaurants and institutions.

(3) A "primary handler" of fluid milk is a handler who purchases or receives fluid milk from any producer at a receiving station or processing plant within Region IV. Such handler shall use the pricing provisions of paragraph (b) of this order governing primary handlers only with respect to that fluid milk to which he performs a function of a primary handler.

(4) An "intermediate handler" of fluid milk is a handler who purchases or receives fluid milk from a primary handler for resale at wholesale in bulk to persons other than stores, hotels, restaurants and institutions. Such a handler shall use the pricing provisions of paragraph (b) governing intermediate handlers only with respect to that fluid milk to which he performs a function of an intermediate handler.

(5) A "dealer" means any person who sells fluid milk delivered to homes at retail, or at wholesale in glass or paper containers, or at wholesale in other containers, to stores, hotels, restaurants and institutions.

(6) "Handler's fluid milk cost." (i) "Fluid milk cost" of a primary handler means the price paid to producers (or the returns made to producer members of a farmers' cooperative, excluding patronage dividends), determined as follows:

The weighted average producer price (or returns to producer members of a cooperative, excluding patronage dividends) paid for milk adjusted to 3.5% butterfat content f. o. b. cooling station, receiving plant, or processing plant of the primary handler of all milk regardless of type, grade, utilization, or class, purchased or received directly from producers (or members of a producers' cooperative association) during the months of July, August and December, 1943 or the lowest price paid to producers (or members of a cooperative) during the month of December 1943 for any grade or type of milk at 3.5% butterfat test, whichever is higher.

(ii) "Fluid milk cost" of an intermediate handler means the cost of milk to him f. o. b. his cooling station, receiving plant, or processing plant. This cost must be computed for that portion of milk actually purchased from a primary handler regardless of sale or distribution by the intermediate handler.

(7) "Maximum base handling charge" means the basic charge which may be added to the fluid milk cost of the respective handler as set forth in paragraph (b) (1).

(8) "Handling services" and "contract terms" are the services and terms set forth in paragraph (b) (2), for the performance of certain of which "handling services" additions may be made to, and for ascertainment of the specific "contract terms" under which deductions must be made from, the base handling charge according to the rate set forth for each such service or term. In no case may the same service or term charge be added by both a primary and intermediate handler with respect to a particular volume of milk, but such charge may be made by either handler when such service has been performed.

(9) "Broker" means any person taking part in the purchase or sale of bulk fluid milk (in other than glass or paper containers) who is not a dealer, a primary handler, or an intermediate handler.

(10) A "spot shipment" is any sale or delivery of milk covered by this order made upon prior order involving notice of five days or less.

(11) Unless the context otherwise requires, the definitions set forth in section 302 of Emergency Price Control Act of 1942, as amended, in the General Maximum Price Regulation and Maximum Price Regulation 280, issued by the Office of Price Administration, shall apply to other terms used herein.

(k) This order may be revoked, corrected or amended at any time.

(l) This order shall become effective April 20, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued: April 15, 1944.

ALEXANDER HARRIS,
Acting Regional Administrator.

[F. R. Doc. 44-5717; Filed, April 21, 1944; 4:49 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 54-74; 59-69]

NORTH CONTINENT UTILITIES CORP., ET AL.
NOTICE OF FILING OF APPLICATIONS AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 22d day of April, A. D. 1944.

In the matters of North Continent Utilities Corporation and subsidiary companies, File No. 54-74; North Continent Utilities Corporation and subsidiary companies, File No. 59-69.

The Commission, having by order entered on November 16, 1943 approved a plan proposing the liquidation and dissolution of North Continent Utilities Corporation ("North Continent"), a registered holding company, filed by that company and its subsidiary companies, pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935, designed to enable the North Continent holding company system to comply with section 11 (b) of the act, and having by said order, pursuant to section 11 (b) of the act, directed North Continent to take such action as may be necessary to cause its liquidation and dissolution;

Notice is hereby given that North Continent and its subsidiary companies, New Mexico Public Service Company ("New Mexico") and Highland Utilities Company ("Highland"), have filed with this Commission applications and declarations designed as "Application No. 3" and "Application No. 4", pursuant to sections 11 (b) (1), 11 (b) (2), 11 (e), 12 (d), and any other applicable sections of the Act and the rules promulgated thereunder, with respect to certain transactions in connection with North Continent's aforesaid plan of liquidation.

All interested persons are referred to said applications and declarations which are on file in the office of the Commission for a statement of the transactions therein proposed, which are summarized below:

New Mexico proposes to sell to the Kit Carson Electric Cooperative, Inc., a New Mexico corporation, its electric generating plant and distribution system located in the County of Taos, State of New Mexico, together with the real estate and other assets pertinent thereto, for a base price of \$150,000 in cash, subject to certain adjustments to the date of sale. The said properties are known as New Mexico's "Taos Division", serving the towns of Taos, Ranchos De Taos, Talpa, Panchito, Arrego Secco, and Arrego Hondo.

Highland proposes to sell to the Southeast Colorado Power Association, a Colorado corporation, all of Highland's properties, consisting principally of electric generating plants and distribution systems located in the towns of Springfield and Eads, State of Colorado, and Ulysses, State of Kansas, together with the real estate and other assets pertinent thereto, for a base price of \$278,000 in cash, subject to certain adjustments to the date of sale.

The proceeds of the aforesaid proposed sales, after deducting necessary expenses, will be deposited in the general funds of New Mexico and Highland, respectively, and thereafter will be made available to each of said companies' sole stockholder, North Continent, to be applied against certain of each of said companies' indebtedness owed to North Continent. North Continent proposes to deposit such funds with the Trustee under the indenture securing its First Lien Collateral and Refunding Gold Bonds, Series A, 5½%, due January 1, 1948, to be used by the Trustee in making ratable payments upon the unpaid principal of said Bonds, as provided in North Continent's aforesaid plan.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said matters, and that said applications and declarations shall not be granted or permitted to become effective except pursuant to further order of this Commission.

It is ordered, That a hearing on such matters under the applicable provisions of said act and rules of the Commission thereunder be held on May 8, 1944 at 10:00 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such day the hearing room clerk in Room 318 will advise as to the room where such hearing will be held.

It is further ordered, That the Secretary of this Commission shall serve notice of said hearing by mailing copies of this order by registered mail to the said applicants and declarants and to the New Mexico Public Service Commission, the Colorado Public Utilities Commission, and the Kansas State Corporation Commission; and that notice of said hearing be given to all other persons by publication of a copy of this order in the FEDERAL REGISTER.

It is further ordered, That any person desiring to be heard in connection with this proceeding or proposing to intervene herein, shall file with the Secretary of the Commission on or before May 5, 1944 his request or application therefor as provided by Rule XVII of the rules of practice of the Commission.

It is further ordered, That Allen MacCullen, or any other officer or officers of the Commission designated by it for that purpose, shall preside at such hearing. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That, without limiting the scope of the issues presented by said applications and declarations otherwise to be considered in this proceeding, particular attention will be directed at the hearing to the following matters and questions:

1. Whether the considerations to be received, including all fees, commissions, and other remuneration to whomsoever paid in connection with the proposed transactions, are fair and reasonable.

2. The propriety of the proposed accounting treatment on the books of the applicants and declarants.

3. Whether it is necessary or appropriate to impose terms or conditions in the public interest or for the protection of investors or consumers.

4. Generally, whether all actions proposed to be taken comply with the requirements of the Public Utility Holding Company Act of 1935 and the rules promulgated thereunder.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.[F. R. Doc. 44-5638; Filed, April 25, 1944;
9:45 a. m.]

WAR COMMUNICATIONS BOARD.

[Order 30]

TRAFFIC COORDINATOR AND ASSISTANT
TRAFFIC COORDINATORESTABLISHMENT OF OFFICES AND DEFINITIONS
OF DUTIES

Whereas the uninterrupted flow of essential communication traffic between the United States and European points is essential to the effective prosecution of the war; and

Whereas the facilities and personnel of the United States communication carriers engaged in the handling of such communication traffic are now operating at or near maximum capacity; and

Whereas a great increase in the volume of such communication traffic is now anticipated;

Now, therefore, by virtue of the authority vested in the Board of War Communications by Executive Order No. 8964 (6 F.R. 6367) of December 10, 1941, and by Executive Order No. 9089 (7 F.R. 1777) of March 6, 1942: it is hereby ordered as follows:

Establishment of offices of Traffic Coordination and Assistant Traffic Coordinator. There are hereby established offices of the Board to be known as "Traffic Coordinator" and "Assistant Traffic Coordinator", which offices shall be held by such persons as the Board may designate and who shall serve at the pleasure of and pursuant to the direction of the Board.

Duties. It shall be the duty of the Traffic Coordinator and the Assistant Traffic Coordinator to maintain an effective and continuous liaison between the Board and the United States communication carriers engaged in the handling of communication traffic between the United States and European points in order that the Board may be promptly advised of:

(a) Any increase or decrease in communication traffic of any class or category between any and all of such points;

(b) Any change in the personnel or the physical plant or equipment available to United States communication carriers for the handling of such traffic;

(c) Any changes which may occur in the speed or efficiency of handling such traffic; and

(d) Any action which should be taken by the Board for the purpose of promot-

ing the speed and efficiency of the handling of such traffic.

Authorization for investigations. The Traffic Coordinator and the Assistant Traffic Coordinator, acting jointly or severally as circumstances may require, are hereby authorized and directed to make such investigations of the plants, personnel and equipment of the United States communication carriers handling such traffic as may be necessary in the performance of their duties under § 1725.2 hereof, and, upon the Board's behalf, to supervise and assist in the execution or implementation of any order or requirement made or promulgated by the Board with respect to this subject.

Establishment and maintenance of offices; allocation of time. The Traffic Coordinator and Assistant Traffic Coordinator are hereby authorized and directed to establish and maintain such headquarters facilities, including office space, as may be necessary in the performance of their duties in the City of New York, New York, and in the City of Washington, D. C., and to allocate the time spent at such headquarters or in travel between them in such manner as in their judgment will best promote the efficient performance of their duties.

Subject to such further order as the Board may deem appropriate.

BOARD OF WAR COMMUNICATIONS.
JOSEPH R. REDMAN,
Acting Chairman.

APRIL 13, 1944.

[F. R. Doc. 44-5821; Filed, April 24, 1944;
3:31 p. m.]

WAR MANPOWER COMMISSION.

NEW BERN, N. C., AREA

MINIMUM WARTIME WORKWEEK

Designation of the New Bern, North Carolina, Area as subject to Executive Order No. 9301.

By virtue of the authority vested in me as Regional Manpower Director of Region No. IV by section 903.2 of War Manpower Commission Regulation No. 3, "Minimum Wartime Workweek of 48 Hours," (8 F.R. 7225), and having found that such action will aid in alleviating labor shortages which are impeding the war effort, I hereby designate the New Bern, North Carolina, Area as subject to the provisions of Executive Order No. 9301.

I. For the purposes of this designation, the New Bern, North Carolina, Area shall include:

Carteret County; Craven County; Jones County; Pamlico County; Onslow County.

II. The effective date of this designation is November 15, 1943.

III. Not later than the effective date, each employer in the New Bern, North Carolina, Area shall, in accordance with War Manpower Commission Regulation No. 3:

(a) Extend to a minimum wartime workweek of 48 hours, the workweek of any of his workers whose workweek can

be so extended without involving the release of any worker;

(b) If extension of the workweek of any of his workers to a minimum wartime workweek of 48 hours would involve the release of any workers, submit to the Area Manpower Director the number and occupational classification of the workers whose release would be involved, together with proposed schedules for their release, and thereafter extend such workweek when and as directed in schedules authorized by the War Manpower Commission;

(c) File an application for a minimum wartime workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State or local law or regulation limiting hours of work.

Date of issuance: October 18, 1943.

HENRY E. TREIDE,
Regional Director, Region IV.

[F. R. Doc. 44-5708; Filed, April 21, 1944;
3:07 p. m.]

SEATTLE-BREMERTON-TACOMA AREA, WASH.

MINIMUM WARTIME WORKWEEK

Designation of the Seattle-Bremerton-Tacoma Area, Washington as subject to Executive Order No. 9301.

By virtue of the authority vested in me as Regional Manpower Director of Region No. XII by § 903.2 of War Manpower Commission Regulation No. 3, "Minimum Wartime Workweek of 48 Hours," (8 F.R. 7225), and having found that such action will aid in alleviating labor shortages which are impeding the war effort, I hereby designate the Seattle-Bremerton-Tacoma Area, Washington, as subject to the provisions of Executive Order 9301.

I. For the purposes of this designation, the Seattle-Bremerton-Tacoma Area, Washington shall include:

King County,
Pierce County,
Kitsap County,
Snohomish County.

II. The effective date of this designation is February 25, 1943.

III. Not later than the effective date, each employer in the Seattle-Bremerton-Tacoma Area, Washington shall, in accordance with War Manpower Commission Regulation No. 3:

(a) Extend to a minimum wartime workweek of 48 hours, the workweek of any of his workers whose workweek can be so extended without involving the release of any worker;

(b) If extension of the workweek of any of his workers to a minimum wartime workweek of 48 hours would involve the release of any workers, submit to the Area Manpower Director the number and occupational classification of the workers whose release would be involved, together with proposed schedules for their release, and thereafter extend such workweek

when and as directed in schedules authorized by the War Manpower Commission;

(c) File an application for a minimum wartime workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operation, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State or local law or regulation limiting hours of work.

Date of issuance: February 25, 1943.

WILLIAM K. HOPKINS,
Regional Director, Region XII.

[F. R. Doc. 44-5709; Filed, April 21, 1944;
3:07 p. m.]

SAN FRANCISCO BAY AREA, CALIF.

MINIMUM WARTIME WORKWEEK

Designation of the San Francisco Bay Area, California, as subject to Executive Order No. 9301.

By virtue of the authority vested in me as Regional Manpower Director of Region No. XII by § 903.2 of War Manpower Commission Regulation No. 3, "Minimum Wartime Workweek of 48 Hours" (8 F.R. 7225), and having found that such action will aid in alleviating labor shortages which are impeding the war effort, I hereby designate the San Francisco Bay Area, California as subject to the provisions of Executive Order No. 9301.

I. For the purposes of this designation, the San Francisco Bay Area, California shall include:

Alameda County: Alameda, Brooklyn, Eden, Oakland, and Washington Townships.

Contra Costa County: Townships Nos. 1, 2, 3, 5, 6, 7, 8, 10, 11, 12, 15, and 16.

Marin County: San Rafael and Sausalito Townships.

Napa County: Napa Township.

San Francisco County.

San Mateo County: Townships Nos. 1, 2, 3, and 5.

Solano County: Benicia and Vallejo Townships.

II. The effective date of this designation is May 24, 1943.

III. Having found that workers released as a result of the extension of the workweek to the minimum wartime workweek in any establishment or place of employment in the San Francisco Bay Area, California, can immediately be placed in suitable employment with other employers, I hereby direct each employer in the San Francisco Bay Area, California, in accordance with War Manpower Commission Regulation No. 3.

(a) To extend promptly after the effective date, to a minimum wartime workweek of 48 hours, the workweek of all of his workers; or

(b) To file, on or before June 24, 1943, an application for a minimum wartime workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any

Federal, State or local law or regulation limiting hours of work.

Date of issuance: May 24, 1943.

WILLIAM K. HOPKINS,
Regional Director, Region XII.

[F. R. Doc. 44-5710; Filed, April 21, 1944;
3:07 p. m.]

SOUTHERN CALIFORNIA AREA

MINIMUM WARTIME WORKWEEK

Designation of the Southern California Area as subject to Executive Order No. 9301.

By virtue of the authority vested in me as Regional Manpower Director of Region No. XII by § 903.2 of War Manpower Commission Regulation No. 3, "Minimum Wartime Workweek of 48 Hours," (8 F.R. 7225), and having found that such action will aid in alleviating labor shortages which are impeding the war effort, I hereby designate the Southern California Area as subject to the provisions of Executive Order No. 9301.

I. For the purposes of this designation, the Southern California Area shall include:

Los Angeles County.
Orange County.
Riverside County.
San Bernardino County.
Ventura County.

II. The effective date of this designation is June 15, 1943.

III. Having found that workers released as a result of the extension of the workweek to the minimum wartime workweek in any establishment or place of employment in the Southern California Area, can immediately be placed in suitable employment with other employers, I hereby direct each employer in the Southern California Area in accordance with War Manpower Commission Regulation No. 3.

(a) To extend promptly after the effective date, to a minimum wartime workweek of 48 hours, the workweek of all his workers; or

(b) To file, on or before July 15, 1943, an application for a minimum wartime workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State or local law or regulation limiting hours of work.

Date of issuance: June 15, 1943.

WILLIAM K. HOPKINS,
Regional Director, Region XII.

[F. R. Doc. 44-5711; Filed, April 21, 1944;
3:07 p. m.]

WARREN-NILES, OHIO, AREA

MINIMUM WARTIME WORKWEEK

Designation of the Warren-Niles, Ohio, Area as subject to Executive Order No. 9301.

By virtue of the authority vested in me as Regional Manpower Director of Region No. V by § 903.2 of War Man-

power Commission Regulation No. 3 "Minimum Wartime Workweek of 48 Hours," (8 F.R. 7225), and having found that such action will aid in alleviating labor shortages which are impeding the war effort, I hereby designate the Warren-Niles Area as subject to the provisions of Executive Order No. 9301.

I. For the purposes of this designation, the Warren-Niles Area shall include:

Trumbull County (all)

II. The effective date of this designation is June 1, 1944.

III. Not later than the effective date, each employer in the Warren-Niles Area shall, in accordance with War Manpower Commission Regulation No. 3:

(a) Extend to a minimum wartime workweek of 48 hours, the workweek of any of his workers whose workweek can be so extended without involving the release of any worker;

(b) If extension of the workweek of any of his workers to a minimum wartime workweek of 48 hours would involve the release of any workers, submit to the Area Manpower Director the number and occupational classification of the workers whose release would be involved, together with proposed schedules for their release, and thereafter extend such workweek when and as directed in schedules authorized by the War Manpower Commission;

(c) File an application for a minimum wartime workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State or local law or regulation limiting hours of work. Such applications must be filed before May 16, 1944.

Date of issuance: April 15, 1944.

ROBERT C. GOODWIN,
Regional Director, Region V.

[F. R. Doc. 44-5753; Filed, April 22, 1944;
12:01 p. m.]

WAR PRODUCTION BOARD.

[Certificate 93,¹ Amdt. 3]

TRANSPORTATION OF ESSENTIAL MATERIALS

The ATTORNEY GENERAL:

Referring to Certificate No. 93 issued pursuant to section 12 of Public Law No. 603, 77th Congress (56 Stat. 357) on July 10, 1943, to Amendment 1 thereto issued October 4, 1943 and to Amendment 2 thereto issued January 29, 1944, I submit herewith Haulage Request TR-2² of the War Production Board as amended today.

For the purposes of the statute cited I approve the amendment; and after consultation with you, I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance

¹ 8 F.R. 9730, 13698, 16648; 9 F.R. 1341.

² *Infra*.

with Haulage Request TR-2, as amended, is requisite to the prosecution of the war.

DONALD M. NELSON,
Chairman.

APRIL 21, 1944.

[F. R. Doc. 44-5841; Filed, April 25, 1944;
10:37 a. m.]

[Haulage Request TR-2 as Amended Apr. 21,
1944]

TRANSPORTATION OF ESSENTIAL MATERIALS

It is requisite to the prosecution of the war that the maximum amount of essential materials be delivered to essential war industries with a minimum dislocation of the general economy, with a minimum of delay and with a minimum of strain upon transportation facilities already severely taxed. This can best be accomplished through voluntary arrangements which permit materials to be consumed as near as may be to their source. Now, therefore, it is hereby requested that:

SECTION 1. *Purchases, sales, exchanges, and common use of facilities.* All persons engaged in producing, supplying or distributing the materials listed on Schedule X hereto annexed (herein referred to as "Schedule X materials"), may arrange for such purchases, sales, exchanges or loans of Schedule X materials and for such common use of transportation and storage facilities as may be requisite or necessary in order to attain the most efficient utilization of such facilities. All such arrangements shall remain subject to review and adjustment by the War Production Board to the end (1) that no producer, supplier, or distributor of any Schedule X material shall be deprived of an opportunity to share equitably in the available supply of such material and the use of transportation and storage facilities, (2) that no consumer shall be inequitably treated in the distribution of Schedule X materials by reason of such arrangements, and (3) that such arrangements shall not go beyond the purpose and objective of this request.

SEC. 2. *Reports.* All persons who effect arrangements for purchases, sales, exchanges, or loans of Schedule X materials and for common use of transportation and storage facilities, pursuant to section 1 hereof, shall inform the War Production Board thereof by letter, giving the following information:

1. Names and addresses of parties, including names and addresses of persons to whom inquiries concerning the report should be directed.

2. Effective date and duration of arrangement.

3. Kind and quantity of material involved.

4. Location of points of origin and destination of Schedule X materials to be shipped or location of storage facilities to be jointly used.

5. A statement that to the best of the informant's knowledge and belief, no supplier, distributor or producer of the material involved in the arrangement is or will be deprived by the arrangement of an opportunity to share equitably in

the available supply and uses of transportation and storage facilities.

6. A statement that to the best of the informant's knowledge and belief, no consumer of the material involved in the arrangement is or will be treated inequitably in the distribution of such material by reason of the arrangement.

A separate letter for each Schedule X material involved shall be filed, and if in furnishing the information called for by subparagraphs 3 and 4 above, the quantity of the material involved and the actual location of points of origin and destination or of storage facilities are estimated, supplemental information giving the exact, rather than the estimated, quantity and location, shall be furnished by letter to the War Production Board monthly throughout the duration of the arrangement. Further information may be specifically requested in particular cases.

Note: The reporting requirements of section 2 have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

SEC. 3. *Revocation of Transportation Request No. 1.* This request superseded and revoked Transportation Request No. 1 issued January 9, 1943,¹ covered by Certificate No. 27,² pursuant to Public Law No. 603, 77th Congress, but any action taken pursuant to the provisions of said Transportation Request No. 1 and said Certificate No. 27, prior to the date of the issue of this request (July 10, 1943), has the protection thereof.

SEC. 4. *Certification of this request.* Having consulted with the Attorney General, the Chairman of the War Production Board issued a certificate under section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), with respect to this Haulage Request TR-2. (Certificate No. 93³)

SEC. 5. *Communications.* All communications concerning this request and all information filed hereunder shall, unless otherwise directed, be addressed to: War Production Board, Washington (25),

D. C., Reference TR-2 (Specify Material).

Issued this 21st day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE X

1. Acetate: Amyl, butyl, ethyl, vinyl.
2. Acetic anhydride.
3. Acetone.
4. Acid: Acetic, citric, hydrochloric (muriatic), mixed (nitric and sulphuric), nitric, picric, sulphuric.
5. Adhesives.¹
6. Alcohol: Amyl, butyl, diacetone, ethyl, isopropyl, methyl (methanol).
7. Aluminum: Acetate, ammonium sulfate, chloride (anhydrous & crystals), formate potassium sulfate, sulfate.
8. Ammonia: Anhydrous and solutions.
9. Ammonium: Bicarbonate, carbonate, chloride (gray), nitrate (including fertilizer grades), sulfate.
10. Aniline.
11. Antifreeze preparations.
12. Butadiene.¹
13. Calcium: Arsenate, carbide, chloride phosphates.
- 13a. Carbon bisulfide.²
14. Castor oil.
15. Caustic potash.
16. Caustic soda.
17. Cement (Portland cement).
18. Charcoal.¹
19. Chemical cotton pulp and cotton linters.
20. Chlorinated hydrocarbons.
21. Chlorine.
22. Coal tars.
23. Coke.
- 23a. Containers,² fabricated (in knock-down or set-up form, whether assembled or un-assembled). For the purpose of this item the word "containers" shall include all containers required for packaging products to be shipped or delivered, including, but not limited to: Bags, all types (including those made of paper, textile, combinations of materials, transparent films, metallic foils, parchment kraft or sulphite), baskets and hampers, cans (metal), collapsible tubes, cooperate, tight and slack, fibre cans, fibre tubes, fibre bottles, fibre mailing cases, and fibre drums, folding and set-up boxes (paperboard), gas cylinders, glass containers and closures, ice cream cans (paperboard) and paraffin cartons and pails, paper cups and paper food containers, paper milk containers, steel shipping drums, venter and built-up wood (when used for containers), wooden and fibre inner containers, wooden and fibre shipping containers.
24. Copper sulfate.
25. Corn oil.
26. Corn syrup (glucose).
27. Cottonseed oil.
28. Distillates and distillation residue of coal tars or coke oven crude light oils (including but not limited to benzol, creosote, cresol, cresylic acid, naphthalene, phenol, solvent naphtha, toluol, xylanol, and xylol).
29. Drugs, medicine, toilet preparations and basic medicinal chemicals.
30. Formaldehyde.
31. Glycols.
32. Hydrogen peroxide.
33. Lead arsenate.
34. Lard and lard oil.
35. Lime and limestone (including but not limited to fluxstone).
36. Linseed oil.
37. Litharge.
38. Magnesium: Carbonate and sulfate.
39. Methyl ethyl ketone.
40. Molasses.
41. Methyl isobutyl ketone.
42. Paint driers, solid and liquid.
43. Paints, varnish, lacquers and stains.
44. Peanut oil.
45. Phosphorus.
46. Phthalic anhydride.¹
- 46a. Pig iron.²
47. Pigments, colors and extenders.
48. Plasticizers, phosphate and phthalato.
49. Potash salts.
- 49a. Pulpboard,² viz: Boxboard, chipboard, newsboard, paperboard, paper stock-board, pulpboard, strawboard.
50. Pyridine, crude and refined.
51. Pyrites.
52. Road tar and road oil.
- 52a. Roofing tar and/or pitch.³
53. Sodium: Bicarbonate, bichromate,² carbonate, chlorate, chloride, hydroxide, nitrate, nitrite, phosphates, silicates, sulfate, pyrophosphate, thiosulfate.
54. Solvents, alcohol.
55. Solvents of petroleum origin.
56. Soybean oil.
57. Styrene.²
58. Superphosphates.
59. Tallow: Inedible and edible.
60. Vegetable oil foots and fatty acids.
61. Water gas tar.

¹ Added to Schedule X as of October 4, 1943.

² Added to Schedule X as of January 29, 1944.

³ Added to Schedule X as of April 21, 1944.

[F. R. Doc. 44-5842; Filed, April 25, 1944; 10:37 a. m.]

¹ 8 F.R. 509.

² *Supra*.