



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

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for \$1.50 per month or \$15.00 per year, payable in advance. The charge for individual copies (minimum 15¢) varies in proportion to the size of the issue. Remit check or money order, made payable to the Superintendent of Documents, directly to the Government Printing Office, Washington, D. C.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER.

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 unit. 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.
- Book 4: Titles 18-25, with index.
- Book 5, Part 1: Title 26, Parts 2-178.
- Book 5, Part 2: Title 26, completed; Title 27; with index.
- Book 6: Titles 28-32, with index.
- Book 7: Titles 33-45, with index.
- Book 8: Title 46, with index.

CONTENTS—Continued

RURAL ELECTRIFICATION ADMINISTRATION:	Page
Allocation of funds for loans.....	14343
SOLID FUELS ADMINISTRATION FOR WAR:	
Domestic coal in District 14, shipment of prepared sizes (Corr.).....	14337
VETERANS' ADMINISTRATION:	
Adjudication, veterans' claims; proof of relationship and dependency.....	14342
Medical; dental services.....	14342
WAR FOOD ADMINISTRATION:	
Milk, handling in New York metropolitan marketing area; resumption of hearing.....	14351

CONTENTS—Continued

WAR PRODUCTION BOARD:	Page
Automotive vehicles, subject to rationing by Federal agencies (M-216, Rev.).....	14338
Cellophane (L-20).....	14338
Controlled materials plan; aluminum ingot for foundries (CMP Reg. 1, Dir. 57).....	14337
Suspension order; Robert Zorger.....	14337

cific common names of the individual substances.

9. When potassium carbonate is the alkali used, the quantity usually added to obtain the desired characteristics is not more than three parts (calculated as anhydrous potassium carbonate) to each one hundred parts by weight of the cacao nibs used for such processing. When other alkalis specified in finding 7 are used singly, or in any combination with each other or with potassium carbonate, the quantity usually added to obtain such characteristics is such that its neutralizing value is not greater than that of the maximum quantity above specified for potassium carbonate when it is the only alkali used. The neutralizing values of such other alkalis are calculated from their respective combining weights. Larger quantities of alkalis are unnecessary and when added in excess of such amount they begin to impart "soapiness" and other undesirable characteristics.

10. When alkalis are added to a cacao product they combine with the free acids and perhaps other acidic constituents of the product, so that the alkalis are neutralized and are not present as such in the finished product but are present in combined form.

11. The distinctive characteristics of cacao products which have been subjected to the alkali process serve as a basis upon which purchasers select such products for particular uses.

12. The process of treating cacao products with alkalis originated in Holland, and the term "Dutch Process" has been used in the trade and on some labels for years to indicate that a particular cacao product has been subjected to this process; however, few people outside the trade know the significance of that phrase.

13. A label statement of the presence of these optional alkali ingredients in cacao products which is informative and reasonable is a statement that the cacao product has been processed with alkali or processed with a specific alkali or alkalis as, for example, "Processed With Alkali" or "Processed With Ammonia."

Chocolate liquor. 14. The solid or semiplastic food prepared by finely grinding cacao nibs is commonly known by any of the several names "chocolate liquor", "chocolate", "bitter chocolate", "baking chocolate", "cooking chocolate", "chocolate coating", "bitter chocolate coating."

15. Different varieties and grades of cacao beans contain different percentages of cacao fat; the percentage of cacao fat in the ground cacao nibs varies with the variety, grade, or blend of cacao beans used and with other factors.

16. Cacao nibs seldom contain less than 50 percent or more than 58 percent

by weight of cacao fat. In preparing chocolate liquor it is the normal practice to select or blend the nibs so that the finished product falls within this range, and these are practicable and reasonable limits for the cacao fat content of chocolate liquor. The quantity of cacao fat in chocolate liquor, other than that seasoned with butter, milk fat, or ground nut meats, can be determined accurately by the method prescribed in Methods of Analysis—A. O. A. C., 5th Ed., under "Fat Method I—Official" beginning on page 202.

17. Although chocolate liquor is extensively used in the home for culinary purposes, its principal use is as one of the basic ingredients in the manufacture of various chocolate products.

18. Various products in which chocolate liquor is used are manufactured according to formulae in which the percentage of cacao fat is an important factor (see finding 48). Manufacturers who purchase chocolate liquor for such purposes ordinarily do so on specifications as to its fat content.

19. Different batches of chocolate liquor are adjusted to the desired percentage of cacao fat, within the limits of 50 percent to 58 percent, by adding to it either cacao fat or a cocoa (see findings 25 to 28, inclusive) or both. The addition of both cacao fat and a cocoa, beyond the quantities necessary to adjust the cacao fat within these limits, is not only unnecessary but is objectionable because such a mixture, even when it comes within the limits of fat content of chocolate liquor, is not chocolate liquor.

20. When alkali-processed chocolate liquor is desired, it is the general practice to add the alkalis specified in finding 7 to the cacao beans or nibs from which the chocolate liquor is prepared, as indicated in finding 6. However, manufacturers sometimes process the chocolate liquor itself with such alkalis. In either case findings 6 to 13, inclusive, are applicable to chocolate liquor, except that when the chocolate liquor itself is alkalinized the quantity of alkali used is calculated on the basis of the weight of cacao nibs used in preparing the chocolate liquor, including the nibs used in preparing any cocoa added thereto, and not on the basis of the weight of the finished chocolate liquor.

21. Ingredients which are used to spice, flavor, or otherwise season chocolate liquor, and which are suitable for such use, are one or any combination of two or more of the substances listed in the following groups:

- I. Ground spice.
- II. Ground vanilla beans; any natural food flavoring oil, oleoresin, or extract.
- III. Vanillin, ethyl vanillin, coumarin, or other artificial food flavoring.
- IV. Butter, milk fat, dried malted cereal extract, ground coffee, ground nut meats.
- V. Salt.

The use of such substances or combinations thereof is subject to the restrictions indicated in finding 22.

22. Substances or combinations that impart a flavor which imitates the flavor of butter, milk, or chocolate are not generally regarded in the industry as legitimate ingredients of cacao products. It is cheaper to impart butter-like, milk-

like, and chocolate-like flavors by such substances than by the use of butter, milk, and chocolate. The effect of the use of all such substances is to make the finished products appear better and more valuable than they are. Their use would tend to mislead or deceive consumers.

23. It is not the usual practice to add to chocolate liquor any of the seasoning ingredients specified in finding 21, except salt, and unless informed of such additions (other than salt) by appropriate labeling consumers generally do not expect chocolate liquor to contain such ingredients.

24. Label statements of the presence of such optional seasoning ingredients in chocolate liquor which are accurate and informative are those listed below for each of groups I to IV, inclusive, specified in finding 21:

Group I: "Spiced", "Spice Added", "With Added Spice"; or "Spiced With _____", "_____ Added", or "With Added _____", the blank being filled in with the specific common name of the spice used.

Group II: "Flavored", "Flavoring Added", "With Added Flavoring", "Flavored With _____", "_____ Added", or "With Added _____", the blank being filled in with the specific common name of the flavoring used.

Group III: "Artificially Flavored", "Artificial Flavoring Added", "With Artificial Flavoring", "Artificially Flavored With _____", or "With _____, an Artificial Flavoring", the blank being filled in with the specific common name of the artificial flavoring used.

Group IV: "Seasoned With _____", the blank being filled in with the specific common name of the substance used as seasoning.

Cocoas. 25. The various cocoas are made by removing a portion of the cacao fat from ground cacao nibs and then pulverizing the residual material.

26. The different kinds of cocoas are distinguished from each other on the basis of the range in the cacao fat content of each.

27. Two kinds of cocoas are generally made and sold for use in the home; one contains not less than 22 percent, the other less than 22 but not less than 10 percent, by weight, of cacao fat. The former is commonly and usually known as "breakfast cocoa" or "high fat cocoa", the latter as "cocoa" or "medium fat cocoa."

28. A kind of cocoa which contains less than 10 percent of cacao fat is also produced in large quantity for manufacturing use. In the trade this kind of cocoa, when it contains around 8 percent fat, has commonly been called "cocoa", and is usually sold on specifications as to fat content. The name "cocoa" unqualified is an inaccurate designation of this product and would not serve to distinguish it from household cocoa. When it contains around one percent fat it has been designated as low-fat cocoa or by fanciful names suggesting its low fat content. The name "low fat cocoa" is an informative and appropriate name for the kind of cocoa which contains less than 10 percent by weight of cacao fat.

29. When alkali-processed cocoas are desired, it is the general practice to make them from alkalinized ground cacao nibs. However, manufacturers sometimes process the cocoas themselves with one or more of the alkalis specified in finding 7.

In either case, findings 6 to 13, inclusive, are applicable, except that, when a cocoa itself is alkalinized, the quantity of alkali used is calculated on the basis of the weight of the cacao nibs used in preparing such cocoa.

30. Ingredients which are used to spice, flavor, or otherwise season cocoas, and which are suitable for such use, are one or any combination of two or more of the substances specified in groups I, II, III, and V in finding 21; finding 22 is applicable to the use of such substances.

31. It is not the usual practice to add to cocoas any of the seasoning ingredients specified in finding 21 except salt, and unless informed of such additions (other than salt) by appropriate labeling consumers generally do not expect cocoas to contain such ingredients.

32. Label statements of the presence of any such optional seasoning ingredient in any cocoa which are accurate and informative are those specified for such ingredient in finding 24.

33. The quantity of cacao fat in each kind of cocoa can be determined accurately by the method prescribed in Methods of Analysis—A. O. A. C., 5th Ed., under "Fat Method I—Official," beginning on page 202.

Sweet chocolate. 34. The food commonly and usually known as "sweet chocolate" or "sweet chocolate coating" is the solid or semiplastic food composed basically of chocolate liquor intimately mixed and ground with one or more of the saccharine ingredients specified in findings 39 to 41, inclusive.

35. Although sweetness is a characterizing property of sweet chocolate, its principal characteristics are its chocolate taste, flavor, aroma, and color. These are derived from its chocolate liquor ingredient and may vary somewhat in strength with different kinds of cacao beans used and different degrees of roasting of such beans. When insufficient chocolate liquor is used, the finished product is excessively sweet and fatty and is deficient in chocolate characteristics. It is therefore necessary that sufficient chocolate liquor be used to insure the presence in the finished product of chocolate characteristics which are so substantial that the finished product is readily recognized by consumers as sweet chocolate.

36. It is customary in the trade to express the strength of the chocolate characteristics in sweet chocolate in terms of its chocolate liquor content. The components of chocolate liquor which give its outstanding characteristics of taste, flavor, aroma, and color are in the nonfat portion. The percent of the nonfat portion varies somewhat in different chocolate liquors depending on the percentage of cacao fat and whether or not alkali or other optional ingredients are added. In order to express the strength of chocolate characteristics in sweet chocolate with a fair degree of uniformity and precision, it is necessary that such expression be in terms of the percentage of chocolate liquor calculated from its nonfat portion, exclusive of any alkali and seasoning present. A reasonable basis for such calculation is the

mean of the minimum and maximum content of such nonfat portion in chocolate liquor, which is about 46 percent. When the nonfat portion is about this mean, its weight multiplied by 2.2 is a reasonable approximation of the weight of chocolate liquor. A method for such calculation is as follows: Subtract from the weight of chocolate liquor used the weight of cacao fat therein and the weights of alkali and seasoning ingredients therein, if any. Multiply the remainder by 2.2, divide the result by the weight of the finished sweet chocolate, and multiply the quotient by 100.

37. To insure that the chocolate characteristics of the finished product are sufficient to be readily recognizable by consumers as sweet chocolate, it should contain not less than 15 percent by weight of chocolate liquor, calculated as indicated in finding 36. Most sweet chocolate contains substantially more than this quantity, and this is a reasonable minimum for the chocolate liquor content of sweet chocolate.

38. Sweet chocolate of a relatively high chocolate liquor content and strong chocolate characteristics is frequently designated as "bittersweet chocolate", "bittersweet chocolate coating", "semisweet chocolate", "semisweet chocolate coating." The strong chocolate characteristics of sweet chocolate so designated result from the use in such product of not less than 35 percent by weight of chocolate liquor, calculated as indicated in finding 36; this minimum is necessary to insure such characteristics.

39. The sweetening ingredient traditionally used in sweet chocolate and most commonly used today is sugar, known chemically as sucrose, derived from sugar cane or sugar beets and refined to such extent that it is free from perceptible color, odor, and flavor other than sweetness.

40. Sometimes partly refined cane sugar is also used, either alone or in combination with sugar. To be suitable for such purpose, raw cane sugar is subjected to some process of partial refinement, such as washing.

41. Anhydrous dextrose or dried corn sirup or a mixture of these is sometimes used in a limited quantity (see finding 44), in combination with sugar or partly refined sugar or both, as part of the sweetening ingredient of sweet chocolate. Anhydrous dextrose suitable for such use is the refined anhydrous monosaccharide obtained from hydrolyzed starch. Dried corn sirup suitable for such use is the product prepared by incompletely hydrolyzing cornstarch and is refined to such extent that, on a dry basis, it contains not less than 88 percent by weight of reducing sugars.

42. The primary purpose of using saccharine substances in cacao products is to sweeten them.

43. Anhydrous dextrose and dried corn sirup are less sweet than sugar, anhydrous dextrose being about two-thirds as sweet as sugar and dried corn sirup about one-half as sweet as sugar.

44. By reason of their lesser sweetness and other characteristics, neither anhydrous dextrose nor dried corn sirup nor any mixture of these is suitable for

use as the sole sweetening ingredient of sweet chocolate; they are suitable ingredients only when used in combination with sugar or partly refined sugar or both. The quantity of anhydrous dextrose or dried corn sirup or mixture of these which is suitable for such use is a quantity so limited that there is no substantial difference in the sweetness, texture, and flavor of the sweet chocolate and the sweetness, texture, and flavor of a sweet chocolate of substantially the same composition (other than the kinds of saccharine ingredients present) in which sugar alone is used as the sweetening ingredient. Such quantity varies somewhat with the different kinds of cacao beans used in making the chocolate liquor. Generally manufacturers do not use more than one-third by weight of anhydrous dextrose in a mixture of anhydrous dextrose and sugar or partly refined sugar or both, and not more than one-fourth by weight of dried corn sirup in any such mixture. When both dried corn sirup and anhydrous dextrose are used in mixture with sugar or partly refined sugar or both, the quantities of anhydrous dextrose and dried corn sirup are so limited that twice the weight of the anhydrous dextrose used added to three times the weight of the dried corn sirup used is not more than the weight of the sugar, partly refined sugar, or combination thereof used, as the case may be.

45. There are slight differences in the cost of the various saccharine ingredients used in sweet chocolate. However, these are not sufficient to be reflected by differences in the retail prices of sweet chocolate and are not of material significance to consumers.

46. There is a theoretical difference in caloric value between anhydrous dextrose and sucrose and between dried corn sirup and sucrose. However, these differences are less than the variations in metabolism of the same carbohydrate in the same person on the same day, due to various factors, so that the caloric food values of these saccharine substances are not materially different.

47. The sweetness of sweet chocolate varies widely between different brands and between different batches of the same brand because of the wide variation in the percentage of chocolate liquor used and the differences in flavor of such chocolate liquors. The sweetness of sweet chocolate is of secondary significance to its chocolate characteristics, and consequently the differences in sweetness which may result from the use of different saccharine ingredients in the proportions indicated in finding 44 are of no material significance to consumers. Nor does the use of different saccharine ingredients produce any significantly different physical characteristics in the finished product.

48. The percentage of chocolate liquor in most sweet chocolate is too small to supply a sufficient quantity of fat to impart the plasticity or viscosity expected and necessary when the chocolate is used for eating as such or for coating confections. Cacao fat is therefore added in the preparation of most sweet choco-

late. The quantity added depends on the particular use for which the sweet chocolate is intended.

49. Uniformity of viscosity is particularly important in sweet chocolate used for enrobing confections in order to insure that uniformity of thickness of covering demanded by manufacturing confectioners. Adjustment to a specific fat content does not of itself insure the requisite uniformity of viscosity or that the viscosity will remain sufficiently uniform over any extended period of use of such sweet chocolate. This is due principally to unavoidable variations in the moisture content of the sweet chocolate, caused by differing atmospheric conditions, by the moisture content of the confections being enrobed, and by other factors.

50. By the use of small quantities of an emulsifying ingredient, the viscosity of different batches of sweet chocolate can be held within a narrow range. Lecithin, with or without related natural phosphatides, and the monoglycerides and diglycerides of fat-forming fatty acids in combination with monosodium phosphate derivatives thereof, alone or mixed with lecithin, are suitable for use as such emulsifying ingredients. The quantity of these emulsifiers needed is not more than 0.5 percent by weight of the finished sweet chocolate.

51. Emulsifiers are commonly added to sweet chocolate mixed with a vegetable food fat which serves as a carrier for such emulsifiers. Vegetable food fat carriers which are used for this purpose, and which are suitable for such use, are cacao fat, soybean oil, corn oil, and others. The quantity of such fat necessary for such purpose is not more than 40 percent by weight of such mixture.

52. Incident to its desired effect of maintaining uniform viscosity of sweet chocolate coating, the use of such emulsifiers makes it possible to obtain a given viscosity with somewhat less cacao fat than would otherwise be required. Much sweet chocolate coating is produced without added emulsifier, but ordinarily such coatings contain a higher percentage of cacao fat than comparable coatings of equal viscosity which contain added emulsifier. Because sweet chocolate coatings containing emulsifiers have different characteristics as to viscosity and because they may contain lower quantities of cacao fat than a sweet chocolate of a similar viscosity which does not contain emulsifiers, it is in the consumer's interest to know when emulsifiers are present in sweet chocolate coating.

53. The specific names of the emulsifiers used are not familiar to most consumers, but these substances are generally referred to by their collective common name "emulsifiers." The label statement "Emulsifier Added" or "With Added Emulsifier" is an informative and appropriate statement of the presence of such substances.

54. When the characteristics resulting from processing with alkali are desired, sweet chocolate is made from chocolate liquor alkalinized as described in finding 20. In such cases findings 11 to 13, inclusive, are applicable.

55. The spice, flavoring, and other seasoning ingredients which are used in sweet chocolate and which are suitable for such use (subject to the exception noted in finding 22) are one or more of the following: Ground spice, ground vanilla beans, any natural food flavoring oil or oleoresin or extract, vanillin or ethyl vanillin or coumarin or any other artificial food flavor, ground coffee, ground nut meats, honey, molasses, brown sugar, maple sugar, dried malted cereal extract, salt (see finding 21).

56. Consumers ordinarily expect sweet chocolate to contain seasoning ingredients. However, when an artificial flavoring is used, it is of interest to consumers to know that the flavoring is not a natural flavoring. The label statements "Artificially Flavored" or "With Artificial Flavoring" or "Artificial Flavoring Added" are informative and reasonable statements of the presence of artificial flavoring in sweet chocolate. Other such label statements are those of which the following are examples: "Artificially Flavored with Coumarin", "With Vanillin, an Artificial Flavoring."

57. In order to modify somewhat the taste and flavor of sweet chocolate, the following dairy ingredients are frequently used and are suitable for such use: Butter, cream, milk fat, milk, concentrated milk, evaporated milk, sweetened condensed milk, dried milk, skim milk, concentrated (condensed or evaporated) skim milk, sweetened condensed skim milk, nonfat dry milk solids,¹ sweet cream buttermilk, concentrated sweet cream buttermilk, dried sweet cream buttermilk, and malted milk. The quantity of these ingredients usually used is such that the milk constituent solids in the finished sweet chocolate is substantially less than 12 percent by weight. In order to set sweet chocolate containing these ingredients apart from milk chocolate and other analogous cacao products, it is reasonable to require that such milk constituent solids in sweet chocolate be less than 12 percent by weight.

Milk chocolate. 58. The food commonly and usually known as "milk chocolate", "sweet milk chocolate", "milk chocolate coating", and "sweet milk chocolate coating" is the solid or semi-plastic food composed basically of chocolate liquor intimately mixed and ground with milk solids and one or more of the saccharine ingredients specified in findings 39, 40, and 41. Findings 35, 36, and 39 to 56, inclusive, are applicable to milk chocolate, except as indicated in finding 59.

¹ The record upon which these findings of fact and standards are based refers to this product as "dried skim milk." This term had been designated by the Federal Security Administrator as one of the common or usual names of this product (5 F.R. 2543). By Public Law No. 244, Ch. 77, 78th Cong., 2d Sess., approved March 2, 1944, Congress prescribed for the purposes of the Federal Food, Drug, and Cosmetic Act the names "nonfat dry milk solids" and "defatted Milk Solids" for this product. In this order, therefore, the term "nonfat dry milk solids" has been used to designate the product referred to in the record as "dried skim milk."

59. Compared with sweet chocolate, milk chocolate is characterized by its readily perceptible taste and flavor of milk and other characteristics resulting from the quantity of milk solids used. It is usually also characterized by somewhat less prominent chocolate characteristics, and it has been the general practice in the industry to use a relatively smaller percentage of chocolate liquor in milk chocolate than in sweet chocolate. (See finding 35.)

60. To insure that the finished product is adequately characterized by its chocolate ingredient, it is necessary that the quantity of chocolate liquor used be such that the finished milk chocolate contains not less than 10 percent by weight of chocolate liquor, calculated as indicated in finding 36. Most milk chocolate contains substantially more than this quantity and this is a reasonable minimum for the chocolate liquor content of milk chocolate.

61. The dairy ingredients which are used (some singly and others in combinations) to supply the milk solids in milk chocolate and which are suitable for such use are milk, concentrated milk, evaporated milk, sweetened condensed milk, dried milk, skim milk, concentrated (evaporated or condensed) skim milk, sweetened condensed skim milk, nonfat dry milk solids, butter, cream, and milk fat. The ratio of fat to nonfat solids in milk delivered to consumers averages 1 to 2.275, as determined by nationwide surveys. To the extent that it is practicable it is in the interest of consumers that the milk solids of milk chocolate contain at least as much fat as the average in the solids of fluid milk sold to consumers. It is practicable to control the ratio of milk fat to nonfat milk solids in the dairy ingredients used in the manufacture of milk chocolate by adding or abstracting milk fat or adding nonfat milk solids. The milk solids content of milk chocolate varies from a minimum of 12 percent (see finding 62) to substantially more than 20 percent; most milk chocolate bars contain more than 18 percent. When the content is near the minimum, no difficulty arises from the use of milk solids in which the weight of nonfat solids is not more than 2.275 times the weight of fat. As the milk solids content is increased, milk chocolate has a tendency to show "fat bloom" and other undesirable characteristics unless the ratio of fat to nonfat solids is widened somewhat. In much of the milk chocolate marketed the weight of nonfat milk solids is now and for many years has been 2.43 times the weight of milk fat; at this ratio there is no material difficulty from "fat bloom" or other undesirable change even when the higher quantities of milk solids are used. The milk fat content of milk chocolate containing the lower quantities of milk solids may be increased through the addition of butter, cream, or milk fat for the purpose of enhancing the characteristics contributed by these substances, but the total milk fat content, after such increase, does not exceed the known limit of the ratio of fat to nonfat milk solids for

whole milk, which is not more than 1 part of milk fat to 1.20 parts of nonfat milk solids.

62. It has long been the practice of the industry to use not less than 12 percent by weight of milk solids in milk chocolate. This quantity is necessary to insure the milk characteristics expected by consumers.

Skim milk chocolate; buttermilk chocolate. 63. The plastic or semiplastic foods commonly known as "skim milk chocolate" and "buttermilk chocolate" are of the same composition as milk chocolate, except that the only dairy ingredient solids in them are those of skim milk and sweet cream buttermilk, respectively. The skim milk solids are obtained by the use of skim milk, concentrated (evaporated or condensed) skim milk, sweetened condensed skim milk, nonfat dry milk solids, or any mixture of these. The buttermilk solids are obtained by the use of concentrated sweet cream buttermilk or dried sweet cream buttermilk or both. Fluid sweet cream buttermilk would also be suitable. To insure that the finished products possess the dairy ingredient characteristics expected by consumers, the quantity of skim milk solids in skim milk chocolate and of buttermilk solids in buttermilk chocolate is not less than 12 percent by weight. Except in the respects indicated in this finding, findings 35, 36, and 39 to 56 inclusive, and findings 59 and 60 are applicable to skim milk chocolate and buttermilk chocolate. Synonyms commonly used for skim milk chocolate are "sweet skim milk chocolate", "skim milk chocolate coating", and "sweet skim milk chocolate coating." A synonym commonly used for buttermilk chocolate is "buttermilk chocolate coating."

Mixed dairy product chocolate. 64. There are several kinds of cacao products which are of the same composition as milk chocolate, except that the milk constituent solids in them are those of mixtures of two or more of the following: Milk, skim milk, sweet cream buttermilk, malted milk. Such solids are obtained by using dairy ingredients specified in findings 61 and 63, with or without malted milk. To insure that the milk constituent solids of each dairy ingredient used will impart its characteristics to the finished article, each such ingredient is used in such quantity as to contribute not less than one-third of the weight of milk constituent solids contributed by that dairy ingredient present in largest proportion. To insure that the finished product possesses the milk constituent characteristics expected by consumers, the quantity of any such mixture used is such that the finished article contains not less than 12 percent by weight of milk constituent solids. In order to distinguish such articles prepared with a mixture of milk solids and skim milk solids from milk chocolate, it is reasonable to require that the nonfat milk solids in such mixture be more than 2.43 times the quantity of milk fat therein. Findings 35, 36, and 39 to 56 inclusive, and findings 59 and 60 are applicable to these articles.

65. Those cacao products containing mixed dairy ingredients have not acquired common or usual names. Names for these foods which will distinguish them from other cacao products and which are accurate and informative are the names made up by "chocolate" or "chocolate coating" preceded by any two or more of the terms "milk," "skim milk," "buttermilk," "malted milk," as the case may be, and arranged in the order of predominance, if any, of the weight of milk constituent solids contributed by each such dairy ingredient.

Coatings made from sweet chocolate or sweet cacao and fats other than cacao fat. 66. Two kinds of chocolate flavored coatings, which are made with fats other than cacao fat, are produced and marketed for special uses. These coatings resemble sweet chocolate in taste and appearance but are separate identities. One kind of such coating is used as a coating for ice cream and other frozen desserts and the other as a coating for confections, bakery products, and other products held for retail sale under circumstances where they are exposed to relatively high temperatures.

67. Most sweet chocolate coating is not entirely suitable for use as a coating for ice cream and frozen desserts because the melting point of cacao fat is relatively high as compared to the temperature of such products; by reason of this fact sweet chocolate coating cannot be applied to frozen desserts with uniform thickness and after application such coating becomes brittle and is liable to crack and fall off in pieces.

68. To overcome these difficulties a coating has been developed which remains plastic at temperatures of frozen desserts and which can be applied to such products with a more nearly uniform thickness. These physical characteristics are obtained by using in such coating, in lieu of added cacao fat, one or a mixture of two or more vegetable food oils or fats, other than cacao fat, which may be hardened or hydrogenated and which has a melting point lower than that of cacao fat. Except in the respects indicated in this finding and in finding 73, such coating conforms in composition to that of sweet chocolate coating and findings 35 to 37, and 39 to 57, inclusive, are applicable.

69. Such low-melting-point coating is not generally known to consumers of coated frozen desserts by any particular name, because it has been sold as such only to manufacturers of such desserts. Such coating is ordinarily sold under such terms as "Ice Cream Coating", "Paddle Pop Paste", "Northern Life Ice Cream Coating", and other similar designations. None of these designations identifies the product for what it is or differentiates it from other chocolate products which it resembles. A designation which is accurate and informative and which will distinguish this product from other coatings is "Sweet Chocolate and Vegetable Fat (other than cacao fat) Coating."

70. When sweet chocolate coating is used as a coating for confections, bakery

products, and other products which are held for sale in warm places or under ordinary retail storage conditions during the summer months, particularly in the southern parts of the country, such coating will frequently melt since the melting point of cacao fat is relatively low as compared to such temperatures. Such melting will cause these coated products to become gray and unsightly.

71. To overcome the merchandising problem resulting from the melting of sweet chocolate coating on confectionery and such other products, a coating similar to sweet chocolate has been developed which will not ordinarily melt under such conditions of storage and sale. This results from the use, instead of chocolate liquor, of any one of the cocoas (usually low-fat cocoa) and a fat of a melting point higher than that of cacao fat. Such fats are any one or a mixture of two or more vegetable food oils and fats, other than cacao fat, which may be hydrogenated. Vegetable stearins are also used for this purpose. Except in the respects indicated in this finding and in findings 72 and 73, such coating conforms in composition to that of sweet chocolate coating and findings 35 to 37, and 39 to 57, inclusive, are applicable.

72. Because the characterizing cacao ingredient is a cocoa instead of chocolate liquor, it is appropriate that the minimum for such ingredient be expressed in terms of its nonfat portion, exclusive of any alkali and seasoning present. Such nonfat portion is calculated by subtracting from the weight of cocoa used the weight of cacao fat therein and the weight therein of alkali and seasoning ingredients, if any, dividing the remainder by the weight of the finished coating, and multiplying the quotient by 100. A quantity of such nonfat portion which is approximately equivalent to 15 percent of chocolate liquor is 6.8 percent (see finding 36).

73. Because distinctions based on the quantities of dairy ingredients present have not developed in the uses of the low-melting-point and high-melting-point coatings and in the designations under which they are sold, there is no basis for the maximum limit set forth in finding 57 for such ingredients.

74. The high-melting-point coating is not generally known to consumers by any particular name, because it has been sold as such only to confectioners, bakers, and other manufacturers. Such coating is ordinarily identified in the trade as "Cocoa Coating", "Summer Coating", "Sudan Summer Coating", "Supreme Coating", and perhaps other similar designations. None of these designations identifies the product for what it is or differentiates it from other chocolate products which it resembles. A designation which is accurate and informative and which will distinguish this product from other coatings is "Sweet Cocoa and Vegetable Fat (other than cacao fat) Coating."

On the basis of the foregoing findings of fact it is concluded that each of the following regulations fixing and establishing a definition and standard of identity for a cacao product will promote

honesty and fair dealing in the interest of consumers:

- Sec.
- 14.1 Cacao nibs, cocoa nibs, cracked cocoa, identity; label statement of optional ingredients.
- 14.2 Chocolate liquor, chocolate, baking chocolate, bitter chocolate, cooking chocolate, chocolate coating, bitter chocolate coating, identity; label statement of optional ingredients.
- 14.3 Breakfast cocoa, high fat cocoa, identity; label statement of optional ingredients.
- 14.4 Cocoa, medium fat cocoa, identity; label statement of optional ingredients.
- 14.5 Low-fat cocoa, identity; label statement of optional ingredients.
- 14.6 Sweet chocolate, sweet chocolate coating, identity; label statement of optional ingredients.
- 14.7 Milk chocolate, sweet milk chocolate, milk chocolate coating, sweet milk chocolate coating, identity; label statement of optional ingredients.
- 14.8 Skim milk chocolate, sweet skim milk chocolate, skim milk chocolate coating, sweet skim milk chocolate coating, identity; label statement of optional ingredients.
- 14.9 Buttermilk chocolate, buttermilk chocolate coating, identity; label statement of optional ingredients.
- 14.10 Mixed dairy product chocolates, mixed dairy product chocolate coatings, identity; label statement of optional ingredients.
- 14.11 Sweet chocolate and vegetable fat (other than cacao fat) coating, identity; label statement of optional ingredients.
- 14.12 Sweet cocoa and vegetable fat (other than cacao fat) coating, identity; label statement of optional ingredients.

AUTHORITY: §§ 14.1 to 14.12, inclusive, issued under secs. 401, 701; 52 Stat. 1046, 1055; 21 U.S.C. 341, 371; Reorganization Act of 1939, 53 Stat. 561 ff; and Reorganization Plans Nos. I, 53 Stat. 1423, and IV, 54 Stat. 1234.

§ 14.1 *Cacao nibs, cocoa nibs, cracked cocoa, identity; label statement of optional ingredients.* (a) Cacao nibs, cocoa nibs, cracked cocoa is the food prepared by heating and cracking dried or cured and cleaned cacao beans and removing shell therefrom. Cacao nibs or the cacao beans from which they are prepared may be processed by heating with one or more of the following optional alkali ingredients, added as such or in aqueous solution: Bicarbonate, carbonate, or hydroxide of sodium, ammonia, or potassium; or carbonate or oxide of magnesium; but for each 100 parts by weight of cacao nibs used, as such or before shelling from the cacao beans, the total quantity of such alkalis used is not greater in neutralizing value (calculated from the respective combining weights of such alkalis used) than the neutralizing value of 3 parts by weight of anhydrous potassium carbonate. The cacao shell content of cacao nibs is not more than 1.75 percent by weight (calculated to an alkali-free basis if they or the cacao beans from which they were prepared have been processed with alkali), as determined by the method prescribed under "Shell in Cacao Nibs—Tentative" beginning on page 208 of "Official and Tentative

Methods of Analysis of the Association of Official Agricultural Chemists", 5th Ed., 1940.

(b) When cacao nibs or the cacao beans from which they are prepared are processed, in whole or in part, with any optional alkali ingredient specified in paragraph (a) of this section, the label shall bear the statement "Processed with Alkali"; but in lieu of the word "Alkali" in such statement the specific common name of the optional alkali ingredient may be used. Wherever the name of the food appears on the label so conspicuously as to be easily seen under customary conditions of purchase, such statement shall immediately and conspicuously precede or follow such name, without intervening written, printed, or graphic matter.

§ 14.2 *Chocolate liquor, chocolate, baking chocolate, bitter chocolate, cooking chocolate, chocolate coating, bitter chocolate coating, identity; label statement of optional ingredients.* (a) Chocolate liquor, chocolate, baking chocolate, bitter chocolate, cooking chocolate, chocolate coating, bitter chocolate coating is the solid or semiplastic food prepared by finely grinding cacao nibs. To such ground cacao nibs, cacao fat or a cocoa or both may be added in quantities needed to adjust the cacao fat content of the finished chocolate liquor. (For the purposes of this section the term "cocoa" means breakfast cocoa, cocoa, low-fat cocoa, or any mixture of two or more of these.) Chocolate liquor may be spiced, flavored, or otherwise seasoned with one or more of the following optional ingredients, other than any such ingredient or combination of ingredients specified in subparagraphs (1), (2), or (3) which imparts a flavor that imitates the flavor of chocolate, milk, or butter:

- (1) Ground spice.
- (2) Ground vanilla beans; any natural food flavoring oil, oleoresin, or extract.
- (3) Vanillin, ethyl vanillin, coumarin, or other artificial food flavoring.
- (4) Butter, milk fat, dried malted cereal extract, ground coffee, ground nut meats.
- (5) Salt.

Any optional ingredient used with the cacao beans or cacao nibs from which such chocolate liquor is prepared, or used with any cocoa added in preparing such chocolate liquor, shall be considered to be an optional ingredient used with such chocolate liquor. The optional alkali ingredients specified for use with cacao nibs in § 14.1 (a) may be used as optional ingredients with chocolate liquor; but for each 100 parts by weight of cacao nibs used in preparing the chocolate liquor, the total quantity of such alkalis used is not greater in neutralizing value (calculated from the respective combining weights of such alkalis used) than 3 parts by weight of anhydrous potassium carbonate. The finished chocolate liquor contains not less than 50 percent and not more than 58 percent by weight of cacao fat. Unless the chocolate liquor is seasoned with butter, milk fat, or ground nut meats, the percentage of cacao fat is determined by the method prescribed

under "Fat Method I—Official" beginning on page 202 of "Official and Tentative Methods of Analysis of the Association of Official Agricultural Chemists", 5th Ed., 1940.

(b) Wherever the name of the food appears on the label so conspicuously as to be easily seen under customary conditions of purchase, the statements hereinafter prescribed showing the optional ingredients used shall immediately and conspicuously precede or follow such name, without intervening written, printed, or graphic matter.

(1) When the food is seasoned with an optional ingredient specified in subparagraph (a) (1) of this section the label shall bear the statement "Spiced", "Spice Added", "With Added Spice", "Spiced With _____", or "With Added _____", the blank being filled in with the specific common name of the spice used.

(2) When the food is flavored with an optional ingredient specified in paragraph (a) (2) of this section, the label shall bear the statement "Flavored", "Flavoring Added", "With Added Flavoring", "Flavored With _____", "_____ Added", or "With Added _____", the blank being filled in with the specific common name of the flavoring used.

(3) When the food is flavored with an optional ingredient specified in paragraph (a) (3) of this section, the label shall bear the statement "Artificially Flavored", "Artificial Flavoring Added", "With Artificial Flavoring", "Artificially Flavored With _____", or "With _____, An Artificial Flavoring", the blank being filled in with the specific common name of the artificial flavoring used.

(4) When the food is seasoned with an optional ingredient specified in paragraph (a) (4) of this section, the label shall bear the statement "Seasoned With _____", the blank being filled in with the specific common name of the substance used as seasoning.

(5) When any optional alkali ingredient specified in § 14.1 (a) is used, the label shall bear the statement "Processed with Alkali"; but in lieu of the word "Alkali" in such statement the specific common name of the optional alkali ingredient may be used.

Label statements prescribed by subparagraphs (1) to (4), inclusive, of this paragraph may be combined, as for example, "With Added Cinnamon, Vanilla, and Coumarin, An Artificial Flavoring."

§ 14.3 *Breakfast cocoa, high fat cocoa, identity; label statement of optional ingredients.* (a) Breakfast cocoa, high fat cocoa is the food prepared by pulverizing the residual material remaining after part of the cacao fat has been removed from ground cacao nibs. It may be spiced, flavored, or otherwise seasoned with one or more of the following optional ingredients, other than any such ingredient or combination of ingredients which imparts a flavor that imitates the flavor of chocolate, milk, or butter:

- (1) Ground spice.
- (2) Ground vanilla beans; any natural food flavoring oil, oleoresin, or extract.
- (3) Vanillin, ethyl vanillin, coumarin, or other artificial food flavoring.
- (4) Salt.

Any optional ingredient used with the cacao beans, cacao nibs, or ground cacao nibs from which such breakfast cocoa is prepared shall be considered to be an optional ingredient used with such breakfast cocoa. The optional alkali ingredients specified for use with cacao nibs in § 14.1 (a) may be used as optional ingredients with breakfast cocoa; but for each 100 parts by weight of cacao nibs used in preparing the breakfast cocoa, the total quantity of such alkalis used is not greater in neutralizing value (calculated from the respective combining weights of such alkalis used) than 3 parts by weight of anhydrous potassium carbonate. The finished breakfast cocoa contains not less than 22 percent of cacao fat, as determined by the method prescribed under "Fat Method I—Official" beginning on page 202 of "Official and Tentative Methods of Analysis of the Association of Official Agricultural Chemists," 5th Ed., 1940.

(b) Wherever the name of the food appears on the label so conspicuously as to be easily seen under customary conditions of purchase, the statements hereinafter prescribed showing the optional ingredients used shall immediately and conspicuously precede or follow such name, without intervening written, printed, or graphic matter:

(1) When the food is seasoned with an optional ingredient specified in paragraph (a) (1) of this section, the label shall bear the statement "Spiced", "Spice Added", "With Added Spice", "Spiced With _____", or "With Added _____", the blank being filled in with the specific common name of the spice used.

(2) When the food is flavored with an optional ingredient specified in subparagraph (a) (2) of this section, the label shall bear the statement "Flavored", "Flavoring Added", "With Added Flavoring", "Flavored With _____", "_____ Added", or "With Added _____", the blank being filled in with the specific common name of the flavoring used.

(3) When the food is flavored with an optional ingredient specified in paragraph (a) (3) of this section, the label shall bear the statement "Artificially Flavored", "Artificial Flavoring Added", "With Artificial Flavoring", "Artificially Flavored With _____", or "With _____, An Artificial Flavoring", the blank being filled in with the specific common name of the artificial flavoring used.

(4) When any optional alkali ingredient specified in § 14.1 (a) is used, the label shall bear the statement "Processed With Alkali" but in lieu of the word "Alkali" in such statement the specific common name of the optional alkali ingredient may be used.

Label statements prescribed by subparagraphs (1) to (4), inclusive, of this paragraph may be combined, as for example, "With Added Cinnamon, Vanilla, and Coumarin, An Artificial Flavoring."

§ 14.4 *Cocoa, medium fat cocoa, identity; label statement of optional ingredients.* Cocoa, medium fat cocoa conforms to the definition and standard of identity, and is subject to the requirements for label statement of optional ingredients, prescribed for breakfast cocoa by § 14.3, except that it contains less than

22 percent but not less than 10 percent of cacao fat, as determined by the method referred to in § 14.3 (a).

§ 14.5 *Low-fat cocoa, identity; label statement of optional ingredients.* Low-fat cocoa conforms to the definition and standard of identity, and is subject to the requirements for label statement of optional ingredients, prescribed for breakfast cocoa by § 14.3, except that it contains less than 10 percent of cacao fat as determined by the method referred to in § 14.3 (a).

§ 14.6 *Sweet chocolate, sweet chocolate coating, identity; label statement of optional ingredients.* (a) Sweet chocolate, sweet chocolate coating is the solid or semiplastic food the ingredients of which are intimately mixed and ground, prepared from chocolate liquor (with or without the addition of cacao fat) sweetened with one of the optional saccharine ingredients specified in paragraph (b) of this section. It may be spiced, flavored, or otherwise seasoned with one or more of the following optional ingredients, other than any such ingredient or combination of ingredients which imparts a flavor that imitates the flavor of chocolate, milk, or butter:

(1) Ground spice, ground vanilla beans, any natural food flavoring oil or oleoresin or extract, ground coffee, ground nut meats, honey, molasses, brown sugar, maple sugar, dried malted cereal extract, salt.

(2) Vanillin, ethyl vanillin, coumarin, or other artificial food flavoring.

One or a mixture of both of the following optional emulsifying ingredients may be added in a total quantity not more than 0.5 percent of the weight of the finished food (such ingredient or mixture may be added in combination with a vegetable food fat carrier, such combination containing not less than 60 percent by weight of the emulsifying ingredient or mixture):

(3) Lecithin, with or without related natural phosphatides.

(4) Monoglycerides and diglycerides of fat-forming fatty acids in combination with monosodium phosphate derivatives thereof.

One or any mixture of two or more of the following optional dairy ingredients may be used in such quantity that the finished sweet chocolate contains less than 12 percent by weight of milk constituent solids:

(5) Butter, milk fat, cream, milk, concentrated milk, evaporated milk, sweetened condensed milk, dried milk, skim milk, concentrated skim milk, evaporated skim milk, sweetened condensed skim milk, nonfat dry milk solids, concentrated buttermilk, dried buttermilk, malted milk.

If chocolate liquor with any optional ingredient specified in § 14.2 (e) is used, such ingredient shall be considered to be an optional ingredient used with the sweet chocolate. The finished sweet chocolate contains not less than 15 percent by weight of chocolate liquor, calculated by subtracting from the weight of chocolate liquor used the weight of cacao fat therein and the weights therein of alkali and seasoning ingredients, if any, multiplying the remainder by 2.2,

dividing the result by the weight of the finished sweet chocolate, and multiplying the quotient by 100. Bittersweet chocolate is sweet chocolate which contains not less than 35 percent by weight of chocolate liquor, calculated in the same manner.

(b) The optional saccharine ingredients referred to in paragraph (a) of this section are:

(1) Sugar, or partly refined cane sugar, or both.

(2) Any mixture of dextrose and sugar or partly refined cane sugar or both in which the weight of the solids of the dextrose used is not more than one-third of the total weight of the solids of all the saccharine ingredients used.

(3) Any mixture of dried corn sirup and sugar or partly refined cane sugar or both in which the weight of the solids of the dried corn sirup used is not more than one-fourth of the total weight of the solids of all the saccharine ingredients used.

(4) Any mixture of dextrose, dried corn sirup, and sugar or partly refined cane sugar or both, in which three times the weight of the solids of the dextrose used plus four times the weight of the solids of the dried corn sirup used is not more than the total weight of the solids of all the saccharine ingredients used.

(c) For the purpose of this section:

(1) The term "dextrose" means the anhydrous refined monosaccharide obtained from hydrolyzed starch.

(2) The term "dried corn sirup" means the product obtained by drying incompletely hydrolyzed cornstarch; its solids contain not less than 58 percent by weight of reducing sugars.

(d) "Semisweet chocolate," "bittersweet chocolate," "semisweet chocolate coating," and "bittersweet chocolate coating" are alternate names for sweet chocolate which contains not less than the minimum quantity of chocolate liquor prescribed for bittersweet chocolate by paragraph (a) of this section.

(e) Wherever the name of the food appears on the label so conspicuously as to be easily seen under customary conditions of purchase, the statements hereinafter prescribed showing the optional ingredients used shall immediately and conspicuously precede or follow such name, without intervening written, printed, or graphic matter:

(1) When the food is flavored with an optional ingredient specified in paragraph (a) (2) of this section, the label shall bear the statement "Artificially Flavored," "Artificially Flavored Added," "With Artificial Flavoring," "Artificially Flavored With _____," or "With _____, An Artificial Flavoring," the blank being filled in with the specific common name of the artificial flavoring used.

(2) When an optional ingredient specified in paragraph (a) (3) or (4) of this section is used, the label shall bear the statement "Emulsifier Added" or "With Added Emulsifier."

(3) When any optional alkali ingredient specified in § 14.1 (a) is used the label shall bear the statement "Processed with Alkali", but in lieu of the word "Alkali" in such statement the specific

common name of the optional alkali ingredient may be used.

Label statements prescribed by subparagraphs (1) and (2) of this paragraph may be combined, as for example, "With Added Emulsifier and Coumarin, An Artificial Flavoring."

§ 14.7 *Milk chocolate, sweet milk chocolate, milk chocolate coating, sweet milk chocolate coating, identity; label statement of optional ingredients.* (a)

Milk chocolate, sweet milk chocolate, milk chocolate coating, sweet milk chocolate coating is the solid or semiplastic food the ingredients of which are intimately mixed and ground, prepared from chocolate liquor (with or without the addition of cacao fat) and one or more of the optional dairy ingredients specified in paragraph (b) of this section, sweetened with one of the optional saccharine ingredients specified in § 14.6 (b) and (c). It may be spiced, flavored, or otherwise seasoned with one or more of the following optional ingredients, other than any such ingredient or combination of ingredients which imparts a flavor that imitates the flavor of chocolate, milk, or butter:

(1) Ground spice, ground vanilla beans, any natural food flavoring oil or oleo-resin or extract, ground coffee, ground nut meats, honey, molasses, brown sugar, maple sugar, dried malted cereal extract, salt.

(2) Vanillin, ethyl vanillin, coumarin, or other artificial food flavoring.

One or a mixture of both of the following optional emulsifying ingredients may be added in a total quantity not more than 0.5 percent of the weight of the finished food (such ingredient or mixture may be added in combination with a vegetable food fat carrier, such combination containing not less than 60 percent by weight of the emulsifying ingredient or mixture):

(3) Lecithin, with or without related natural phosphatides.

(4) Monoglycerides and diglycerides of fat-forming fatty acids in combination with monosodium phosphate derivatives thereof.

If chocolate liquor with any optional ingredient specified in § 14.2 (a) is used, such ingredient shall be considered to be an optional ingredient used with the milk chocolate. The finished milk chocolate contains not less than 3.66 percent by weight of milk fat, not less than 12 percent by weight of milk solids, and not less than 10 percent by weight of chocolate liquor as calculated by subtracting from the weight of chocolate liquor used the weight of cacao fat therein and the weights therein of alkali and seasoning ingredients, if any, multiplying the remainder by 2.2, dividing the result by the weight of the finished milk chocolate, and multiplying the quotient by 100.

(b) The optional dairy ingredients referred to in paragraph (a) of this section are milk, concentrated milk, evaporated milk, sweetened condensed milk, dried milk, butter, milk fat, cream, skim milk, concentrated skim milk, evaporated skim milk, sweetened condensed skim milk, and nonfat dry milk solids; but in any such ingredient or combination of two or

more of such ingredients used, the weight of nonfat milk solids is not more than 2.43 times and not less than 1.20 times the weight of milk fat therein.

(c) Wherever the name of the food appears on the label so conspicuously as to be easily seen under customary conditions of purchase, the statements hereinafter prescribed showing the optional ingredients used shall immediately and conspicuously precede or follow such name, without intervening written, printed, or graphic matter:

(1) When the food is flavored with an optional ingredient specified in paragraph (a) (2) of this section the label shall bear the statement "Artificially Flavored", "Artificially Flavored Added", "With Artificial Flavoring", "Artificially Flavored With _____", or "With _____, An Artificial Flavoring", the blank being filled in with the specific common name of the artificial flavoring used.

(2) When an optional ingredient specified in paragraph (a) (3) or (4) of this section, is used, the label shall bear the statement "Emulsifier Added" or "With Added Emulsifier."

(3) When any optional alkali ingredient specified in § 14.1 (a) is used the label shall bear the statement "Processed With Alkali", but in lieu of the word "Alkali" in such statement the specific common name of the optional alkali ingredient may be used.

Label statements prescribed by subparagraphs (1) and (2) of this paragraph may be combined, as for example, "With Added Emulsifier and Coumarin, An Artificial Flavoring."

§ 14.8 *Skim milk: chocolate, sweet skim milk chocolate, skim milk chocolate coating, sweet skim milk chocolate coating, identity; label statement of optional ingredients.* Skim milk chocolate, sweet skim milk chocolate, skim milk chocolate coating, sweet skim milk chocolate coating conforms to the definition and standard of identity, and is subject to the requirements for label statement of optional ingredients, prescribed for milk chocolate by § 14.7, except that:

(1) The dairy ingredients used are limited to skim milk, concentrated skim milk, evaporated skim milk, sweetened condensed skim milk, nonfat dry milk solids, and any combination of two or more of these.

(2) The finished skim milk chocolate contains less than 3.66 percent by weight of milk fat and, instead of milk solids, it contains not less than 12 percent by weight of skim milk solids.

§ 14.9 *Buttermilk: chocolate, buttermilk chocolate coating, identity; label statement of optional ingredients.* Buttermilk chocolate, buttermilk chocolate coating conforms to the definition and standard of identity, and is subject to the requirements for label statement of optional ingredients, prescribed for milk chocolate by § 14.7, except that:

(1) The dairy ingredients used are limited to sweet cream buttermilk, concentrated sweet cream buttermilk, dried sweet cream buttermilk, or any combination of two or all of these.

(2) The finished buttermilk chocolate contains less than 3.66 percent by weight

of milk fat and, instead of milk solids, it contains not less than 12 percent by weight of sweet cream buttermilk solids.

§ 14.10 *Mixed dairy product chocolates, mixed dairy product chocolate coatings, identity; label statement of optional ingredients.* (a) The articles for which definitions and standards of identity are prescribed by this section are the foods each of which conforms to the definition and standard of identity, and is subject to the requirements for label statement of optional ingredients, prescribed for milk chocolate by § 14.7, except that:

(1) The dairy ingredient used in each such article is a mixture of two or more of the following four components:

(i) Any dairy ingredient or combination of such ingredients specified in § 14.7 (b) which is within the limits of the ratios specified therein for nonfat milk solids to milk fat.

(ii) One or more of the five skim milk ingredients specified in § 14.8.

(iii) One or more of the three sweet cream buttermilk ingredients specified in § 14.9.

(iv) Malted milk.

(2) Each of the finished articles may contain less than 3.66 percent by weight of milk fat and, instead of milk solids, it contains not less than 12 percent by weight of milk constituent solids of the components used. The quantity of each component used in any such mixture is such that no component contributes less than one-third of the weight of milk constituent solids contributed by that component used in largest proportion. When any such mixture is of components (i) and (ii) of subparagraph (1), the quantity of nonfat milk solids in such mixture is more than 2.43 times the quantity of milk fat therein. For the purposes of paragraph (b) of this section, the designation of each of the components listed above is respectively "Milk", "Skim Milk", "Buttermilk", and "Malted Milk."

(b) The name of each such article is "chocolate" or "chocolate coating" preceded by the designations prescribed by paragraph (a) of this section for each component of the dairy ingredients used, such designations appearing in the order of predominance, if any, of the weight of milk constituent solids in each such component. (For example, "Milk and Skim Milk Chocolate".)

§ 14.11 *Sweet chocolate and vegetable fat (other than cacao fat) coating, identity; label statement of optional ingredients.* (a) Sweet chocolate and vegetable fat (other than cacao fat) coating conforms to the definition and standard of identity, and is subject to the requirements for label statement of optional ingredients, prescribed for sweet chocolate by § 14.6, except that:

(1) In its preparation is added one or any combination of two or more vegetable food oils or vegetable food fats, other than cacao fat, which oil, fat, or combination may be hydrogenated and which has a melting point lower than that of cacao fat.

(2) The requirement of § 14.6 (a) that the milk constituent solids be less than 12 percent by weight does not apply.

(b) The provisions of this section shall not be construed as applicable to any article by reason of the addition thereto of a vegetable food fat other than cacao fat as a carrier of emulsifying ingredients, as authorized and within the limit prescribed by § 14.6 (a).

§ 14.12 *Sweet cocoa and vegetable fat (other than cacao fat) coating, identity; label statement of optional ingredients.* Sweet cocoa and vegetable fat (other than cacao fat) coating conforms to the definition and standard of identity, and is subject to the requirements for label statement of optional ingredients, prescribed for sweet chocolate by § 14.6, except that:

(1) In its preparation cocoa is used, instead of chocolate liquor, in such quantity that the finished food contains not less than 6.8 percent by weight of the nonfat cacao portion of such cocoa, calculated by subtracting from the weight of cocoa used the weight of cacao fat therein and the weight therein of alkali and seasoning ingredients, if any, dividing the remainder by the weight of the finished food, and multiplying the quotient by 100. (For the purposes of this section the term "cocoa" means breakfast cocoa, cocoa, low-fat cocoa, or any mixture of two or more of these.)

(2) In its preparation is added one or any combination of two or more vegetable food oils, vegetable food fats, or vegetable food stearins, other than cacao fat, which oil, fat, stearin, or combination has a melting point higher than that of cacao fat. Any such oil or fat may be hydrogenated.

(3) The requirement of § 14.6 (a) that the milk constituent solids be less than 12 percent by weight does not apply.

The regulations hereby promulgated shall become effective April 1, 1945.

Dated: December 4, 1944.

[SEAL] WATSON B. MILLER,
Acting Administrator.

[F. R. Doc. 44-18383; Filed, Dec. 5, 1944;
10:35 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter VI—Solid Fuels Administration for War

PART 602—GENERAL ORDERS AND DIRECTIVES

SHIPMENT OF PREPARED SIZES OF DOMESTIC COAL PRODUCED IN DISTRICT 14

Correction

In Federal Register Document 44-18260, which appears on page 14226 of the issue for Saturday, December 2, 1944, the third sentence of the first paragraph should read, in part, "Accordingly, I have concluded, * * *"

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

AUTHORITY: Regulations in this chapter, unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 64

Stat. 676, as amended by 55 Stat. 236 and 55 Stat. 177; E.O. 6824, 7 P.R. 623; E.O. 6349, 7 P.R. 637; E.O. 6123, 7 P.R. 2719; W.P.B. Reg. 1 as amended Dec. 31, 1943, 9 P.R. 61.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-670]

ROBERT ZORGER

Robert Zorger of Falmouth, Pennsylvania, on January 1, 1944 began and thereafter carried on construction of a residence on his property located in Falmouth, Pennsylvania, without authorization from the War Production Board. The cost of this construction exceeded the limit of \$200 permitted by Conservation Order L-41 and was in violation of that order. Robert Zorger was aware of War Production Board restrictions on construction and the beginning and carrying on of this construction without authorization constituted a willful violation of Conservation Order L-41.

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

§ 1010.670 *Suspension Order No. S-670.* (a) Neither Robert Zorger, his successors or assigns, nor any other person, shall do any construction on the premises owned by him and located in Falmouth, Pennsylvania, including putting up or altering the structure located on the said premises, unless hereafter specifically authorized in writing by the War Production Board and the Federal Housing Administration.

(b) Nothing contained in this order shall be deemed to relieve Robert Zorger, his 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.

Issued this 4th day of December 1944.

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

[F. R. Doc. 44-10383; Filed, Dec. 4, 1944;
4:12 p. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 1, Direction 57]

ALUMINUM INGOT FOR ALUMINUM FOUNDRIES

The following direction is issued pursuant to CMP Reg. 1.

(a) Foundries which do not have an authorization from the War Production Board to buy aluminum ingot for the production of aluminum castings by using an "AMP" number (See Direction 49 to CMP Regulation 1) may get the minimum amount of aluminum ingot they need to fill authorized controlled material orders for aluminum castings by placing on their order the symbol "AMP-6000" and the standard certification of Priorities Regulation 7.

(b) A foundry must not use the symbol AMP-6000 (1) to order from all sources more than 10,000 pounds of aluminum ingot for

delivery in any month or (2) if it has already been assigned another AM authorization number by WPB to buy aluminum.

(c) Foundries which need more than 10,000 pounds of aluminum ingot a month should apply to the Aluminum Casting Section, Aluminum and Magnesium Division, WPB for authorization.

(d) The granting, by this direction, of permission to use the symbol AM-8000 does not exempt any foundry from reporting its operations to WPB on Form WPB-2685.

Issued this 5th day of December 1944.

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

[F. R. Doc. 44-18411; Filed, Dec. 5, 1944;
11:07 a. m.]

PART 3292—AUTOMOTIVE VEHICLES, PARTS
AND EQUIPMENT

[Conservation Order M-216, Revocation]

CONSERVATION OF NEW AUTOMOTIVE VE-
HICLES SUBJECT TO RATIONING BY
FEDERAL AGENCIES

Section 3292.96 *Conservation Order M-216, as amended March 7, 1944*, is hereby revoked. This revocation does not affect any liabilities incurred under the order.

Issued this 5th day of December, 1944.

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

[F. R. Doc. 44-18412; Filed, Dec. 5, 1944;
11:07 a. m.]

PART 3293—CHEMICALS

[Limitation Order L-20, as Amended Dec. 5,
1944]

CELLOPHANE

§ 3293.1 *Limitation Order L-20—(a) Definitions.* For the purpose of this order:

(1) "Supplier" means any manufacturer, converter, jobber, dealer, printer and any other person who directly or indirectly delivers cellophane to the users.

(2) "Cellophane" means a film of plasticized regenerated cellulose, whether in nonmoisture proof or moistureproof grades and whether or not heat sealing. It does not include any material which has been used to package, wrap or seal any product or in manufacture.

(b) *Restriction on use.* Except as provided in paragraphs (f) and (g), no person shall use cellophane for retail decorative "point of sale", packaging or wrapping, or for the packaging, wrapping, sealing or manufacture of the following materials or products:

(1) Cosmetics, soaps, deodorants (including paradichlorobenzene), and cleaning materials, except that cellophane may be used as a replacement of metal for collapsible tubes for tooth paste.

(2) All textiles other than bandages, sanitary swabs and typewriter ribbons.

(3) All rubber and rubber products, except that cellophane may be used in

the manufacture of rubber products, as a substitute for Holland Cloth in the backing of retreading stocks for tires, tire liners, patches and sandblast stencils, and as a wrapping on friction and rubber tape.

(4) All hardware, metals and sporting goods, except that cellophane may be used for packaging and wrapping precision metal parts.

(5) All paper and paper products, including cellulose backed adhesive tape for household purposes.

(6) Glassware, including optical lenses and jewelry.

(7) Candles and wax products.

(8) Electrical equipment, except that cellophane may be used in the manufacture of such equipment.

(9) Wood and wood products other than medical tongue depressers and swabs.

(10) Leather and leather products.

(11) Bottles and jars for any use except that disc inner liners may be used with paper tops to containers for foods, liquid and paste soap, industrial oils and greases.

(12) Canned goods of any sort.

(13) Flowers, plants, seeds and grains.

(14) All decorations and novelties.

(15) Bowl and basket covers, household dyes, household rolls, soda straws, sewing supplies, garment covers, toys and games, pipe filters, coin wrappings, natural and artificial sponges, dillies, hair waving equipment, brake linings, molding materials, window covers.

(16) Milk bottle hoods, except by a dairy bottling 84,000 or less bottles per month.

(17) Putty and paint, except that cellophane may be used as a replacement for metal containers and disc inner liners may be used with paper tops to containers.

(18) Plastic products (other than tooth brushes) and except that cellophane may be used in the manufacture of plastic products.

(19) Drug products, chemicals and antiseptics, except where necessary for the protection of the product itself.

(20) Candy products and chewing gum as follows:

(i) For box overwraps, including the wrapping of either lid or box of "set-up" boxes.

(ii) For open end sleeves on boats or trays.

(iii) In addition to any wrapper of waxed paper, glassine, grease proof, vegetable parchment, or super calendered sulphite.

(iv) For use as both a container and individual wrap for the same candy piece to form a single packaging unit.

(v) For any other type of packaging of candy products and chewing gum, except where necessary for the protection of the product itself.

(21) All foods for animals.

(22) All insecticides and rodenticides, other than paradichlorobenzene and naphthalene insecticides.

(23) Tea, spices, peppers, condiments, sugar, flour, and unshelled nuts.

(24) Carton overwraps for dried food products, including but not limited to peas, beans, rice, barley and lentils, macaroni, noodles and similar paste goods, cereal, cooked and uncooked, and dessert and drink powders.

(25) Window cartons and window bags for all non-food products and for candy products, chewing gum, teas, spices, condiments, sugar, flour and unshelled nuts.

(26) [Deleted Dec. 5, 1944.]

NOTE: Paragraphs (c), (d), (e), (f), (g), (h), formerly paragraphs (d), (e), (h), (i), (j), (k), respectively, redesignated Dec. 5, 1944; former paragraphs (c), (f), (g) deleted.

(c) *Restrictions on deliveries.* No person shall knowingly, directly or indirectly, deliver or cause to be delivered any cellophane, and no person shall accept cellophane to be used for packaging, wrapping, sealing or manufacture in violation of the provisions of paragraph (b), unless such packaging, wrapping, sealing or manufacturing is exempt under the provisions of paragraphs (f) or (g).

(d) *Inventory restriction.* No person within the forty-eight states of the United States or within the District of Columbia shall accept delivery of cellophane if the amount accepted, together with his inventory of such material then on hand, shall exceed a forty-five day supply, having regard to his orders on hand and his current method and rate of operation. However, the restrictions of this paragraph (d) shall not apply to the acceptance of delivery of fifty pounds or less of cellophane by any person whose inventory of cellophane, immediately prior to delivery, is fifty pounds or less. No person shall deliver cellophane if he knows or has reason to believe that the person accepting delivery will have, on acceptance an amount of cellophane in excess of the inventory allowed him by the previous sentences of this paragraph.

(e) *Monthly reports.* Each converter, agent, fabricator, jobber or similar supplier acting as direct or indirect sales agent for any producer must, by the tenth day of each month, submit to such producer a report of his sales during the preceding month of cellophane (other than waste material as defined in paragraph (f) hereof) purchased by such agent from such producer, classifying sales according to industry (such as candy and chewing gum industry, baking industry, drug industry, tobacco industry, and other specifically named industries) and stating as to each class the total number of pounds sold and the number of pounds sold for civilian use, for military use, and for Lend-Lease. Each producer shall keep records of such reports available for inspection by representatives of the War Production Board. Each person affected by this order shall file such other reports as may from time to time be required by the War Production Board, subject to the approval of the

Bureau of the Budget under the Federal Reports Act of 1942.

(f) *Waste material exception.* Nothing contained in this order shall prohibit the sale, delivery or use of waste cellophane (known as roll end trim and rejected or defective rolls and sheets), but producers and suppliers of waste cellophane shall report to the War Production Board by the tenth day of each month the quantities of such material sold or delivered during the preceding month and the recipients thereof.

(g) *Military exception.* The restrictions of this order shall not apply to the use of cellophane for packaging, wrapping, sealing or manufacturing any material or product to be delivered to or for the account of the United States Army, Navy, Veterans' Administration, Maritime Commission or War Shipping Administration, or to any foreign country pursuant to the Act of March 11, 1942, (Lend-Lease Act); *Provided*, That where this material is not used in connection with implements of war, the primary contract specifically requires the use of such material or of a transparent wrapping material. Persons using cellophane in accordance with the above exception shall nevertheless file reports as required in paragraphs (e) and (f).

(h) *Miscellaneous provisions—(1) Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board as amended from time to time.

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

(3) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate with the field office of the War Production Board for the district in which the appellant is located, referring to the particular provisions appealed from and stating fully the grounds of the appeal.

(4) *Communications.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to the War Production Board, Chemicals Division, Washington 25, D. C., Ref: L-20.

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

Issued this 5th day of December 1944.

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

[F. R. Doc. 44-18410; Filed, Dec. 5, 1944; 11:07 a. m.]

Chapter XI—Office of Price Administration

PART 1351—FOOD AND FOOD PRODUCTS
[EMPP 259, Amdt. 18]

DAIRY PRODUCTS

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.*

Revised Maximum Price Regulation 289 is amended in the following respects:

1. Section 1 (c) is added to read as follows:

(c) Neufchatel and cream cheese.

2. A new section 33 is added to read as follows:

§ 33. *Maximum prices for natural and flavored Neufchatel and cream cheese.* This section establishes the maximum prices at which natural or flavored Neufchatel or cream cheese in bulk or in other than glass containers shall be sold to any purchaser. Sales of Neufchatel and cream cheese in glass containers are controlled by the provisions of Maximum Price Regulation 250.

(a) *Maximum prices for the sale of Neufchatel and cream cheese—(1) Sales*

of bulk or "unassembled" Neufchatel and cream cheese. The maximum price for the sale by any person of natural or flavored Neufchatel or cream cheese which has not been assembled but is sold in bulk or in a package containing more than 30 lbs. of cheese delivered to the purchaser at any place shall be the applicable price set forth in Table A below for the zone in which delivery is made.

TABLE A
Prices are in cents per pound

Cheese item	Sales delivered by—		
	Zone 1	Zone 2	Zone 3
Cream cheese curd (natural or flavored).....	2.7	2.7	2.7
Neufchatel cheese curd (natural or flavored).....	1.74	2.0	2.0

(2) *Sales by primary wholesalers, secondary wholesalers and service wholesalers of any assembled cheese item.* The maximum price for the sale by a primary wholesaler, secondary wholesaler or service wholesaler of any assembled, natural or flavored Neufchatel or cream cheese item delivered at any place shall be the applicable price set forth in Table B below for the zone in which delivery is made.

TABLE B

Items Nos. 1 to 5, inclusive, and 19 to 24, inclusive, are in dollars per dozen, Items Nos. 6 to 9, inclusive, and 15 to 18, inclusive, are in cents per pound

CREAM CHEESE

Item No.	Package size of cream cheese (natural or flavored)	Sales delivered by—								
		Primary wholesalers			Secondary wholesalers			Service wholesalers		
		Zone 1	Zone 2	Zone 3	Zone 1	Zone 2	Zone 3	Zone 1	Zone 2	Zone 3
1	1-lb. package.....	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
2	2-lb. package.....	1.90	1.90	1.90	1.90	1.90	1.90	1.90	1.90	1.90
3	4-lb. package.....	3.60	3.60	3.60	3.60	3.60	3.60	3.60	3.60	3.60
4	6-lb. package.....	5.40	5.40	5.40	5.40	5.40	5.40	5.40	5.40	5.40
5	8-lb. package.....	7.20	7.20	7.20	7.20	7.20	7.20	7.20	7.20	7.20
6	2-cr 3lb. loaf.....	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
7	3lb. loaf.....	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
8	10-lb. box or tub.....	10.00	10.00	10.00	10.00	10.00	10.00	10.00	10.00	10.00
9	25-cr 30lb. tub.....	25.00	25.00	25.00	25.00	25.00	25.00	25.00	25.00	25.00

NEUFCHATEL CHEESE

Item No.	Package size of Neufchatel cheese (natural or flavored)	Sales delivered by—								
		Primary wholesalers			Secondary wholesalers			Service wholesalers		
		Zone 1	Zone 2	Zone 3	Zone 1	Zone 2	Zone 3	Zone 1	Zone 2	Zone 3
10	1-lb. package.....	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
11	2-lb. package.....	1.90	1.90	1.90	1.90	1.90	1.90	1.90	1.90	1.90
12	4-lb. package.....	3.60	3.60	3.60	3.60	3.60	3.60	3.60	3.60	3.60
13	6-lb. package.....	5.40	5.40	5.40	5.40	5.40	5.40	5.40	5.40	5.40
14	8-lb. package.....	7.20	7.20	7.20	7.20	7.20	7.20	7.20	7.20	7.20
15	2-cr 3lb. loaf.....	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
16	3lb. loaf.....	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
17	10-lb. box or tub.....	10.00	10.00	10.00	10.00	10.00	10.00	10.00	10.00	10.00
18	25-cr 30lb. tub.....	25.00	25.00	25.00	25.00	25.00	25.00	25.00	25.00	25.00

(3) *Sales of other package sizes.* The maximum price for the sale by any primary wholesaler, secondary wholesaler, or service wholesaler of any assembled cheese item, the exact package size of

which is not priced in Table B shall be determined in the following manner:

The seller shall divide his price (whether in cents per pound or dollar per dozen) as established by Table B for the nearest size of the most similar type container by the number of ounces or other units in such container and shall multiply the result by the number of the same units in the new container for which he

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

19 F.R. 5140, 5427, 5428, 5553, 5917, 5919, 5921, 6105, 7639, 10080, 10579, 10571, 11171.

is attempting to determine a price. He shall figure this new maximum price in terms of the same general unit (cents per pound or dollars per dozen) as that used in Table B for the nearest size of the most similar container. He shall adjust his price for the new container size to the nearest quarter of a cent fractional unit (1 cent, $\frac{3}{4}$ cent, $\frac{1}{2}$ cent or $\frac{1}{4}$ cent).

(4) *Sales of cheese made by the Neufchatel or cream process but not meeting the standards for Neufchatel cheese.* The maximum price for any sale of cheese made by the Neufchatel or cream cheese process which does not meet the standards for Neufchatel cheese set forth in subparagraph (c) (11) of this section shall be the maximum price established by Maximum Price Regulation 280 for such sale by the particular seller.

(5) *Maximum price for any sale not previously provided for.* The maximum price for any sale of Neufchatel or cream cheese for which a maximum price has not been established by the foregoing provisions of this section shall be the appropriate maximum price set forth in Table A of this section for sales of unassembled or bulk Neufchatel or cream cheese.

(b) *Allowances and fees.* The maximum prices established by this section shall not be increased by brokerage fees, commissions or other charges. When any person employs another person in the brokerage of cheese, the provisions of Revised Maximum Price Regulation 165 shall apply. The fee established by that regulation shall be paid without increasing any of the maximum prices established in this section.

(c) *Definition of terms used in this section.*

(1) A primary wholesaler means any Neufchatel or cream cheese factory which sells any cheese item to and makes delivery to the customary receiving point of another wholesaler.

(2) A secondary wholesaler means any person who purchases Neufchatel or cream cheese items from a primary wholesaler and resells such cheese items in quantity lots smaller than his purchases to one who customarily operates as a service wholesaler. No person who is a cheese manufacturer or primary wholesaler of Neufchatel or cream cheese, or who is in any way affiliated or associated with a cheese manufacturer or primary wholesaler of such cheese may qualify as a secondary wholesaler: *Provided, however,* That any person making a delivered sale of Neufchatel or cream cheese items to the physical premises of a retail distributing warehouse may sell such cheese items at the prices established for a secondary wholesaler.

The "physical premises of a retail distributing warehouse" means any place in such retail distributing warehouse at which cheese items are generally received for redistribution to the various retail stores operated or serviced by the warehouse.

(3) A service wholesaler means any person who sells any cheese item to and makes delivery to the physical premises of an individual retail store or a commercial, industrial, institutional or governmental user. The "physical premises

of an individual retail store" means the place where the cheese is sold to ultimate household consumers. The "physical premises of a commercial, industrial, institutional or governmental user" means the place where the cheese is utilized by such buyer.

(4) Assembled means cut into uniform sizes and weights and packed in wrappers, cartons or other packages or containers containing not more than 30 pounds of cheese and suitable for sale at wholesale and at retail and customarily used by the particular seller for wholesale or retail types of sales.

(5) Cheese item as used in this section means natural or flavored Neufchatel or cream cheese which has been assembled and which is sold in any container of 30 pounds or less other than a glass container.

(6) Buyer's customary receiving point means that place in the city, town or village where the buyer's place of business is located at which the buyer customarily takes possession of purchases of cheese. It may, for example, be a railroad siding, the buyer's warehouse, or the seller's warehouse in that city, town or village.

(7) "Zone 1" includes the following States: Indiana, Illinois, Michigan, Wisconsin, Minnesota, Iowa and Missouri.

(8) "Zone 2" includes the following States: Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, West Virginia, Kentucky, Ohio, Louisiana, Arkansas, Texas, Oklahoma, New Mexico, Kansas, Colorado, Nebraska, South Dakota, North Dakota, Wyoming and Montana. The District of Columbia is also included in Zone 2.

(9) "Zone 3" includes the following States: North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Tennessee, Washington, Oregon, California, Nevada, Utah, Arizona and Idaho.

(10) "*Cream cheese*." Cream cheese is cream cheese as defined in "cream cheese, Neufchatel cheese, cottage cheese and creamed cottage cheese; Definitions and Standards of Identity" promulgated by the Food and Drug Administration and published in the FEDERAL REGISTER of December 23, 1942. It contains not less than 33% of milk fat and not more than 55% of moisture as determined, respectively, by the methods prescribed under "Fat—Official" on page 302 and under "Moisture—Official" on page 301 of "Official and Tentative Methods of Analysis of the Association of Official Agricultural Chemists", Fifth Edition, 1940.

(11) "*Neufchatel cheese*" is Neufchatel cheese as defined in "cream cheese, Neufchatel cheese, cottage cheese, and creamed cottage cheese; Definitions and Standards of Identity" promulgated by the Food and Drug Administration and published in the FEDERAL REGISTER of December 23, 1942. It contains not less than 20%, but less than 33% of milk fat and not more than 65 percent of moisture, as determined, respectively, by the methods prescribed under "Fat—Official" on page 302 and under "Moisture—Official" on page 301 of "Official and

Tentative Methods of Analysis of the Association of Official Agricultural Chemists", Fifth Edition, 1940.

This amendment shall become effective December 12, 1944.

Issued this 5th day of December 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-18416; Filed, Dec. 5, 1944; 11:34 a. m.]

PART 1377—WOODEN CONTAINERS

[2d Rev. MPR 195, Amdt. 1]

INDUSTRIAL WOODEN BOXES

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.*

Second Revised Maximum Price Regulation 195 is amended in the following respects:

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

(a) *Items sold in March 1942.* The maximum price for any industrial wooden box or component parts is the highest price used by the manufacturer for the same industrial wooden box or component parts for sales to the same class of purchasers² during March 1942 adjusted for increased material and overtime labor costs as explained in sections 4 and 5 below. By "the same industrial box or component parts" is meant a box or part produced to the same specifications such as style, dimensions of the box or part, thickness of the lumber or other material, and accessories. Sales as used in this section mean items delivered to the purchaser or to a common or contract carrier in March 1942 for delivery to the purchaser,

2. Section 3 (b) is amended in the following respects:

The words "F. O. B. plant" are deleted from the first sentence of the first paragraph.

3. Section 9 is amended to read as follows:

SEC. 9. *Additions for delivery*—(a) *Delivered basis.* Any manufacturer who sold industrial wooden boxes or component parts in March 1942 on a delivered basis must continue the same method.

(b) *F. O. B. plant basis.* Any manufacturer who sold industrial wooden boxes or component parts in March 1942 on an F. O. B. plant basis may make additions for delivery as follows:

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

¹ 9 F.R. 13853.

² Purchasers of the same class refers to the practice adopted by the seller in setting different prices for commodities for sales to different purchasers or kinds of purchasers (for example, manufacturer, wholesaler, jobber, retailer, government agency, public institution, individual consumer), or for purchasers located in different areas or for different quantities or grades or under different conditions of sale.

(1) *Common or contract carrier.* If delivery is by common or contract carrier, the seller may add to his maximum prices the actual charges paid or incurred by him in making delivery to the purchaser, or a charge based on the actual freight rate from the seller's shipping point to the purchaser.

(2) *Private truck.* If delivery is by truck owned or controlled by the seller, the seller may add to his maximum prices his actual cost of delivery; if actual cost cannot be determined, an amount not in excess of 80 percent of the common carrier truck charge for a similar shipment may be added. In no case may the addition exceed the latter amount.

This amendment shall become effective December 11, 1944.

Issued this 5th day of December 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-18414; Filed, Dec. 5, 1944; 11:33 a. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Rev. RO 11, Amdt. 38]

FUEL OIL

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

Section 1394.5737 (a) (1) is added as follows:

(1) A dealer referred to in paragraph (a) of this section who has failed to file the statement on OPA Form R-1198 by October 25, 1944, will be deemed not to have violated this section because of such failure to file, if that report (and excess evidence, if any, and statement explaining the excess) is submitted on or before December 31, 1944. He shall give the information required by the form as of 12:01 a. m., October 1, 1944 or December 16, 1944, at his option.

This amendment shall become effective on December 9, 1944.

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

Issued this 5th day of December 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-18417; Filed, Dec. 5, 1944; 11:33 a. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[2d Rev. MPR 371, Amdt. 1]

ONION SETS

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

* Copies may be obtained from the Office of Price Administration.
* 9 F.R. 2357.
* 9 F.R. 13529.

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

The base price for the period from January 1 to 15 in the second price column in the table in paragraph (a) of Appendix A is changed to ".1324."

This amendment shall become effective December 11, 1944.

Issued this 5th day of December 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-18413; Filed, Dec. 5, 1944; 11:33 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14 to GMPR, Amdt. 192]

ELECTRIC IRONS

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

ment, issued simultaneously herewith has been filed with the Division of the Federal Register.*

Revised Supplementary Regulation No. 14 is amended in the following respect:

Section 6.55 is amended to read as follows:

Sec. 6.55 *Maximum prices for wholesale and retail sales of electric irons—*
(a) *Maximum prices.* This section fixes maximum prices for sales at wholesale and retail of certain electric irons as follows:

(1) For all sales and deliveries at retail on and after August 24, 1944, by any person, the maximum prices, inclusive of Federal excise tax, are those set forth below opposite each model of electric iron:

Name	Model No.	Description	Retail Ceiling Price, Inclusive of Federal Excise Tax
American Electrical Heater Co., Detroit, Mich.	23AB	Automatic 1,000 watts	\$3.42
Chicago Flexible Sheet Co., Chicago, Ill.	34	"	3.62
Dominion Electrical Mfg. Co., Mansfield, Ohio	1162	"	3.43
	1163	"	3.43
General Electric Co., Bridgeport, Conn.	116E112	"	3.72
	116E112	Automatic 600 watts	3.72
Knapp Monarch Co., St. Louis, Mo.	400B	Automatic 1,000 watts	3.62
Landers, Frary & Clark, New Britain, Conn.	601	"	3.43
	601A	Automatic 600 watts	3.72
	601X	"	3.72
Manning-Bowman Co., Meriden, Conn.	501	Automatic 1,000 watts	11.70
Montgomery Ward, Chicago, Ill.	62-620	Automatic 600 watts	5.45
Mail order catalog	62-620	"	5.75
National Stamping & Electric Co., Chicago, Ill.	61	Automatic 1,000 watts	3.62
Proctor Electric Co., Philadelphia, Pa.	602	"	3.62
Sampson-United Corp., Rochester, N. Y.	603	"	3.62
Sears, Roebuck, Chicago, Ill.	60-621	"	6.05
Mail order catalog	60-621	"	7.70
Retail stores	60-621	"	6.05
Mail order catalog	60-621A	"	7.70
Retail stores	60-621A	"	6.05
Mail order catalog	60-621B	"	7.70
Retail stores	60-621B	"	6.05
Sen-Child Electric, Inc., Wicketed, Conn.	6012M	Automatic 1,000 watts without cord	4.50
	6012B	Automatic 1,000 watts Steam Remover type	6.05
Steam Electric Co., St. Louis, Mo.	423	600 watts with cord and equipment	9.95
Superior Electric Products, Inc., Cape Girardeau, Mo.	201W	Non-automatic 600 watts	3.65
	201W	Automatic 1,000 watts	6.05
	201	"	6.05
Tennessee Valley Appliances, Nashville, Tenn.	101	Non-automatic 615 watts	7.60
Waga Mfg. Co., Chicago, Ill.	101	Non-automatic	5.50
Waverly Tool Co., Irvington, N. J.	W-109	Automatic 1,100 watts	11.25
	W-209	Steam automatic 1,100 watts	11.25
Westinghouse Electric & Mfg. Co., Mansfield, Ohio	1EFC111	Automatic 1,000 watts	3.75
	1EFC11	Automatic 700 watts	5.45
Winsted Hardware Mfg. Co., Winsted, Conn.	191	Automatic 700 watts	7.10

(2) For all sales and deliveries at wholesale by any person other than the manufacturer, on and after August 24, 1944, of an electric iron listed above, the maximum price shall be the lower of the following:

(i) The highest price charged for the same iron by the wholesaler to each class of purchaser, during March 1942; or

(ii) The retail ceiling price specified above (reduced by the amount of the manufacturer's Federal Excise tax) less 40% for sales in quantities of six or more units, or less 35% for sales in quantities of less than six units, plus the amount of the manufacturer's Federal Excise tax.

(b) *Terms.* The maximum prices established by this section are subject to terms, discounts, and allowances, no less

favorable than those in effect during March 1942, on sales of similar articles by the seller.

(c) *Tagging.* On and after August 24, 1944, no person may sell or deliver any electric iron listed in paragraph (a) (1) above, at retail, unless it has affixed to it a statement which plainly sets forth the retail ceiling price established by this section for sales of the particular model of electric iron.

This amendment shall become effective on the 11th day of December 1944.

Issued this 5th day of December 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-18415; Filed, Dec. 5, 1944; 11:33 a. m.]

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans' Administration

PART 2—ADJUDICATION: VETERANS' CLAIMS

PROOF OF RELATIONSHIP AND DEPENDENCY

Section 2.1050 (a) is amended to read as follows:

§ 2.1050 *Proof of marriage.* Proof of marriage shall be shown by the best evidence obtainable as follows:

(a) By a copy of the public record of marriage, duly certified or attested, or by an abstract of the public record, containing sufficient data to identify the parties, the date and place of the marriage and the number of prior marriages by either party if shown on the official record, issued by the officer having custody of the record or one duly authorized to act for him, bearing the seal of such office, or otherwise properly identified, or (48 Stat. 9; 38 U.S.C. 707)

[SEAL] FRANK T. HINES,
Administrator of Veterans' Affairs.

DECEMBER 9, 1944.

[F. R. Doc. 44-18420; Filed, Dec. 5, 1944; 11:53 a. m.]

PART 25—MEDICAL

DENTAL SERVICES

Sections 25.6127 and 25.6128 are deleted, and §§ 25.6120, 25.6123, 25.6124, 25.6129 and 25.6135 are amended, as follows:

§ 25.6120 *Authorization of dental examinations.* When a detailed report of dental examination is essential for a determination of eligibility for benefits, a chief, dental service, or other empowered official may authorize dental examinations for the following classes of claimants or beneficiaries:

* * * * *

(f) Those requiring dental examination for determination of necessity of dental treatment to prevent interruption of vocational training authorized under Public No. 16, 78th Congress.

(g) Those for whom a special dental examination is authorized by the medical director.

§ 25.6123 *Authorization of dental treatment.* Dental treatment may be authorized for the following classes of beneficiaries:

(a) Class I—Those having service-connected compensable or pensionable dental or oral disabilities.

(b) Class II—Those having service-connected noncompensable or nonpensionable dental or oral disabilities.

* * * * *

(e) Class V—Those pursuing a course of vocational training authorized under Public No. 16, 78th Congress, who require dental treatment to prevent interruption of training. (See also §§ 25.6030 and 25.6060.)

§ 25.6124 *Emergency dental treatment.* Emergency dental treatment may be authorized by a chief medical officer, clinical director, chief of service, or other full-time physician or dentist of the Veterans' Administration for beneficiar-

ies as provided in §§ 25.6233, 25.6550 to 25.6554, inclusive, and § 25.6763. Emergency dental treatment will comprehend the alleviation of pain or extreme discomfort, the adequate remediation of a dental or oral condition which is determined to be immediately endangering the life or health of the individual. Such emergency treatment which may be furnished an applicant whose prima facie eligibility therefor has been shown, but whose claim for benefits has not yet received favorable adjudication, will not in itself entitle the applicant to further dental treatment that may be indicated unless and until his eligibility for such continuous treatment is duly determined.

§ 25.6127 *Conditions under which emergency dental relief may be authorized.* [Revoked.]

§ 25.6128 *Authorization of emergency dental relief.* [Revoked.]

§ 25.6129 *Extent of dental treatment.* The type and extent of dental treatment in any individual case will be determined by a dental officer of the Veterans Administration in accordance with the following principles:

* * * * *

(b) (1) In Class II, any treatment indicated as necessary for the correction of wartime service-connected dental disabilities may be authorized as well as for peacetime service-connected dental disabilities, provided the applicant was discharged under conditions other than dishonorable on account of a disability incurred in line of duty, or is in receipt of pension for a service-incurred disability. When diseased teeth (the disability from which is service connected) are to be replaced by means of artificial dentures, all other diseased teeth in the same maxilla may be extracted, if necessary, and the dentures may be constructed accordingly. This principle will also apply when extraction is indicated for mechanical reasons. But in constructing bridges for missing teeth, the loss of which has not been attributed to military or naval service, only mechanical necessity will permit consideration of such missing teeth in designing the bridge.

(2) When service connection has been established only for teeth missing from one maxilla, and artificial dentures for both jaws are determined necessary to meet proper treatment indications, extractions of teeth in the opposing maxilla may be made. Prior approval of the medical director will be secured for this type of service.

* * * * *

(e) In Class V, treatment other than emergency, will consist only of such measures as may be reasonably necessary to prevent the interruption of an authorized course of vocational training. Prior approval of the medical director will be secured for this class of treatment.

§ 25.6135 *Replacement of dental prostheses.* * * *

(e) Dental prosthesis such as bridges and dentures furnished vocational trainees will be replaced in accordance with the same procedure as prescribed in

paragraph (c) of this section and subject to the provisions of § 25.6129 (c).

(57 Stat. 43; 38 U.S.C. 701)

[SEAL] FRANK T. HINES,
Administrator of Veterans' Affairs.

DECEMBER 14, 1944.

[F. R. Doc. 44-18421; Filed, Dec. 5, 1944; 11:54 a. m.]

TITLE 46—SHIPPING

Chapter I—Coast Guard: Inspection and Navigation

AMENDMENTS TO REGULATIONS

By virtue of the authority vested in me by R.S. 4405, 4417a, 4426, 4472, 4488, 4491, as amended, 49 Stat. 1544, 54 Stat. 163-167 (46 U.S.C. 375, 391a, 404, 170, 481, 489, 367, 526-526t), and Executive Order 9083, dated February 28, 1942 (3 CFR, Cum. Supp.), the following amendments to the regulations are prescribed:

Subchapter C—Motorboats, and Certain Vessels Propelled by Machinery Other Than by Steam More Than 65 Feet in Length

PART 24—GENERAL PROVISIONS

Section 24.1 is amended to read as follows:

§ 24.1 *Basis.* The regulations in this subchapter are prescribed by the Commandant under authority of the act of Congress approved April 25, 1940 (54 Stat. 163-167; 46 U.S.C. 526-526t), and Executive Order No. 9083 (3 CFR, Cum. Supp.).

Section 24.5 *Inspection of steam-propelled motorboats* is amended by changing the phrase, "local inspectors," to "Officer in Charge, Marine Inspection."

Section 24.8 *Procedure for mitigation or remission of fines or penalties* is amended by changing the phrase, "Secretary of Commerce or any officer of the Department of Commerce authorized by the Secretary of Commerce," to "Commandant or any officer of the Coast Guard authorized by the Commandant," and by changing the word, "Secretary," to "Commandant."

Section 24.10 is amended by deleting the paragraphs (d) to (i) and by substituting the following therefor:

§ 24.10 *Definition of terms.* * * *

(d) *Approved.* Approved by the Commandant unless otherwise stated.

(e) *Commandant.* Commandant means the Commandant of the Coast Guard.

(f) *District Coast Guard Officer.* District Coast Guard Officer means an officer of the Coast Guard designated as such by the Commandant to command all Coast Guard activities within his district which include the enforcement and administration of Title 52, R. S., acts amendatory thereof or supplemental thereto, rules and regulations thereunder, and the inspections required thereby.

(g) *Headquarters.* Headquarters means Office of the Commandant, U. S. Coast Guard, Washington, D. C.

(h) *Marine inspector or inspector.* Marine inspector or inspector means any person from the civilian or military branch of the Coast Guard assigned under the superintendence and direction of an Officer in Charge, Marine Inspection, or any other person as may be designated for the performance of duties with respect to the enforcement and administration of Title 52, R. S., acts amendatory thereof or supplemental thereto, rules and regulations thereunder, and the inspections required thereby.

(i) *Officer in Charge, Marine Inspection.* Officer in Charge, Marine Inspection, means any person in the civilian or military branch of the Coast Guard designated as such by the Commandant and who under the superintendence and direction of the District Coast Guard Officer is in charge of an inspection district for the performance of duties with respect to the enforcement and administration of Title 52, R. S., acts amendatory thereof or supplemental thereto, rules and regulations thereunder, and the inspections required thereby.

PART 26—REQUIREMENT FOR MOTOR VESSELS EXCEPT THOSE OF MORE THAN 15 GROSS TONS CARRYING PASSENGERS FOR HIRE

FIRE EXTINGUISHERS

The introductory sentence of § 26.3-6 *Inspection* is amended by changing the phrase, "local inspectors," to "Officer in Charge, Marine Inspection."

PART 27—REQUIREMENTS FOR MOTORBOATS AND MOTOR VESSELS OF MORE THAN 15 GROSS TONS CARRYING PASSENGERS FOR HIRE

FIRE EXTINGUISHING EQUIPMENT

Paragraph (k) of § 27.3-3 *Machinery spaces* is amended by changing the phrase, "local inspectors," to "Officer in Charge, Marine Inspection."

Paragraph (c) of § 27.3-4 *Vessels carrying motor vehicles* is amended by changing the phrase, "supervising inspector of the district," to "District Coast Guard Officer."

The introductory sentence of § 27.3-6 *Inspection* is amended by changing the phrase, "local inspectors," to "Officer in Charge, Marine Inspection."

PART 28—SPECIFICATIONS AND PROCEDURE FOR APPROVAL OF EQUIPMENT

Part 28 is amended by changing names and certain phrases as follows:

(1) In §§ 28.2-2 and 28.3-5 "Director" to "Commandant."

(2) In §§ 28.4-1 and 28.5-1 (a) and (b) "Board of Supervising Inspectors" to "Commandant."

(3) In §§ 28.4-1, 28.4-4 (i), 28.4-5 (i), 28.4-6 (h), and 28.5-1 (c) "board" to "Commandant."

(4) In § 28.4-3 (g) "United States Department of Commerce" to "United States Coast Guard."

(5) In § 28.4-1 "the Bureau" to "Headquarters."

(6) In § 28.4-1 the words, "their" to "his" and "them" to "him."

(7) In § 28.4-9 (a) "supervising inspector of the district shall detail a local

or assistant inspector" to "District Coast Guard Officer shall detail an inspector."

(8) In § 28.4-9 (b) "supervising inspector of the district" to "District Coast Guard Officer."

(9) In § 28.4-10 "Board of Supervising Inspectors and approved by the Secretary of Commerce" to "Commandant, United States Coast Guard."

PART 29—ENFORCEMENT

Section 29.1 is amended to read as follows:

§ 29.1 *Reporting of violations.* (a) All violations of the act of April 25, 1940 (54 Stat. 163-167; 46 U. S. C. 526-526t), or of any regulation issued thereunder, found by enforcement officers other than collectors of customs, shall be reported directly to the District Coast Guard Officer regardless of mitigating circumstances.

(b) All violations of the act of April 25, 1940, or of any regulations issued thereunder, found on motorboats or other vessels subject to inspection under the provisions of Title 52 of the Revised Statutes or acts amendatory thereof or supplemental thereto, by any enforcement officer shall also be reported to the District Coast Guard Officer of the district where the motorboat or vessel is found. This report should be made in the most expeditious manner possible.

Subchapter D—Tank Vessels

PART 33—LIFESAVING APPLIANCES EQUIPMENT; LIFEBOATS, LIFE RAFTS, AND BUOYANT APPARATUS

Section 33.3-1 (d) is amended by changing the effective date in the second sentence from January 1, 1945 to April 1, 1945 for approved compass and mounting.

Subchapter G—Ocean and Coastwise: General Rules and Regulations

PART 59—BOATS, RAFTS, BULKHEADS, AND LIFESAVING APPLIANCES (OCEAN)

Section 59.11 (d) is amended by changing the effective date in the second sentence from January 1, 1945 to April 1, 1945 for approved compass and mounting.

PART 60—BOATS, RAFTS, BULKHEADS, AND LIFESAVING APPLIANCES (COASTWISE)

Section 60.9 (d) is amended by changing the effective date in the second sentence from January 1, 1945 to April 1, 1945 for approved compass and mounting.

Subchapter N—Explosives or Other Dangerous Articles or Substances, and Combustible Liquids on Board Vessels

PART 146—TRANSPORTATION OR STORAGE OF EXPLOSIVES OR OTHER DANGEROUS ARTICLES OR SUBSTANCES, AND COMBUSTIBLE LIQUIDS ON BOARD VESSELS

BARGES

Section 146.10-6 (a) is amended to read as follows:

§ 146.10-6 *Stowage of explosives.* (a) Barges having cargoes of permitted explosives and other dangerous articles

are required to observe the provisions of the stowage and storage chart of explosives and other dangerous articles, § 146.10-50.

Dated: December 5, 1944.

R. R. WALSH,
 Vice Admiral, USCG,
 Commandant.

[F. R. Doc. 44-13418; Filed, Dec. 5, 1944; 11:23 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter II—Office of Defense Transportation

[Administrative Order ODT 8, Amdt. 2]

PART 503—ADMINISTRATION

PROCEDURE FOR REVIEW OF TERMS AND CONDITIONS OF CERTIFICATES OF WAR NECESSITY

Pursuant to Executive Orders 8369, as amended, and 9156, *It is hereby ordered,* That paragraph (b) of § 503.231 of Administrative Order ODT 8 (8 F.R. 13973, 9 F.R. 12365) be, and it hereby is, revoked.

This Amendment 2 to Administrative Order ODT 8 shall be retroactive to be effective as of October 16, 1944.

(E.O. 8369, as amended, 6 F.R. 6725, 8 F.R. 14169; E.O. 9156, 7 F.R. 3349)

Issued at Washington, D. C., this 5th day of December 1944.

J. M. JOHNSON,
 Director,

Office of Defense Transportation.

[F. R. Doc. 44-16332; Filed, Dec. 5, 1944; 10:13 a. m.]

Notices

DEPARTMENT OF AGRICULTURE.

Rural Electrification Administration.

[Administrative Order 839]

ALLOCATION OF FUNDS FOR LOANS

NOVEMBER 14, 1944.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	Amount
Indiana 5933C4 Hendricks.....	\$49,000
Indiana 5929A3 Morgan.....	37,000
Maine 5912B1 Washington.....	63,000
Missouri 5939F2 Lawrence.....	75,000
Missouri 5942D2 Caldwell.....	75,000
Missouri 5949E3 Howell.....	29,000
Missouri 5959A2 Sullivan.....	29,000
Montana 5937A1 Glasgow.....	195,000
Oregon 5922D2 Lane.....	25,000
Pennsylvania 5956E4 Indiana.....	50,000
Pennsylvania 5921C3 Somerset.....	30,000

Project designation—Con.	Amount
Virginia 5034B5 Lee	\$50,000
Washington 5031B1 Chelan	40,000
Washington 5047A1 Douglas Dis- trict Public	250,000

HARRY SLATTERY,
Administrator.

[F. R. Doc. 44-18409; Filed, Dec. 5, 1944;
11:06 a. m.]

FEDERAL COMMUNICATIONS COM- MISSION.

[Docket No. 6208]

HIAWATHALAND BROADCASTING CO.

NOTICE OF HEARING

In re application of Hiawathaland Broadcasting Company (WSOO); dated, July 30, 1941; for renewal of license; class of service, broadcast; class of station, broadcast; location, Sault Ste. Marie, Michigan; operating assignment specified: Frequency, 1230 kc; power 100 w Night, 250 w Day; hours of operation, unlimited. File No. B2-R-1071.

You are hereby notified that the Commission has examined the above-described application and has designated the matter for further hearing for the following reasons:

1. To determine the qualifications of the applicant, its officers, directors and stockholders to continue the operation of Station WSOO.

2. To determine whether the applicant has filed financial statements required by § 1.361 of the Commission's rules and regulations.

3. To determine whether the statements in the application for renewal of license truly and accurately reflected the facts.

4. To determine whether, in view of the facts adduced under the foregoing issues, public interest, convenience and necessity would be served by the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules and regulations. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's rules and regulations.

The applicant's address is as follows: Hiawathaland Broadcasting Co., Radio Station WSOO, 107 W. Portage Avenue, Sault Ste. Marie, Michigan.

Dated at Washington, D. C., December 4, 1944.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 44-18422; Filed, Dec. 5, 1944;
11:58 a. m.]

OFFICE OF ALIEN PROPERTY CUS- TODIAN.

[Vesting Order 54, Amdt.]

AMERICAN FELSOL CO.

In re: Vesting 245 shares of the capital stock of American Felsol Company.

Vesting Order Number 54, dated July 22, 1942, is hereby amended as follows and not otherwise:

By deleting the name "Roland Kommandit Gesellschaft, G. m. b. H." where such name appears in said Vesting Order Number 54 and substituting therefor the name "Roland Kommandit-Gesellschaft Osthoff & Co."

All other provisions of said Vesting Order Number 54 and all action taken on behalf of the undersigned in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on November 28, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-18404; Filed, Dec. 5, 1944;
11:00 a. m.]

[Vesting order 164, Amdt.]

RIKIMARU BROS. & CO.

In re: Interests of partners in Rikimaru Bros. & Company.

Vesting Order Number 164, dated September 24, 1942, is hereby amended as follows and not otherwise:

By deleting therefrom the name "Los Angeles Produce Dealers Credit Bureau" and substituting in lieu thereof the name "W. W. Gray."

All other provisions of said Vesting Order Number 164 and all action taken on behalf of the Alien Property Custodian in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C. on November 28, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-18405; Filed, Dec. 5, 1944;
11:00 a. m.]

[Vesting Order 524, Amdt.]

CHRISTOPH GRADL

In re: Real property in Baltimore County, Maryland, certain mortgages covering real property in Baltimore, Maryland, and cash owned by Christoph Gradl.

Vesting Order Number 524; dated December 18, 1942, is hereby amended to read as follows:

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Christoph Gradl is Nurnberg, Germany, and that he is a resident of Germany and a national of a designated enemy country (Germany);

2. That Christoph Gradl is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows:
a. Real property situated at the intersection of Frederick Road and Balfred Avenue, Baltimore County, Maryland, particularly described in Exhibit A, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property,

b. A second mortgage held by said Christoph Gradl and recorded in the land records of Baltimore City in Liber MLP No. 5007 folio 156 &c, which second mortgage covers certain real property together with all fixtures, improvements and appurtenances thereto situated at 4742 Park Heights Avenue, Baltimore City, Maryland, any and all obligations secured by said mortgage, including but not limited to all security rights in and to any and all collateral (including the aforesaid mortgage) for any and all such obligations, and the right to enforce and collect such obligations, and the right to the possession of any and all notes, bonds or other instruments evidencing such obligations.

c. A second mortgage held by said Christoph Gradl and recorded in the land records of Baltimore County in Liber OWB Jr. No. 1056 folio 45, which second mortgage covers certain real property together with all fixtures, improvements and appurtenances thereto situated at 1 Nunnery Lane, Baltimore County, Maryland, and any and all obligations secured by said mortgage, including but not limited to all security rights in and to any and all collateral (including the aforesaid mortgage) for any and all such obligations, and the right to enforce and collect such obligations, and the right to the possession of any and all notes, bonds or other instruments evidencing such obligations, and

d. All right, title, interest and claim of any name or nature whatsoever of Christoph Gradl in and to any and all indebtedness, contingent or otherwise, and whether or not matured, owing to the said Christoph Gradl by H. D. Hinternesch, Baltimore, Maryland, including, but not limited to all security rights in and to any and all collateral for any or all of such indebtedness and the right to enforce and collect the same, and including particularly any indebtedness owing on account of monies collected and held by said H. D. Hinternesch for said Christoph Gradl,

is property within the United States owned or controlled by a national of a designated enemy country (Germany);

And determining that the property described in subparagraph 3-d hereof is necessary for the maintenance or safeguarding of other property (namely that property described in subparagraph 3-a hereof) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order;

And further determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States, requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in sub-

paragraph 3-a hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and hereby vests in the Alien Property Custodian the property described in subparagraphs 3-b, 3-c and 3-d hereof.

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on November 28, 1944.

[SEAL] JAMES E. MARKHALL,
Alien Property Custodian.

EXHIBIT A

All that lot or parcel of land situated in the First Election District of Baltimore County, Maryland, more particularly described as follows:

Beginning for the same at the corner formed by the intersection of the southeasterly side of the Frederick Road and the westerly side of a road forty feet wide laid out for the use in common of all land binding thereon and now called Balfred Avenue running thence binding on the westerly side of said road the two following courses and distances south ten degrees thirty-one minutes east three hundred and seventy-four feet and ten one-hundredths feet to a stake planted at a bend in said road thence south seventeen degrees eighteen minutes east one hundred and eighty-three feet and forty one-hundredths feet to a stake thence leaving said road and running north seventy-four degrees eighteen minutes west two hundred and ninety-eight feet and ten one-hundredths feet to a steel bar thence south seventy-two degrees fifteen minutes west one hundred and eighteen feet and eighteen one-hundredths feet to a point distant three hundred and eighty-eight feet and ninety-four one-hundredths feet southerly from the Frederick Road thence running north three degrees twenty-five minutes east three hundred and eighty-eight feet and ninety-four one-hundredths feet to intersect a line drawn

southwesterly from the place of beginning along the southeasterly side of the Frederick Road at a point distant three hundred and thirty-three and eighty-one hundredths feet from said place of beginning and thence reversing the line so drawn and binding thence northeasterly on the southeast side of the Frederick Road three hundred and thirty-three feet and eighty-one hundredths feet to the place of beginning.

Containing three and forty-one one-hundredths acres of land or thereabout.

Being part of the whole tract of land which by deed dated April 24, 1923 and recorded among the Land Records of Baltimore County in Liber W P C No. 573 folio 147 etc was conveyed by Nellie M. Collins to Eli L. M. Fishpaw and Lilly M. Fishpaw his wife.

[F. R. Doc. 44-18406; Filed, Dec. 5, 1944; 11:00 a. m.]

[Vesting Order 1766, Amdt.]

AMERICAN FELSOL Co.

Vesting Order Number 1766, dated July 8, 1943, is hereby amended as follows and not otherwise:

By deleting the name "Roland Kommandit Gesellschaft, G. m. b. H." where such name appears in said Vesting Order Number 1766 and substituting therefor the name "Roland Kommandit-Gesellschaft Osthoff & Co."

All other provisions of said Vesting Order Number 1766 and all action taken on behalf of the undersigned in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on November 28, 1944.

[SEAL] JAMES E. MARKHALL,
Alien Property Custodian.

[F. R. Doc. 44-18407; Filed, Dec. 5, 1944; 11:00 a. m.]

[Vesting Order 3866, Amdt.]

TERU SHUTOKU

In re: Real property, property insurance policies, a claim, a Ford automobile and household furniture owned by Teru Shutoku.

Vesting Order Number 3866, dated June 28, 1944, is hereby amended as follows and not otherwise:

By deleting the words "one set of twin beds" appearing in subparagraph 3-e thereof and substituting therefor the words "one white enameled double iron bed".

All other provisions of said Vesting Order Number 3866 and all action taken on behalf of the Alien Property Custodian in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C. on November 28, 1944.

[SEAL] JAMES E. MARKHALL,
Alien Property Custodian.

[F. R. Doc. 44-18408; Filed, Dec. 5, 1944; 11:00 a. m.]

[Vesting Order 4316]

HELENA BIERAND

In re: Estate of Helena Bierand, deceased; File D-23-4177; E. T. sec. 7249.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows:

(a) The sum of \$3,116.69, deposited in a special account with the Northern Trust Company of Chicago, in the name of Dorothea Schottmann by J. Colburn Hamilton, her attorney-in-fact, and

(b) All right, title, interest and claim of any kind or character whatsoever of Dorothea Schottmann in and to the Estate of Helena Bierand, deceased,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Dorothea Schottmann, Germany.

That the property described in subparagraph (a) is in the process of administration by James C. Hamilton, also known as J. Colburn Hamilton, an Attorney-in-fact, acting under the judicial supervision of the Probate Court of Cook County, Illinois; and

That the property described in subparagraph (b) is in the process of administration by Gustav Neuberg, an Executor of the Estate of Helena Bierand, acting under the judicial supervision of the Probate Court of Cook County, Illinois;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on November 21, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-18394; Filed, Dec. 5, 1944;
10:58 a. m.]

[Vesting Order 4317]

MARGARETHA BUSCH

In re: Mortgage Participation Certificate No. 155250 in Mortgage F-1122 (186084) issued by Bond & Mortgage Guarantee Company to Margaretha Busch; File No. D-28-3710; E. T. sec. 6111.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows:

All right, title, interest and claim of any kind or character whatsoever of Margaretha Busch in and to Mortgage Participation Certificate No. 155250 in Mortgage F-1122 (186084), issued by Bond & Mortgage Guarantee Company,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Margaretha Busch, Germany.

That such property is in the process of administration by Manufacturers Trust Company, as trustee, acting under the judicial supervision of the Supreme Court, State of New York, County of Kings;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice

of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on November 21, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-18395; Filed, Dec. 5, 1944;
10:58 a. m.]

[Vesting Order 4318]

MARGARETHA BUSCH

In re: Mortgage Participation Certificate No. 168863 in Mortgage No. F736 (170874) issued by Bond and Mortgage Guarantee Company to Margaretha Busch; File No. D-28-3711; E. T. sec. 6112.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Margaretha Busch in and to the Mortgage Participation Certificate No. 168863 in Mortgage No. F736 (170874) issued by Bond & Mortgage Guarantee Company,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Margaretha Busch, Germany.

That such property is in the process of administration by Manufacturers Trust Company, as trustee, acting under the judicial supervision of the Supreme Court, County of Kings, State of New York;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any

claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on November 21, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-18396; Filed, Dec. 5, 1944;
10:58 a. m.]

[Vesting Order 4319]

GUSTAV ECK

In re: Estate of Gustav Eck, deceased; File D-28-3919; E. T. sec. 6777.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Anne Eck, Grete Eck, Sophie Eck and Reimer Eck, and each of them, in and to the Estate of Gustav Eck, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Anne Eck, Germany.
Grete Eck, Germany.
Sophie Eck, Germany.
Reimer Eck, Germany.

That such property is in the process of administration by William Ehlers, 1133 East High Street, Davenport, Iowa, as Executor of the Estate of Gustav Eck, acting under the judicial supervision of the District Court of Scott County, Iowa;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indi-

cate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on November 21, 1944.

[SEAL] JAMES E. MARSHALL,
Alien Property Custodian.

[F. R. Doc. 44-18397; Filed, Dec. 5, 1944;
10:58 a. m.]

[Vesting Order 4320]

ANNA HERRMANN

In re: Estate of Anna Herrmann, deceased; File D-28-8814; E. T. sec. 10811.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Franz Seifert, Margaret Seifert, Emil Voigt, Paul Voigt, and each of them, in and to the estate of Anna Herrmann, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Franz Seifert, Germany.
Margaret Seifert, Germany.
Emil Voigt, Germany.
Paul Voigt, Germany.

That such property is in the process of administration by Lawrence J. Flynn, 111 West Washington Street, Chicago, Illinois, as Executor of the estate of Anna Herrmann, deceased, acting under the judicial supervision of the Probate Court of Cook County, Chicago, Illinois;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending

further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on November 21, 1944.

[SEAL] JAMES E. MARSHALL,
Alien Property Custodian.

[F. R. Doc. 44-18393; Filed, Dec. 5, 1944;
10:53 a. m.]

[Vesting Order 4321]

ANNA ELIZABETH KALMBACH

In re: Estate of Anna Elizabeth Kalmbach, otherwise known as A. Elizabeth Kalmbach and Anna E. Kalmbach, deceased; File No. D-28-3293; E. T. sec. 9512.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Elizabeth Brehm Knell, Anna Elbert, Philipp Elbert, Jr., Karl Elbert, Jr., Albert Elbert, Katharina Elbert Zimmerman, Susanna Elbert Simmet and Margaretha Elbert Schwarz, and each of them, in and to the estate of Anna Elizabeth Kalmbach, otherwise known as A. Elizabeth Kalmbach and Anna E. Kalmbach, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Elizabeth Brehm Knell, Germany.
Anna Elbert, Germany.
Philipp Elbert, Jr., Germany.
Karl Elbert, Jr., Germany.
Albert Elbert, Germany.
Katharina Elbert Zimmerman, Germany.
Susanna Elbert Simmet, Germany.
Margaretha Elbert Schwarz, Germany.

That such property is in the process of administration by Adolph G. Steup, as executor of the estate of Anna Elizabeth Kalmbach, otherwise known as A. Elizabeth Kalmbach and Anna E. Kalmbach, acting under the judicial supervision of the Probate Court, County of Hampden, Commonwealth of Massachusetts;

And determining that to the extent that such nationals are persons not within a

designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on November 21, 1944.

[SEAL] JAMES E. MARSHALL,
Alien Property Custodian.

[F. R. Doc. 44-18393; Filed, Dec. 5, 1944;
10:53 a. m.]

[Vesting Order 4322]

STEVE KOVACS

In re: Estate of Steve Kovacs, deceased; File D-34-775; E. T. sec. 11406.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows:

All right, title, interest and claim of any kind or character whatsoever of Lejos Kovacs (Lejos Kovacs), Jullanna Kovacs, also known as Mrs. Paul Barnaszky, Bela Kovacs, Ferenc Kovacs, Jullian Zabo, also known as Mrs. Joseph Barnalyi, Margit Zabo, also known as Mrs. Lado Kovacs, and each of them, in and to the estate of Steve Kovacs, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Hungary, namely,

Nationals and Last Known Address

Lejos Kovacs (Lejos Kovacs), Hungary.
Jullanna Kovacs, also known as Mrs. Paul Barnaszky, Hungary.
Bela Kovacs, Hungary.

Ferencz Kovacs, Hungary.
 Jullian Zabo, also known as Mrs. Joseph Rozsalyi, Hungary.
 Margit Zabo, also known as Mrs. Lazlo Kovacs, Hungary.

That such property is in the process of administration by John Rakittyay, 2625 East 128th Street, Cleveland, Ohio, as Administrator of the estate of Steve Kovacs, deceased, acting under the judicial supervision of the Probate Court of Cuyahoga County, Ohio;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Hungary);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in Section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on November 21, 1944.

[SEAL] JAMES E. MARKHAM,
 Alien Property Custodian.

[F. R. Doc. 44-18400; Filed, Dec. 5, 1944;
 10:59 a. m.]

[Vesting Order 4324]

JULIUS OPPENHEIMER

In re: Trust created under will of Julius Oppenheimer, deceased; File D-28-2371; E. T. sec. 4287.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Mendel Rosen-

baum, also known as Menny Rosenbaum; issue, name or names unknown, of Mendel Rosenbaum and Bertha Rosenbaum; Elsa Oppenheimer; issue, name or names unknown, of Elsa Oppenheimer; Paula Stern; Ilsa Stern, Walter Stern and other issue, name or names unknown, of Paula Stern; Isaak Oppenheimer; issue, name or names unknown, of Isaak Oppenheimer; Marion Isenburg; Vera Isenburg; Franz Werthelmer and Irma Werthelmer, and each of them, in and to the trust created under will of Julius Oppenheimer, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Mendel Rosenbaum, also known as Menny Rosenbaum, Germany.

Issue, name or names unknown, of Mendel Rosenbaum and Bertha Rosenbaum, Germany.

Elsa Oppenheimer, Germany.

Issue, name or names unknown, of Elsa Oppenheimer, Germany.

Paula Stern, Germany.

Ilsa Stern, Walter Stern and other issue, name or names unknown, of Paula Stern, Germany.

Isaak Oppenheimer, Germany.

Issue, name or names unknown, of Isaak Oppenheimer, Germany.

Marion Isenburg, Germany.

Vera Isenburg, Germany.

Franz Werthelmer, Germany.

Irma Werthelmer, Germany.

That such property is in the process of administration by Wells Fargo Bank and Union Trust Company and Mrs. Viola Ruth Oppenheimer, as trustees of the trust created under will of Julius Oppenheimer, acting under the judicial supervision of the Superior Court of the State of California in and for the City and County of San Francisco;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admis-

sion of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on November 21, 1944.

[SEAL] JAMES E. MARKHAM,
 Alien Property Custodian.

[F. R. Doc. 44-18102; Filed, Dec. 5, 1944;
 10:59 a. m.]

[Vesting Order 4325]

FRANK POUCH

In re: Estate of Frank Pouch, also known as Frank Povh, deceased; File D-34-753; E. T. sec. 10875.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Fannie Pouch, also known as Fannie Povh, Mary Pouch, also known as Mary Povh, and Ferdinand Pouch, also known as Ferdinand Povh, and each of them, in and to the estate of Frank Pouch, also known as Frank Povh, deceased,

is property payable or deliverable to, or claimed by, nationals of designated enemy countries, Hungary and Germany, namely,

Nationals and Last Known Address

Fannie Pouch, also known as Fannie Povh, Hungary.

Mary Pouch, also known as Mary Povh, Germany (Austria).

Ferdinand Pouch, also known as Ferdinand Povh, Germany (Austria).

That such property is in the process of administration by Rosie Stojekal (formerly Rosie Medved), 3825 South 84th Street, West Allis, Wisconsin, as Executrix of the estate of Frank Pouch, also known as Frank Povh, deceased, acting under the judicial supervision of the County Court of Milwaukee County, Wisconsin;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of designated enemy countries, (Hungary and Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on November 21, 1944.

[SEAL] JAMES E. MARKHALL,
Alien Property Custodian.

[F. R. Doc. 44-18403; Filed, Dec. 5, 1944;
10:59 a. m.]

[Vesting Order 4323]

MINNA LINDENBERG

In re: Estate of Minna Lindenberg, deceased; File D-28-8738; E. T. sec. 10638.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Erna Dietze, Dora Lindenberg, Heinrich Lohman and Paul Pfandke, and each of them, in and to the Estate of Minna Lindenberg, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Erna Dietze, Germany.
Dora Lindenberg, Germany.
Heinrich Lohman, Germany.
Paul Pfandke, Germany.

That such property is in the process of administration by Lester Roth and David B. Stern, 120 South La Salle Street, Chicago, Illinois, as Executors of the Estate of Minna Lindenberg, deceased, acting under the judicial supervision of the Probate Court of Cook County, Illinois;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an ap-

propriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on November 21, 1944.

[SEAL] JAMES E. MARKHALL,
Alien Property Custodian.

[F. R. Doc. 44-18401; Filed, Dec. 5, 1944;
10:59 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[RMPR 165, Order 42]

RETAIL DRY CLEANING OR PRESSING
ESTABLISHMENTS

POSTING REQUIREMENTS

An opinion issued in support of this order, issued simultaneously herewith, has been filed with the Division of the Federal Register. For the reasons set forth in that opinion and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9323, Order No. 42 under section 14 (c) of Revised Maximum Price Regulation 165 (Services) is hereby issued.

SECTION 1. Posting requirements. If you own or operate a retail dry cleaning or pressing establishment, you must, on or before January 15, 1945, show on a poster to be supplied by the Office of Price Administration, your maximum price (ceiling price) for each service listed on the poster which is supplied by you or offered for supply by you in the manner indicated below. The contents of the poster are set forth in Appendix A. The maximum price listed for each service on the poster must be the same as that which you have correctly filed for that

service with your War Price and Rationing Board. You are not required by this order to post your maximum prices for services not listed on the poster. You shall fill in the poster and display it as follows:

(a) Enter your maximum price on the poster for each service listed there which you supply or offer for supply.

(b) Opposite each service listed on the poster which you do not supply or offer for supply write "Not offered" instead of listing a price.

(c) Fill in the name of your establishment. The owner or manager must sign his name in the space provided.

(d) The maximum prices should be printed or hand-lettered on the poster in letters large enough so that they can be easily read by your customers.

(e) You must display the poster in a conspicuous part of your establishment, such as near the place where orders are taken or payments are made, so that it will be plainly visible to your customers.

Sec. 2. Changes in poster.—(a) Where percentage increase authorized. If you receive or have received an adjustment in your maximum prices in the form of a percentage increase on your total bill, enter the following statement below the list of items on the poster, filling in the correct percentage figure: "OPA permitted price increase of _____% to maintain supply."

(b) Other changes prohibited. No other change may be made in the maximum price posted for any service or in the listing of any service.

Sec. 3. Replacement of poster. Within 10 days after a change in your maximum price is authorized by OPA, or within 10 days after your poster has been lost, destroyed, damaged, or has become illegible, you must replace your old poster with a new one, which will be furnished by your War Price and Rationing Board. Except if the old poster has been lost or destroyed, the old poster must be exchanged for the new one.

Sec. 4. Exemption. You are not required to post your maximum price for any service the price of which is already posted as required by any other OPA regulation or order.

Sec. 5. Geographical applicability. This order applies in the 48 states of the United States and in the District of Columbia.

Sec. 6. New sellers; new services. If you go into the dry cleaning or pressing business after January 15, 1945, or you establish a maximum price for a service listed in the poster which you did not supply or offer for supply before that date, you must prepare and display your poster as provided in this order, within 30 days of the date that your maximum price for a service is first established by RMPR 165.

APPENDIX A

OUR CEILING PRICES

Firm	Clean and press		Press only	
	Cash and carry	Call for and deliver	Cash and carry	Call for and deliver
Men's wear:				
Suits, 2- or 3-piece				
Trousers				
Overcoats, heavyweight				
Overcoats, lightweight				
Women's wear:				
Suits, 2-piece				
Dresses, plain				
Blouses, plain				
Jackets				
Skirts, plain				
Sweaters				
Coats, heavyweight				
Coats, lightweight				

A complete statement of our ceiling prices is on file with our local War Price and Rationing Board and a copy is available here for inspection.

Signature

Itemized receipt may be requested. Erasures or changes of prices on this poster are unlawful.

This order shall become effective December 9, 1944.

Issued this 4th day of December 1944.

CHESTER BOWLES, Administrator.

[F. R. Doc. 44-18386; Filed, Dec. 4, 1944; 11:29 a. m.]

[Order 21 Under 3 (e)]

SUN OIL CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered, That:*

The maximum prices established by the Sun Oil Company on micro-crystalline wax as reported in a letter to the Office of Price Administration of October 26, 1944, are disapproved. In lieu thereof the following maximum prices are established:

	Cents per pound
Tank car	5.75
Drums (carload)	6.50
Drums (less carload)	6.75

The prices approved in this order are to industrial consumers f. o. b. the refinery of Sun Oil Company, Marcus Hook, Pennsylvania.

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

This Order No. 21 shall become effective December 5, 1944.

Issued this 4th day of December 1944.

JAMES G. ROGERS, Jr., Acting Administrator.

[F. R. Doc. 44-18391; Filed, Dec. 4, 1944; 4:17 p. m.]

[Maximum Import Price Reg., Order 60]

FRED W. KORTH & CO.

ESTABLISHMENT 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 section 21 of the Maximum Import Price Regulation, it is ordered:

(a) *Effect of this order.* This order establishes maximum prices at which the importer may sell, and maximum prices at which wholesalers and retailers may buy and sell, certain fly casting reels imported from Canada by Fred W. Korth & Co., 500 East 134th Street, New York, N. Y., hereinafter called the "importer". These fly casting reels are identified as "Aluminum Fly Casting Reel made with steel bearings" and "Machined Aluminum Flying Casting Reel made with steel bearings".

(b) *Maximum price on sales by the importer.* The importer may sell these fly casting reels at prices not exceeding the following:

Description	Maximum prices		
	To wholesalers	To retailers	To consumers
Aluminum fly casting reel with steel bearings	Per unit \$2.50	Per unit \$3.25	Per unit \$5.25
Machined aluminum fly casting reel with steel bearings	1.00	1.20	1.50

1 F. o. b. New York, N. Y.

These prices include Federal Excise Tax. No wholesaler, retailer or consumer may pay the importer higher prices.

(c) *Maximum wholesale and retail prices.* No wholesaler or retailer may charge, and no person buying from them may pay, prices higher than the following for such fly casting reels:

Description	Class of seller	Maximum Prices
Aluminum fly casting reel with steel bearings.	Sales by wholesalers	Per unit \$3.25
	Sales by retailers	5.25
Machined aluminum fly casting reel with steel bearings.	Sales by wholesalers	1.20
	Sales by retailers	1.50

1 F. o. b. shipping point.

(d) *Importer to notify wholesalers.* The importer shall furnish a copy of this order to each wholesaler to whom such fly casting reels are sold and shall also include on the invoice the following statement:

Enclosed Order No. 60 issued under the Maximum Import Price Regulation by the Office of Price Administration establishes your maximum selling prices for these fly casting reels and requires you to notify your customers what is their maximum price as stated in the order.

(e) *Importer and wholesalers to notify retailers.* The importer and every

wholesaler selling such fly casting reels to retailers shall include on his invoice to each retailer the following statement:

Your maximum selling price for these fly casting reels, as established by Order No. 60 under the Maximum Import Price Regulation issued by the Office of Price Administration is \$..... each. (Insert \$5.25 for the aluminum reel, \$8.50 for the machined aluminum reel)

(f) *Revocation and amendment.* This order may be revoked or amended at any time.

This order shall become effective on December 5, 1944.

Issued this 4th day of December 1944.

CHESTER BOWLES, Administrator.

[F. R. Doc. 44-18390; Filed, Dec. 4, 1944; 4:17 p. m.]

[MPR 136, 2d Rev. Order 88]

GENERAL ELECTRIC CO.

APPROVAL OF MAXIMUM PRICES

Revised Order No. 88 under Maximum Price Regulation No. 136, as amended, 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 pursuant to § 1390.25a of Maximum Price Regulation No. 136, as amended, *It is ordered:*

(a) The General Electric Company, Bridgeport, Connecticut, is authorized to sell the refrigerator replacement units rebuilt or manufactured by it, to distributors, at prices no higher than those set forth below opposite each model number.

Model:	Maximum price for each unit
Flat top sealed units:	
CF1 through CF11-CFS1-CE140-	
FBA1.....	34.60
CF2 through CF28.....	34.60
CH-CJ.....	31.60
CE34-CE340.....	43.17
Monitor top sealed units:	
CK1-CG1-DK1.....	43.07
CK15.....	43.07
CK2-CK26-CK28.....	44.78
CK30.....	51.82
CK35.....	51.82
CA1.....	48.02
CA2.....	40.07
LK1-LK2.....	69.17
DR1-D15.....	48.22
DR1-D2.....	60.60
DRA2.....	50.60
DRE3-D30-DRE31-D31.....	63.70
DR3-DRE3-DR35-D35.....	63.70
SD10.....	61.30
FEA-1.....	60.76
FEA-2.....	64.00
Open belt-drive units:	
CB1-CB2.....	37.27
CB3.....	37.27
CD1-CD2-CD11.....	39.71
CD3.....	39.71
CM1-CM2.....	41.83
CM32-CM311-CM312.....	38.03
CM33.....	38.03
CM34-CM35.....	40.13

These prices include the Federal Excise Tax and delivery to the distributor.

(b) Distributors of General Electric refrigerator replacement units are authorized to sell such units to dealers at prices no higher than those set forth opposite each model number.

Model:	Maximum price for each unit
Flat top sealed units:	
CF1 through CF11-CFS1-CE140-	
FBA1	\$38.30
CF2 through CF23	38.30
CH-CJ	35.02
CE34-CE340	47.75
Monitor top sealed units:	
CK1-CG1-DK1	48.52
CK15	48.52
CK2-CK26-CK28	49.75
CK30	57.57
CK35	57.42
CA1	53.83
CA2	55.04
LK1-LK2	78.25
DR1-D15	53.27
DR2-D2	55.89
DRA2	55.89
DRB3-D30-DRB31-D31	70.43
DR-DRE3-DR35-D35	70.31
SD40	67.59
FEA-1	67.25
FEA-2	71.00
Open belt-drive units:	
CB1-CB2	41.13
CB3	41.13
CD1-CD2-CD11	43.81
CD3	43.81
CM1-CM2	46.11
CM32-CM311-CM312	41.94
CM33	41.94
CM34-CM35	44.39

These prices include the Federal Excise Tax and also include delivery to dealers.

(c) Dealers may sell General Electric refrigerator replacement units to consumers at prices no higher than those set forth opposite each model number.

Model:	Maximum price for each unit
Flat top sealed units:	
CF1 through CF11-CFS1-CE140-	
FBA-1	\$50.43
CF2 through CF23	50.43
CH-CJ	46.16
CE34-CE340	63.17
Monitor top sealed units:	
CK1-CG1-DK1	64.03
CK15	64.09
CK2-CK26-CK28	65.72
CK30	76.05
CK35	76.02
CA1	70.70
CA2	72.22
LK1-LK2	93.83
DR1-D15	69.80
DR2-D2	73.24
DRA2	73.24
DRB3-D30-DRB31-D31	92.16
DR3-DRE3-DR35-D35	91.93
SD40	83.20
FEA-1	89.50
FEA-2	94.50
Open belt-drive units:	
CB1-CB2	53.99
CB3	53.99
CD1-CD2-CD11	57.44
CD3	57.44
CM1-CM2	60.43
CM32-CM311-CM312	55.02
CM33	55.02
CM34-CM35	58.76

These prices include installation of the unit in the refrigerator of the consumer and the Federal Excise Tax.

(d) If any of the above units are sold by the General Electric Company, by distributors or by dealers, with a four year replacement contract, \$5.00 may be added to the maximum price.

(e) Any seller subject to this order may require, in connection with sales under this order, the surrender by the buyer of the unit which the rebuilt unit is intended to replace. No allowance need be made by the seller for the surrendered unit.

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

This revised order shall become effective December 5, 1944.

Issued this 4th day of December 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-16369; Filed, Dec. 4, 1944; 4:18 p. m.]

[MPR 347, Order 8]

MICA

AUTHORIZATION OF ADJUSTABLE PRICING

For the reasons set forth in an opinion, issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1932, as amended, Executive Orders Nos. 9259 and 9328 and section 12 of Maximum Price Regulation No. 347, as amended: *It is hereby ordered*, That:

(a) Pending final action by the Office of Price Administration respecting requests for increases in the maximum prices of wet ground mica, all producers subject to Maximum Price Regulation No. 347, may make sales and deliveries of wet ground mica, and purchasers may buy and receive such material at prices to be adjusted upward after delivery to amounts not in excess of the maximum prices which may be hereafter established. Prior to such action, no payment for sales of such material may be made or received in an amount in excess of the maximum prices prevailing at the date of delivery.

(b) This order shall be automatically revoked upon the effective date of any orders or amendments issued by the Office of Price Administration increasing maximum prices for producers' sales of wet ground mica or upon notification that no increases in the maximum prices of wet ground mica will be granted. This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective December 6, 1944.

(56 Stat. 23, 765; Pub. Law 151, 76th Cong.; E.O. 9259, 7 P.R. 7671; E.O. 9328, 3 F.R. 4691)

Issued this 5th day of December 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-16418; Filed, Dec. 5, 1944; 11:34 a. m.]

WAR FOOD ADMINISTRATION.

[Docket No. AO 71-A 9]

HANDLING OF MILK IN NEW YORK METROPOLITAN AREA

NOTICE OF RESUMPTION OF HEARING

Notice of resumption of hearing on proposed amendments to tentatively approved marketing agreement, as amended, and order, as amended, regulating the handling of milk in the New York metropolitan milk marketing area.

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 *et seq.*), and in accordance with the applicable rules of practice and procedure (7 CFR, Cum. Supp., 930.1 *et seq.*) and the announcement made on August 17, 1944, by the presiding officer of the hearing on proposed amendments to the New York milk marketing agreement and order (7 CFR, Cum. Supp., 927.0 *et seq.*; 3 F.R. 8539, 9362; 9 F.R. 4735), which hearing convened on August 15, 1944, at the Hotel Commodore, New York City, and was resumed on September 20, 1944, at the McAlpin Hotel, New York City, notice is hereby given that the said hearing will again be resumed at 10 a. m., e. w. t., on December 20, 1944, at the Hotel Commodore, New York City, for the purpose of receiving evidence only with respect to the proposed amendment included in the notice of hearing issued on July 14, 1944 (9 F.R. 8039) which dealt with the definition of Class III milk. This emergency resumption of the hearing is being called at the request of Dairymen's League Cooperative Association, Inc., for the purpose of considering the inclusion in Class III milk of milk utilized in ice cream powder.

Before any additional evidence is received on the proposed amendments which were included in the notice of hearing, other than the amendment which is herein specifically referred to, a further notice will be issued and published in the FEDERAL REGISTER.

Copies of this notice may be procured from the Hearing Clerk, Office of the Solicitor, United States Department of Agriculture, in Room 1331 South Building, Washington, D. C., or may be there inspected.

Dated: December 4, 1944.

THOMAS J. FLAVERT,
Assistant to the
War Food Administrator.

[F. R. Doc. 44-16367; Filed, Dec. 4, 1944; 3:18 p. m.]

