FEDERAL REGISTER

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Regulations

TITLE 7—AGRICULTURE

Chapter VII—War Food Administration (Agricultural Adjustment)

[Fair Price Regs., Rev. 2]

PART 734—CONSERVATION MATERIALS AND SERVICES PROGRAMS

FIXING OF FAIR PRICES

The regulations governing the fixing of fair prices for conservation materials and services acquired under purchase orders (8 F.R. 17255), § 734.1, issued by the Assistant War Food Administrator on December 22, 1943, are hereby completely revised to read as follows:

§ 734.1 *Regulations governing the fixing of fair prices for conservation materials and services acquired under purchase orders*—(a) *Delegation to the Chief of the Agricultural Adjustment Agency.* The Chief of the Agricultural Adjustment Agency shall designate the conservation materials and services which may be furnished under purchase orders in connection with the agricultural conservation program, the persons who shall determine the fair prices, and the method of making such determination: *Provided, however,* That any such determination shall be made in accordance with the provisions of paragraphs (b), (c), (d), and (e), hereof.

(b) *Materials.* A fair price shall be the price at which vendors in an area should be able to supply a material for local delivery under purchase orders, taking the following into consideration, to the extent they can be ascertained:

(1) The prices which farmers are currently paying for the material through local supply channels,

(2) The prices at which farmers could obtain the same material through other than local channels, and

(3) The actual or estimated cost to the vendor and a reasonable margin for handling and profit.

(c) *Services.* A fair price shall be the price at which a vendor equipped to perform a service agrees to furnish it at a given time and under a given set of conditions, providing it is not excessive in relation to:

(1) The prices which farmers are currently paying for the same or a similar service under the same or similar conditions, and

(2) The actual or estimated cost to the vendor and a reasonable margin for profit.

(d) *Ceiling prices.* Notwithstanding the provisions of paragraphs (b) and (c) hereof, no fair price may be set which is higher than the highest ceiling price at which any vendor in the area covered is authorized to sell a material or service under the General Maximum Price Regulation or other applicable regulations issued by the Office of Price Administration.

(e) *Defective material.* A material shall be deemed not to have been furnished at a fair price if it is determined that the material does not meet quality specifications. At the option of the Agricultural Adjustment Agency such material shall be rejected, or accepted subject to a deduction equal to three times the difference between the value of the material of the quality specified and the material of the quality furnished.

(55 Stat. 257; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 15th day of December 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44-19083; Filed, Dec. 16, 1944; 11:12 a. m.]

TITLE 18—CONSERVATION OF POWER

Chapter I—Federal Power Commission

[Order 120]

PART 210—STATEMENTS AND REPORTS (SCHEDULES)

FORM OF INITIAL COST STATEMENT FOR LICENSED PROJECTS

DECEMBER 8, 1944.

The Federal Power Commission, acting pursuant to authority granted by the

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per 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.
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Federal Power Act, particularly sections 4 (b) and 309 thereof, and finding such action necessary and appropriate for carrying out the provisions of said act, orders that:

§ 210.5a *Form of initial cost statement for projects constructed under license, costing less than $500,000.* (a) The revised form of initial cost statement showing actual legitimate original cost, designated as FPC Form No. 6,[1] be and it is hereby adopted for use by Licensees (other than Licensees of a complete project of not more than 100 hp. installed capacity) in preparing and filing initial cost statements, under oath, under §§ 4.1, 4.10 and 4.20 of the "Rules of Practice and Regulations With Approved Forms, Effective June 1, 1938" (Under the Federal Power Act);

(b) Each Licensee not exempt by license provisions shall hereafter file with the Commission an initial cost statement, under oath, on the form aforesaid, in the manner and number of copies prescribed by the applicable section of the "Rules of Practice and Regulations With Approved Forms, Effective June 1, 1938" (Under the Federal Power Act);

(c) Order No. 48, dated January 25, 1938, and Order No. 87, dated November 25, 1941, and the forms thereby prescribed, are superseded.

This order and the form herein prescribed shall become effective on January 1, 1945, and the Secretary of the Commission shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

By the Commission.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 44-19062; Filed, Dec. 15, 1944; 3:39 p. m.]

[1] Filed as part of the original document.

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs

[T. D. 51163]

PART 3—DOCUMENTATION OF VESSELS

REGISTRATION OF HOUSE FLAG AND FUNNEL MARK, MOORE-McCORMACK LINES, INC.

DECEMBER 16, 1944.

The Commissioner of Customs, by virtue of the authority vested in him by section 7 of the act of May 28, 1908 (U. S. C. Title 46, sec. 49), as modified by Executive Order No. 9083 (7 F.R. 1609), and in accordance with § 3.81 (a) of the Customs Regulations of 1943 (9 F.R. 4679), has registered the house flag and funnel mark of Moore-McCormack Lines, Inc., described below:

(a) *House flag.* The hoist of the flag is 4 feet, and its fly is 6 feet. The field is of signal green upon which is imposed a white circle 2 feet 11 inches in diameter whose center is approximately 2 feet 11½ inches from the hoist and 2 feet from the top and bottom of the flag. Superimposed upon that circle is a signal red letter "M" whose posts are 1 foot 8½ inches high and 5 inches wide. The blade of that letter comes to a point on the base line of the posts.

(b) *Funnel mark.* The funnel mark consists of a black band at the top of the funnel from 4 to 6 feet deep, depending upon the shape of the funnel. Immediately below that black band there is a signal green band 6 feet deep. Below those bands the funnel is buff. In or forward of the center of each side of the funnel, depending upon its shape, there is imposed upon the signal green band a white circle 5 feet in diameter whose center is 3 feet from the top and bottom of that band. Superimposed upon that circle is a signal red letter "M" whose posts are 2 feet 6 inches high and 5 inches wide. The top and bottom of the posts are respectively 21 inches below and above the top and bottom of the green band. The blade of that letter comes to a point approximately 7 inches above the base line of the posts.

A colored scale replica drawing of the house flag and of the funnel mark described above have been filed with the Division of the Federal Register.

[SEAL] W. R. JOHNSON, *Commissioner of Customs.*

[F. R. Doc. 44-19105; Filed, Dec. 16, 1944; 4:44 p. m.]

TITLE 22—FOREIGN RELATIONS

Chapter III—Proclaimed List of Certain Blocked Nationals

[Cum. Supp. No. 4, Dec. 15, 1944 to Rev. VIII of Sept. 13, 1944]

ADMINISTRATIVE ORDER

By virtue of the authority vested in the Secretary of State, acting in conjunction with the Secretary of the Treasury, the Attorney General, the Secretary of Commerce, the Administrator of Foreign Economic Administration, and the Coordinator of Inter-American Affairs, by Proclamation 2497 of the President of July 17, 1941 (6 F.R. 3555), Cumulative Supplement 4 containing certain additions to, amendments to, and deletions from The Proclaimed List of Certain Blocked Nationals, Revision VIII of September 13, 1944 (9 F.R. 11389), is hereby promulgated.[1]

By direction of the President:

E. R. STETTINIUS, Jr.,
Secretary of State.
HERBERT E. GASTON,
Acting Secretary of the Treasury.
FRANCIS BIDDLE,
Attorney General.
JESSE H. JONES,
Secretary of Commerce.
LEO T. CROWLEY,
Administrator, Foreign Economic Administration.
NELSON A. ROCKEFELLER,
Coordinator of Inter-American Affairs.

DECEMBER 15, 1944.

[F. R. Doc. 44-19100; Filed, Dec. 16, 1944; 3:19 p. m.]

[1] Filed with the Division of the Federal Register in the National Archives. Requests for printed copies should be addressed to the Federal Reserve Banks or the Department of State.

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

Subchapter A—Income and Excess Profits Taxes

[T. D. 5423]

PART 29—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1941

INVENTORIES OF LIVESTOCK RAISERS AND OTHER FARMERS

Regulations 111 (26 CFR, Cum. Supp., Part 29) are amended as follows:

PARAGRAPH 1. Section 29.22 (c)-2 is amended by striking the first sentence of the fourth paragraph and inserting in lieu thereof the following:

In respect of normal goods, whichever basis is adopted must be applied with reasonable consistency to the entire inventory except as to those goods inventoried under the elective method authorized by section 22 (d) or to animals inventoried under the elective "unit-livestock-price method" authorized by § 29.22 (c)-6.

PAR. 2. Section 29.22 (c)-6 is amended by striking the fourth paragraph and inserting in lieu thereof the following:

Because of the difficulty of ascertaining actual cost of livestock and other farm products, farmers who render their returns upon an inventory basis may value their inventories according to the "farm-price method," and farmers raising livestock may value their inventories of animals according to either the "farm-price method" or the "unit-livestock-price method."

The "farm-price method" provides for the valuation of inventories at market price less direct cost of disposition. If this method of valuing inventories is used, it must be applied to the entire inventory except as to livestock inventoried, at the taxpayer's election, under the "unit-livestock-price method." If the use of the "farm-price method" of valuing inventories for any taxable year involves a change in method of valuing inventories from that employed in prior years, permission for such change shall first be secured from the Commissioner as provided in § 29.41-2.

The "unit-livestock-price method" provides for the valuation of the different classes of animals in the inventory at a standard unit price for each animal within a class. A livestock raiser electing this method of valuing his animals must adopt a reasonable classification of the animals in his inventory with respect to the age and kind included so that the unit prices assigned to the several classes will reasonably account for the normal costs incurred in producing the animals within such classes. Thus, if a cattle raiser determines that it costs approximately $15 to produce a calf, and $7.50 each year to raise the calf to maturity, his classifications and unit prices would be as follows: calves, $15; yearlings, $22.50; two-year olds, $30; mature animals, $37.50. The classification selected by the livestock raiser, and the unit prices assigned to the several classes, are subject to approval by the Commissioner upon examination of the taxpayer's return.

A taxpayer who elects to use the "unit-livestock price method" must apply it to all livestock raised, whether for sale or for breeding, draft, or dairy purposes. Once established, the unit prices and classifications selected by the taxpayer must be consistently applied in all subsequent years in the valuation of livestock inventories. No changes in the classification of animals or unit prices will be made without the approval of the Commissioner.

A livestock raiser who uses the "unit-livestock price method" must include in his inventory at cost any livestock purchased, except that animals purchased for breeding, dairy, or draft purposes can, at the election of the livestock raiser, be included in inventory or be treated as capital assets subject to depreciation after maturity. If the animals purchased are not mature at the time of purchase, the cost should be increased at the end of each accounting year in accordance with the established unit prices, except that no increase is to be made in the year of purchase if the animal is acquired during the last six months of that year. If the records maintained permit identification of a purchased animal, the cost of such animal will be eliminated from the closing inventory in the event of its sale or loss. Otherwise, the first-in first-out method of valuing inventories must be applied.

If a taxpayer using the "farm-price method" desires to adopt the "unit-livestock-price method" in valuing his inventories of livestock, permission for the change shall first be secured from the Commissioner as provided in § 29.41-2. However, a taxpayer who has filed returns on the basis of inventories at cost, or cost or market whichever is lower, may adopt the "unit-livestock-price method" for valuing his inventories of livestock for taxable years beginning after December 31, 1943 without formal application for permission, but the classifications and unit prices selected are subject to approval by the Commissioner upon examination of the taxpayer's return. A livestock raiser who has, for taxable years beginning prior to January 1, 1944, adopted a constant unit price method of valuing livestock inventories and filed returns on that basis will be considered as having elected the "unit-livestock-price method."

(Secs. 22 (c) and 62, I.R.C. (53 Stat. 11, 32; 26 U.S.C., 22, 62))

GEORGE SCHOENEMAN,
Acting Commissioner of Internal Revenue.

Approved: December 15, 1944.

JOSEPH J. O'CONNELL, JR.,
Acting Secretary of the Treasury.

[F. R. Doc. 44-19106; Filed, Dec. 16, 1944; 4:44 p. m.]

TITLE 30—MINERAL RESOURCES

Chapter VI—Solid Fuels Administration for War

[SFAW Reg. 23, Amdt. 2]

PART 602—GENERAL ORDERS AND DIRECTIVES

RESTRICTIONS ON RECEIPTS BY INDUSTRIAL CONSUMERS OF COAL

Because of changes in the supply of and requirements for bituminous coal produced in Districts 9, 10 and 11, it is deemed necessary and appropriate in the public interest to amend SFAW Regulation No. 23 as follows:

Section 602.517 (b) is amended to read as follows:

§ 602.517 *Restrictions on receipts by industrial consumers of coal other than by-product and special purpose coal, and other than coal moving via the Great Lakes or ex-lake dock.* * * *

(b) *Restrictions on receipts by industrial consumers of coal produced in Districts 9, 10 and 11 (Group A).* (1) If you are an industrial consumer having 90 or less days' supply of bituminous coal, you are prohibited from receiving during any calendar month beginning with January 1945 coal produced in Districts 9, 10 and 11 (Group A), or any such districts, in an amount greater than 100 per cent of your monthly consumption requirements.

(2) If you are an industrial consumer having 91 to 120 days' supply of bituminous coal, you are prohibited from receiving during any calendar month beginning with January 1945 coal produced in Districts 9, 10 and 11 (Group A), or any such districts, in an amount greater than 80 per cent of your monthly consumption requirements, except that you are not required to maintain less than a 90 days' supply of coal.

(3) If you are an industrial consumer having in excess of 120 days' supply of bituminous coal, you are prohibited from receiving during any calendar month beginning with January 1945 coal produced in Districts 9, 10 and 11 (Group A), or any such districts, in an amount greater than 60 per cent of your monthly consumption requirements, except that you are not required to maintain less than a 90 days' supply of coal.

This amendment shall become effective immediately.

(E.O. 9332, 8 F.R. 5355; E.O. 9125, 7 F.R. 2719; sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176)

Issued this 15th day of December 1944.

HAROLD L. ICKES,
Solid Fuels Administrator for War.

[F. R. Doc. 44-19080; Filed, Dec. 16, 1944; 10:55 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[Amdt. 270]

PART 622—CLASSIFICATION

LENGTH OF DEFERMENTS

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend § 622.22-2 by adding paragraphs (c), (d), (e), (f), and (g) to read as follows:

§ 622.22-2 *Length of deferments in Class II-A and Class II-B.* * * *

(c) When a registrant in Class II-A or Class II-B (including a registrant identified with the letter "(F)" or the letter "(L)") voluntarily leaves the employment for which he was deferred, he shall be reclassified into Class I-A, Class I-A-O or Class IV-E, unless before leaving such employment he requests a determination and a determination is made (1) that it is in the best interest of the war effort for him to leave such employment for other work, or (2) that there are adequate reasons involving the registrant or his immediate family which justify the registrant in leaving such employment.

(d) If the registrant leaves the employment for which he was deferred without first requesting the local board to make the determination provided for in paragraph (c) of this section, the local board may nevertheless determine (1) that it was in the best interest of the war effort for the registrant to have left such employment for other work, or (2) that there were adequate reasons involving the registrant or his immediate family which justified the registrant in leaving such employment: *Provided,* That the local board finds that the registrant's failure to request such determination was due to unusual or compelling circumstances, in which case the registrant shall not be placed in Class I-A, Class I-A-O, or Class IV-E under this section.

(e) Any registrant in Class II-A or Class II-B (including a registrant identified with the letter "(F)" or the letter "(L)") may file with his local board a written request for a determination under paragraph (c) or (d) of this section. When the registrant's local board has made a determination upon such request, it shall advise him thereof in writing.

(f) The provisions of paragraphs (c), (d), and (e) of this section shall not apply to any registrant who has been separated from the land or naval forces on or after September 16, 1940, under conditions other than dishonorable.

(g) Nothing in this section shall be construed to require the local board to retain in Class II-A or Class II-B any registrant when the reason for his occupational classification has ceased to exist.

The foregoing amendment to the Selective Service regulations shall be effective within the continental United States as of December 12, 1944, and shall be effective outside the continental limits of the United States on January 11, 1945.

LEWIS B. HERSHEY,
Director.

DECEMBER 12, 1944.

[F. R. Doc. 44-19097; Filed, Dec. 16, 1944; 3:50 p. m.]

[Amdt. 271]

PART 627—APPEAL TO BOARD OF APPEAL

SPECIAL APPEAL IN OCCUPATIONAL AND AGRICULTURAL CASES

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend paragraph (a) of § 627.51 to read as follows:

§ 627.51 *Appeal may be taken by registrant from local board's determination in occupational or agricultural cases.* (a) When a registrant has requested his local board to make a determination under the provisions of § 622.22-2 or §622.25-2 and the local board has made a determination upon such request, the registrant may file a written notice of appeal from his local board's determination thereon within 10 days from the date the local board mailed notice of such determination.

The foregoing amendment to the Selective Service regulations shall be effective within the continental United States as of December 12, 1944, and shall be effective outside the continental limits of the United States on January 11, 1945.

LEWIS B. HERSHEY,
Director.

DECEMBER 12, 1944.

[F. R. Doc. 44-19098; Filed, Dec. 16, 1944; 3:50 p. m.]

[Amdt. 272]

PART 608—EXPENDITURES OTHER THAN FOR PERSONAL SERVICES

EMERGENCY MEDICAL CARE, HOSPITALIZATION, AND TRANSPORTATION AND BURIAL OF REMAINS

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

Amend the regulations by adding a new section to be known as § 608.51 to read as follows:

§ 608.51 *Claims.* (a) Funds appropriated for the operation and maintenance of the Selective Service System are available for payment of actual and reasonable expenses of (1) emergency medical care, including hospitalization, (2) transportation of the remains, and (3) burial of the remains, in a sum not to exceed $150 in any one case, including preparation of the body, of registrants who, on or after April 1, 1944 suffer illness, injury, or death while acting under orders issued under the selective service law.

(b) The term "emergency medical care, including hospitalization" as used in this section shall be construed to mean that normally such medical care or hospitalization must be rendered promptly after occurrence of the illness or injury as a result of which it is required, and that discharge by a physician or facility subsequent to such medical care or hospitalization shall prima facie terminate the period of emergency.

(c) The death of a registrant shall be deemed to have occurred while acting under orders issued under the selective service law if it results directly from an illness or injury suffered by the registrant while so acting and occurs prior to the completion of any emergency medical care, including hospitalization, occasioned by such illness or injury.

(d) Claims for payment of expenses incurred for the purposes set forth in paragraph (a) of this section shall be presented to the State Director of Selective Service of the State in which the expenses were incurred, who shall determine whether the claim shall be allowed or disallowed, in whole or in part, and such determination shall be final as to the claimant.

(e) Payment of such claims when allowed shall be made only (1) directly to the person or facility with which the expenses were incurred, or (2) by reimbursement to the registrant, a relative of the registrant, or the legal representative of the registrant's estate, for original payment of such expenses.

(f) No such claim shall be paid unless presented within the period of one year from the date on which the expenses were incurred, except that claims for expenses incurred by reason of illness, injury, or death occurring on or after April 1, 1944 and prior to December 31, 1944 may be presented within one year from the latter date.

The foregoing amendment to the Selective Service regulations shall be effective within the continental United States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside the continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

DECEMBER 15, 1944.

[F. R. Doc. 44-19149; Filed, Dec. 18, 1944; 10:13 a. m.]

Chapter IX—War Production Board

AUTHORITY: Regulations in this chapter, unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 177; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64.

PART 1293—HAND TOOLS SIMPLIFICATION

[Limitation Order L-157, Schedule V as Amended Dec. 16, 1944]

HAND FORKS, HAND HOOKS, HAND RAKES, HAND HOES, HAND EYE HOES AND HAND CULTIVATORS

Section 1293.6 *Schedule V to Limitation Order L-157,* is amended to read as

follows, and Appendix A to that order is amended in the respects below indicated:

§ 1293.6 *Schedule V to Limitation Order L-157*—(a) *Definitions.* For the purpose of this schedule:

(1) "Producer" means any person who manufactures, stamps, forges or otherwise fabricates hand forks, hand hooks, hand rakes, hand hoes, hand eye hoes, or hand cultivators.

(2) "Hand cultivator" means a tined hoe or cultivator designed for manual operation. Hand cultivator shall not include a hand wheel cultivator.

(3) "Lend-lease Government" means the government of any foreign country pursuant to the act of March 11, 1941, entitled "An Act to Promote the Defense of the United States." (Lend-Lease Act.)

(b) *Simplified practices.* No producer shall put into process any steel for the purpose of manufacturing, stamping, forging or otherwise fabricating hand forks, hand hooks, hand rakes, hand hoes, hand eye hoes, or hand cultivators other than the kinds named in Tables 1 through 6 of Appendix A and in conformity with the grades, styles, sizes, weights, finishes and other specifications set forth in Appendix A.

(c) *Exceptions to the restrictions of paragraph (b) of this Schedule V.* The restrictions of paragraph (b) shall not apply to: (1) Hand eye hoes for export under a license issued by the Foreign Economic Administration, (2) hand eye hoes to fill an order for a Lend-Lease government, (3) hand eye hoes to fill orders for the possessions of the United States, (4) hand forks, hand hooks, hand rakes and hand hoes made especially for the sea-food industry, (5) hand broom rakes, (6) hand cultivators, when the handle length is under 18 inches.

(d) *Restrictions on production and delivery of general purpose rakes.* During the period from July 1, 1944 to July 1, 1945, no producer shall manufacture or deliver more general purpose rakes than 60 per cent by weight of the general purpose rakes which he produced in either the calendar year 1940 or the calendar year 1941, whichever was greater. Orders by or for the account of the Army, Navy, Maritime Commission or Veterans' Administration shall not be charged against this quota.

(e) *The War Production Board may assign base rates of production for general purpose rakes to persons who have none.* Any person who does not have a base rate of production for making general purpose rakes and who wants to make them, may apply for a base rate of production by filing a letter with the War Production Board, Washington 25, D. C., Ref: L-157 Schedule V. This letter should state what facilities he has for this purpose. A base rate of production will be assigned on an equitable basis in view of the base rates of production of other persons in the industry, thus allowing the person to establish his quota under the terms of paragraph (d) of this schedule.

Materials will be allocated to the extent available, with the view of permitting production where this will not require materials, facilities or labor needed for war purposes and will not otherwise adversely affect or interfere with production for war purposes.

(f) *Records.* Each producer of hand forks, hand hooks, hand rakes, hand hoes, hand eye hoes, or hand cultivators shall execute and file with the War Production Board such reports and questionnaires as the Board shall from time to time require, subject to the approval of the Bureau of the Budget, pursuant to the Federal Reports Act of 1942.

Issued this 16th day of December 1944.

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

APPENDIX A—EXPLANATIONS AND LIMITATIONS

NOTE: In Table 1, item "Alfalfa" and footnote g added Dec. 16, 1944.

(1) *Grades.* A, B, and C designate qualities of complete tools; A designating the best quality. Limitations applying to quality are given separately at the foot of each table. Handle grades A, B, and C are defined in Simplified Practice Recommendation R76-40, Ash Handles, issued by the National Bureau of Standards, United States Department of Commerce. Handle grade requirements shall not be construed as prohibiting the substitution for ash of other suitable species of wood having characteristics as nearly comparable as possible to the respective grades of ash for which they are substituted, provided all handles other than ash be marked with the name of the species of wood of which they were made.

(2) *Finishes.* Except where otherwise stated, blades and tines shall be natural finish, i. e., dipped in their natural state (except that they may be wire brushed to remove scale or rust) in paint, enamel, lacquer, or other protective coating. Wood handles shall be finished so that the grain of the wood is plainly visible.

(3) [Deleted Mar. 10, 1944]

(4) *Tolerances.* Dimensions and weights given herein are subject to commercial tolerances.

TABLE 1—FORKS

Kind	Grades [a]	Tines				Spread of points (approx.)	Space between tines	Handle lengths [b]	Weight per dozen (approx.) [c]
		No.	Length	Shape	Finish				
LIGHT FORKS									
			In.			In.	In.		Lbs
Barley, with or without bails and braces	A, B	4	18	Oval	Polished	14½		4-5½ ft. / 31 in. DT.	[d] 50 / [e] 67
Hay, regular 3-tine	A, B	3	12	do	do	7¼		3½-6 ft.	[d] 35
	C	3	12	do	Black	7¼		4-6 ft.	[d] 33
Header, round shouldered [g]	A, B	4	15	do	Polished	10½		4-7½ ft.	[d] 41
Alfalfa [g]	A, B	4	13	do	do	10		4-5½ ft.	38
Manure, regular pattern:									
4-tine	A, B	4	12-12½	do	do	9¼		4 & 4½ ft. / 32 in. DT.	[d] 43 / 42
	C	4	12-12½	do	Black	9¼		4 & 4½ ft. / 32 in. DT.	[d] 40 / 38
5-tine	A, B	5	12-12½	do	Polished	9½		4 & 4½ ft. / 32 in. DT.	[d] 41 / 43
	C	5	12-12½	do	Black	9½		4 & 4½ ft. / 32 in. DT.	[d] 43 / 41
Spading:									
Light pattern	A, B	4	11	Angular back	Polished face, tumbled back. [f]			4 ft. / 30 in. DT.	57-68 / 55-60
Heavy pattern	A, B	4	11	do	do			4 ft. / 30 in. DT.	62 / 60
HEAVY FORKS									
Beet, scoop shaped, with ball pointed tines.	A	7	16½	Round	Black	13½-14½	2-2⅛	32 in. DT.	80
Coal, scoop shaped	A	10	15 or 16	do	do	13½-14	1¼	30 in. DT.	86
		12	16	do	do	15-16	1	30 in. DT.	98
		14	15 or 16	do	do	14	¾	30 in. DT.	92
Coke fork	A	10	17	Diamond	Black	14½-15	1¼	30 in. DT.	90
		12	17	do	do	17½-18	1¼	30 in. DT.	107
Cotton seed, scoop shaped.	A	10	16-17	do	do	14	1¼	30 in. DT.	81
Ensilage, barn, or kaffir corn, regular pattern, outside tines turned up	A	8	16	Oval	do	12¾-13	1⅜-1½	30 in. DT.	72
		10	16	do	do	15	1½	30 in. DT.	78
Mill, manure street, or pulp.	A	4	15	do	Half-polished	10¾ to 11	2½-2¾	30 in. DT.	55
Stone, ballast, or gravel.	A	8	13½	Square	Black	10½	1⅛	30 in. DT.	83
		10	13½	do	do	8½	⅝	30 in. DT.	80
		10	13½	do	do	9½-9¾	¾	30 in. DT.	80
		14	13½	do	do	12-12½	⅞	30 in. DT.	92
Vegetable, scoop shaped, with flattened points.	A	10	15½-16	Oval	do	14-14½	1¼	30 in. DT.	85

[a] Grade A forks shall have grade A handles; grade B forks, grade B handles; and grade C forks, grade C handles.
[b] All handles shall be of the bent type, except those of hay forks, which may be either straight or bent type. Those identified by the initials DT shall be D-top handles. The longest handle length listed is the maximum for the fork to which it applies. Where a range is given it indicates the commercial practice of furnishing long handles in 6-inch increments, including the shortest and longest listed, e. g., 4-5½ ft. means 4-, 4½-, 5-, and 5½-foot handles. Handles are not required to conform to the listed sizes, but shall not exceed the maximum length listed.
[c] The approximate weight per dozen is given for the highest grade listed. It is intended only to fix within reasonable limits the weight of the fork proper.
[d] With 4½-foot handles.
[e] Including bails and braces.
[f] Grade B spading forks to have tines half polished on face, tumbled back.
[g] A producer may manufacture either the header fork or the alfalfa fork, but not both of them.

TABLE 2—HOOKS

Kind	Grades (a)	Tines				Width at points	Maximum handle lengths	Approx. weight per dozen b
		No.	Length	Shape	Finish			
			In.			In.	Ft.	Pounds
Manure, garbage, or refuse	A, B	4	8¾-9	Oval	Half-polished	8½	5	40
Phosphate	A	4	11	Flat	Tumbled	8¾-9	6	83
Potato:								
Gooseneck pattern	A, B	5	7	Round	do	6¼-6½	4½	29
Southern or broad oval:								
Light pattern	A, B	4	6¼-6¾	Broad oval	do	5½-6¼	4½	28
Heavy pattern	A, B	4	7½	do	do	7-7½	4½	48
Stone	A	4	9-9¾	Diamond back	Black	7¾-8	5	54½

a Grade A hooks shall have grade A handles; grade B hooks shall have grade B handles.
b Weight is for best grade listed, with handle of length listed.

TABLE 3—RAKES

[All rakes shall be made only in natural finish]

Kind	Grade c	Number of teeth	Head			Maximum length of handle	Weight per dozen (approx.) b
			Width	Thickness	Depth		
			In.	In.	In.	Ft.	Pounds
Level head, general purpose; straight and curved teeth	A	14	14¾	¼	3¼	5½	35
	B	14	14¾	¼	3¼	5½	35
	C	14	14	¼	2¾	5	30
Road, straight teeth	A, B	14	15½-15¾	⅝	3⅞-4	5½	51
Asphalt or tar, straight teeth, with square drop shank 18 in. long	A	14	16½-17	13/32	4½	5	78
Combination fire rake and hoe	A	6	9¾		9	4	71
Eye hoe type fire rake, triangular teeth riveted to head, 1¾-inch round eye	A	4	12		3½	4½-5	d 45

a A grade rakes shall have A grade handles; B grade rakes, B grade handles; and C grade rakes, C grade handles.
b Weight is for highest grade listed, with handle of length listed.
c With 4½-foot handle.

TABLE 4—HOES

Kind	Grades a	Construction		Blade size		Maximum length of handle	Weight per dozen (approx.) c
		Socket type b	Shank type b	Width	Depth (greatest)		
				In.	In.	In.	Pounds
Cotton:							
Chopper, straight shank	A, C	None	½	8	4	60	37½
Regular gooseneck	A, C	None	½	6	5	60	35
				7	5	60	39
Field and garden, regular d	A, B, C	7/16	7/16	6½	4¾	62	d 26
Field and garden, riveted d	C	e 7/16	e 7/16	6½	4¾	18	d 17
Mattock hoe "Dig Easy" pattern, two blades in the same plane.	A	None	None	1½&3	12⅝	54	34
Mortar, perforated and plain blade	A	None	⅝	9	6	60	f g 48½
				10	6	60	g 49½
Feuille, heavy duty or railroad	A	None	X	8-8½	4-6	60	40
Southern meadow or blackland	A, C	7/16	7/16	7	4	60	d 31
				8	4	60	d 32
Square top:							
Regular or sugar beet pattern	A, B, C	X	None	7	3½	62	27
	A	X	None	7	3½	18	18
Renewable blade sugar beet or onion pattern	A	7/16	None	7	1¾	54	23
Regular onion	A	7/16	7/16	6½	1¾	62	21

See footnotes in next column.

a Grade A hoes shall have grade A handles; grade B, grade B handles; and grade C, grade C handles. The blades of grade A and grade B hoes shall be polished front and back; the blades of grade C hoes shall be polished front and back for the first third of their height. Scuffle and mattock hoes shall be made only in natural finish.
b The dimensions given are the diameters of the shanks in inches. "X" means no dimension is specified. "None" means no hoe to be made in such construction type.
c Weight per dozen is that for highest grade listed, with handle of length listed.
d Blade may be attached to shank by riveting or any other satisfactory method.
e Weight of socket type.
f Maximum.
g Plain blade; perforated blade approximately one pound lighter per dozen.

TABLE 5—EYE HOES

[To be made in natural finish except for lower ⅓ which shall be polished]

Kind a	Width of cut	Depth of blade	Maximum length of handle	Approx. weight per dozen
ROUND EYE HOES				
	In.	In.	In.	Pounds
Planter's:				
American pattern, unhandled	6	6		15
	7	6½		18
	8	7		21
Scovil field pattern, straight and curved blade, unhandled	6½	5½-6		14 to 17
	7	6-6¼		16 to 19
	7½	6½-6¾		18 to 21
	8	6½-6¾		20 to 23
Grub, handled and unhandled	4	7-7½	54	b 18 to 22
	5 to 5½	8-8½	54	b 21 to 31
Giant planter's: Cane pattern, unhandled	4½	8		17
SQUARE EYE HOES				
Garden or field pattern, handled	4	6	54	23
	6	6	54	33
	7½	6¾	54	35

a Eye hoes are described handled or unhandled according to the condition in which they are generally sold by the producers. They may be distributed in either condition or both.
b Without handles.

TABLE 6—HAND CULTIVATORS

Kind	Grade a	Number of points	Maximum spread	Maximum length of handle	Approx. weight per dozen
			In.	In.	Pounds
Four-tine regular pattern, forged, curved oval tines.	A	4	5	52	23
Four-tine wire spring type	A, B	4	5	43	23-30
Three-tine regular pattern, or equipped with U-Shaped cultivating blade. b	A	3	4½	54	19-22
Flat-wire type	A	6	7	43	33
Five-tine adjustable pattern; tines flattened and points at ends. c	A, B	5	6½-7½	60	30-37
U-shaped cultivators, with straplike blades approximately 1¾" wide, having sharpened edges and equipped with one or two shares:		Depth In.	Width In.		
One share pattern	A	4½	5	60	32
Two share pattern	A	4½	8½	60	33

a Grade A cultivators shall have grade A handles; grade B cultivators shall have grade B handles.
b The three-tine pattern shall not be made by any producer who elects to make a four-tine pattern cultivator.
c Prongs shall not exceed ¼-inch square in size, or its equivalent.

[F. R. Doc. 44-19034; Filed, Dec. 16, 1944; 11:18 a. m.]

PART 3270—CONTAINERS

[Limitation Order L-336 as Amended Dec. 15, 1944]

SANITARY FOOD CONTAINERS

§ 3270.61 *Limitation Order L-336*—(a) *What this order does.* This order sets forth restrictions affecting paper cups, paper food containers, paper milk containers and liquid tight paper containers. The restrictions common to all of these containers are contained in the section headed "General restrictions." Other restrictions applicable to paper cups are set forth under a separate heading.

(b) *For the purpose of this order.* (1) "Paper cups" means all empty open nested paper cups with or without lids including "hot drink cups", "cold drink cups" and "hot food cups" but excluding flat envelope types of cups.

(2) "Paper food container" means all empty round nested paper food containers with or without lids excluding wedge shaped food pails and nested paper plates.

(3) "Hot drink cup" means any cup made directly from moulded pulp, or any untreated tall cup, double-wrapped or single-wrapped of comparable weight, which is suitable for dispensing hot beverages.

(4) "Cold drink cup" means any one or two-piece cup, treated or untreated, of 6-ounce size or larger, and not suitable for dispensing hot beverages.

(5) "Hot food cup" means any untreated squat cup, double-wrapped or single-wrapped of comparable weight, which is suitable for dispensing hot foods.

(6) "In-plant feeding" means the serving of food, drink or refreshments on the premises of a plant, governmental agency or institution to its employees. For the purpose of this order, it shall also include the serving of food, drink and refreshments by (i) the Armed Forces including Post Exchanges and Ship's Service Stores; (ii) Veterans' Administration; (iii) hospitals serving their patients; (iv) welfare organizations such as USO, Red Cross, etc.; (v) persons engaged in serving passengers in planes and in trains, and (vi) educational institutions serving their students. In-plant feeding as described above, includes the serving of food, drink and refreshments between meals as well as at mealtime. For instance, the use of paper cups for drinking water is included within the meaning of the term.

(7) "Caterer or concessionaire" means a person who has an agreement with an operator of a plant, governmental agency or institution to regularly provide in-plant feeding for its employees.

(8) "Paper milk container" means any treated paper container, blank or folded carton of the type which is used to package fluid milk and fluid milk products.

(9) "Liquid-tight paper container" means any spiral or convolute wound paper container with a slip-on cover made of paperboard commonly known in the trade as liquid-tight container and of the type which is used to package foods for human consumption.

(10) "Sanitary food container" means paper cups, paper food containers, paper milk containers and liquid-tight paper containers.

RESTRICTIONS ON PAPER CUPS

(c) *Prohibited sales and deliveries.* (1) No person shall manufacture, sell or deliver the following types of paper cups if he knows or has reason to believe that they will be used for the purposes stated: (i) Packages of cups for retail sales. This restriction shall not apply to stocks of paper cups made up for retail sales which were on hand on January 29, 1944. (ii) Hot drink cups for any purpose other than in-plant feeding. (iii) Portion control or souffle cups for retail sales or for party favors.

(d) *Limitation on use of hot drink cups.* No person shall commercially use more hot drink cups in any month than 80 per cent of his average monthly consumption during the months of January through March, 1944. This provision does not apply to the Armed Forces, including post exchanges and ship's service stores.

(e) *Maintenance of production of hot drink cups and flat-bottom cold drink cups.* To meet the requirements of in-plant feeding operations, manufacturers of hot drink cups and flat-bottom cold drink cups shall maintain during each calendar quarter a production of these items equivalent to the highest quarterly production attained during any calendar quarter beginning on or after October 1, 1943, to the extent permitted by paragraph (i) and subject to contingencies beyond his control.

(f) *Distribution of production between military and civilian requirements.* (1) Regardless of preference ratings on other orders, each manufacturer of paper cups must set aside the following percentages of his production of paper cups in each month beginning with October, 1944, for delivery to the Army and the Navy (excluding domestic post exchanges and ship's service stores, but including those located outside of continental United States) in the sizes ordered by them: 35 per cent of his monthly production of 6 to 9 ounce hot drink cups inclusive (not more than 60 per cent of the total production of any one size to be produced need be included in the set-aside); 70 per cent of his monthly production of 6 to 9 ounce flat-bottom cold drink cups inclusive; 100 per cent of his monthly production of 10 to 24-ounce flat-bottom cold drink cups inclusive. For the month of January, and each succeeding month, he must make this set-aside in the following proportion to the Army and the Navy: Seventy per cent of each of the above specified three classes of cups to be set-aside shall be reserved exclusively to fill Army orders received on or before the 15th day of the preceding month, and the remaining thirty per cent shall be similarly reserved for the Navy. Any unordered portion of the Army set-aside shall be further reserved exclusively to fill Navy orders received on or before the 22nd day of the preceding month, and any unordered portion of the Navy set-aside shall be similarly reserved for the Army. In the event that on the 23rd day of any preceding month, any portion of either the Army's or the Navy's set-aside remains unordered, such portion must be sold as provided in paragraph (f) (2). Set-asides under this paragraph shall be computed on the basis of number of cups.

The production and delivery of any of the above types of cups prior to October 14, 1944, in compliance with paragraph (g) of Order L-336 as amended August 29, 1944, shall not constitute a violation of this paragraph.

(2) The balance of each manufacturer's production of hot drink cups and flat-bottom cold drink cups shall be used exclusively to fill orders other than Army and Navy orders (excluding domestic post exchanges and ship's service stores, but including those located outside the continental United States) in accordance with Priorities Regulation 1 and the provisions of this order.

(3) Any distributor who delivers hot drink cups or flat-bottom cold drink cups to the Army and Navy, including post exchanges and ship's service stores outside continental United States, shall notify the manufacturer who supplied him with the cups, giving the contract or purchase number, and the cups so sold shall be deducted from the set-aside for the following calendar month by the manufacturer. No manufacturer shall make any deduction from the set-aside because of deliveries made by a distributor, unless he has received the above information from the distributor.

(g) *Use of MRO preference ratings.* (1) Subject to the other provisions of this order, any person may use the blanket MRO rating assigned to him by any regulation of the War Production Board including CMP Regulation 5, CMP Regulation 5A, and orders in the P or U series to buy paper cups for in-plant feeding. Also, a caterer or concessionaire may use his customer's blanket MRO rating to buy paper cups for use in providing in-plant feeding to employees of the customer. Furthermore, persons whose employees are being fed may distribute paper cups obtained by them to the person who is engaged in in-plant feeding of their employees.

(2) Except as permitted above for caterers and concessionnaires for in-plant feeding, blanket MRO ratings may not be used to get paper cups for commercially packaging food or other products for shipment or delivery. Also, persons engaged in in-plant feeding operations may not use their blanket MRO ratings to buy paper cups which are to be sent to a commercial food packer to be filled and returned to the plant for in-plant feeding.

(h) *Certification.* No person shall sell or deliver any hot drink cups after October 26, 1944, unless he has received from the purchaser a certification signed manually or as provided in Priorities Regulation 7. This certification shall be in substantially the following form and, once filed by a purchaser with a supplier, covers all future deliveries from the supplier to that purchaser:

The undersigned purchaser certifies, subject to criminal penalties for misrepresentation, that he is familiar with Order L-336 of the War Production Board, and that all purchases from you of items regulated by that order, and the use of the same by the undersigned will be in compliance with the order, as amended from time to time.

GENERAL RESTRICTIONS

(i) *Restrictions on tonnage of sanitary food container stock to be processed.* No manufacturer of sanitary food con-

tainers shall accept delivery of any sanitary food container stock except as authorized by the War Production Board pursuant to Appendix B in Order M-241. A manufacturer may use the stock allocated to him only for the purpose for which it was allocated.

(j) *Inventory.* No person shall accept, have set aside or held for his account, any quantity of sanitary food containers which will increase his inventory for such containers to more than his reasonably anticipated requirements for the next 45 days, except that, whenever his inventory is less than a 45-days' supply, he may accept the minimum delivery required by his supplier under a published price list or sales policy in effect on October 29, 1943. No person shall order any quantity of sanitary food containers for delivery to him or for his account on any date, if receipt thereof on that date would increase his inventory of such containers to more than the amount permitted in the first sentence of this paragraph. This provision does not apply to the Armed Forces, Post Exchanges and Ship's Service Stores.

(k) *Appeals.* Appeals from Order L-336 shall be filed by addressing a letter to the appropriate field office of the War Production Board.

The letter of appeal need not follow any particular form. It should state informally, but completely, the particular provisions appealed from, the precise relief desired, the reasons why denial of the appeal would result in undue and excessive hardship, and such other statistical and narrative information as may be pertinent.

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

(m) *Reports.* Any person affected by this order shall file such reports and questionnaires as the War Production Board may request from time to time subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(n) *Communications.* All inquiries relating to this order other than requests for authorization or appeals shall be addressed to the War Production Board, Containers Division, Washington 25, D. C., reference Order L-336.

Issued this 15th day of December 1944.

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

[F. R. Doc. 44-19064; Filed, Dec. 15, 1944; 4:30 p. m.]

PART 3284—BUILDING MATERIALS

[Limitation Order L-77, as Amended Dec. 16, 1944]

METAL WINDOWS

§ 3284.16 *General Limitation Order L-77*—(a) *Definitions.* For the purposes of this order:

(1) "Metal window" means any metal sash, metal casement or other metal framework of any type produced for installation in an opening, constructed in the side of a building primarily to admit light, and any component part of such a metal sash, metal casement or metal framework.

(2) [Deleted Dec. 16, 1944.]

(3) [Deleted Dec. 16, 1944.]

(b) *Restrictions.* No manufacturer shall sell or deliver any metal window except:

(1) To fill an order or contract bearing a preference rating of AA-5 or higher; or

(2) Metal storm windows made of aluminum or magnesium, and storm windows made of other metals, *Provided,* That such other metals are obtained from idle or excess inventories in accordance with Priorities Regulation 13, CMP Regulation No. 1, or other specific authorization from the War Production Board.

(c) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

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

(e) *Reports.* Each manufacturer to whom this order applies shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time request, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

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

(g) *Appeals.* Any appeal from the provisions of the order shall be filed on Form WPB-1477 with the Field Office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates.

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

(i) *Routing of correspondence.* Reports to be filed and other communications concerning this order shall be addressed to the War Production Board, Building Materials Division, Washington, D. C. Ref: L-77.

Issued this 16th day of December 1944.

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

[F. R. Doc. 44-19065; Filed, Dec. 16, 1944; 11:18 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-103, as Amended Dec. 16, 1944]

DYESTUFFS AND ORGANIC PIGMENTS

§ 3290.260 *Conservation Order M-103*—(a) *Definitions.* For the purposes of this order:

(1) "Dyestuffs" means any organic or partially organic coloring matter. The term includes organic coloring matter even though the matter itself appears colorless. The term does not include inorganic pigments extended or otherwise processed with resinates, with dispersing agents, or with other substantially colorless organic material.

(2) "Class A dyestuffs" means the anthraquinone vat dyes appearing on List A attached hereto.

(3) "Class B dyestuffs" means all anthraquinone vat dyes other than those appearing on said List A. The term includes Fast Red A. L. Salt and Fast Red A. L. Base, which shall be considered an anthraquinone vat dye of single strength.

(4) "Class C dyestuffs" means all anthraquinone dyes other than anthraquinone vat dyes.

(5) "Class D dyestuffs" means all other dyestuffs, except:

(i) Those derived from vegetable or animal sources;

(ii) Lithol Red CI 189, Azo Bordeaux CI 83, Alphanaphthylamine Maroon CI 82 or Pigment Green B; or

(iii) Dyestuffs certified under the provisions of the Federal Food, Drug and Cosmetic Act (Ch. 9, Title 21, U. S. Code) and sold and used exclusively for use in food, drugs and cosmetics, as defined in said Act.

(6) "Value" means the dollar value computed from the domestic consumer's contract sales price as of January 1, 1943.

(7) "United States" means the 48 States, the District of Columbia and the Territory of Alaska.

(8) "Producer" means any person in the United States engaged in the production of organic coloring matter.

(b) *Restrictions on delivery*—(1) *Class A.* No person shall in any cal-

endar quarter deliver to any one person more than 25 pounds of any Class A dyestuffs and no one person shall in any calendar quarter accept a total of more than 25 pounds of any Class A dyestuffs for use in the United States or Canada, except for export within the limitations prescribed in paragraph (c) *Restrictions on export* and except as provided in paragraph (d) *General exceptions.* However, in any quarter any person may deliver or accept delivery of Class A dyestuffs in an amount not in excess of 25% of his quota of Class B dyestuffs, provided, however, that his total deliveries or acceptances of deliveries of Class A and Class B dyestuffs shall not exceed the amount of his Class B quota.

(2) *Class B, C and D quotas.* Except as provided in paragraph (d) (*General exceptions*) and in paragraph (b) (3), no person shall in any calendar quarter, deliver any Class B, C, or D dyestuffs for use in the United States or Canada or accept delivery of any Class B, C, or D dyestuffs for use in the United States, in excess of the quantities specified in the following schedule:

May deliver	*May accept delivery*
Class B. 20% of combined amount of Class A and B dyestuffs delivered to all persons in 1941 for such use plus 250 pounds.	20% of combined amount of Class A and B dyestuffs received from all sources in 1941, plus 250 pounds.
(For the purpose of Class B quota, calculate in pounds of equivalent single strength Anthraquinone vat dyes. The poundage may be increased to equal 25 or a multiple thereof.)	
Class C. 15% of value of Class C dyestuffs delivered to all persons in 1941 for such use plus $250 value.	15% of value of Class C dyestuffs received from all sources in 1941, plus $250 value.
Class D. 17½% of value of Class D dyestuffs delivered to all persons in 1941 for such use plus $250 value.	17½% of value of Class D dyestuffs received from all sources in 1941, plus $250 value.
(For the purpose of Class D quota, in determining the value of dry and wet dispersions of organic pigments, only the organic pigment content for such dispersions shall be considered and it shall be based on the value of a comparable dry pigment.)	

(3) *Acceptance of delivery of dyestuffs for redyeing used apparel and household furnishings.* Except as provided in paragraph (d) no person shall in any calendar quarter accept delivery of any Class B, C or D dyestuffs for redyeing used apparel and household furnishings in the United States in excess of the quantities specified in the following schedule:

Class B. 25% of combined amount of Class A and B dyestuffs received from all sources in 1941, plus 250 pounds.

(For the purpose of Class B quota, calculate in pounds of equivalent single strength Anthraquinone vat dyes. The poundage may be increased to equal 25 or a multiple thereof.)

Class C. 25% of value of Class C dyestuffs received from all sources in 1941, plus $250 value.

Class D. 25% of value of Class D dyestuffs, received from all sources in 1941, plus $250 value.

The seller may rely upon a signed statement by the buyer that he is authorized to accept delivery under this subparagraph (3). If he has knowledge of this fact, he may waive the signed statement.

(4) *Quota adjustments.* For the purpose of the Class B, C and D quotas, referred to in the above schedule:

(i) *Use by producer.* Amounts of dyestuffs which are or have been used by a producer in any calendar quarter or in 1941, shall be considered as having been delivered to such person in such quarter or in 1941, as the case may be.

(ii) *Credit for returned dyestuffs.* Amounts of dyestuffs returned to a vendor prior to the 22nd day after the end of the calendar quarter in which they were delivered, shall not be charged as delivered or accepted.

(iii) *Carry-over of undelivered quota.* Amounts of dyestuffs which a person may deliver or accept which have not been delivered or accepted in any calendar quarter, may be delivered or accepted prior to the 22nd day after the end of such quarter.

(c) *Restrictions on exports*—(1) *General restrictions.* No producer shall export or deliver for export from the United States to any place other than Canada any dyestuffs produced by him, except either upon orders accompanied by individual export licenses issued by the Foreign Economic Administration (the applications for which show thereon the corresponding current domestic sales price of such dyestuffs) or upon orders from an agency of the United States for delivery pursuant to the Act of March 11, 1941, as amended, entitled "An Act to promote the Defense of the United States" (Lend-Lease Act). The total value, exclusive of the exceptions provided in paragraph (d), of dyestuffs so exported or delivered in any quarter shall not exceed:

(i) ¾ of 1% of the total value of all dyestuffs delivered by him in 1941 plus

(ii) 17% of the total value of dyestuffs exported or delivered for export by him from the United States to all places other than Canada in 1941.

(2) *Further restrictions on Class A, B and C.* The amount of dyestuffs, exclusive of the exceptions provided in paragraph (d), produced by him which a producer may export or deliver for export from the United States to all places other than Canada in any calendar quarter, shall not exceed:

(i) As to Class A dyestuffs, ½ of 1% of the total value of all Class A dyestuffs delivered by him in 1941.

(ii) As to Class B dyestuffs, 2% of the total of all Class B dyestuffs delivered by him in 1941.

(iii) As to Class C dyestuffs, 2¼% of the total value of all Class C dyestuffs delivered by him in 1941.

(3) *Carry-over of undelivered portion of export quota.* Amounts of dyestuffs which a producer may export or deliver for export from the United States to all places other than Canada in any calendar quarter and which have not been exported or delivered for export in such quarter, may be exported or delivered for export in the following quarter in addition to the quota for that quarter. For the purposes of this subparagraph (3), all dyestuffs, other than Class A, B or C, shall be considered one class.

(d) *General exceptions.* The restrictions in subparagraphs (1), (2) and (3) of paragraph (b) (*Restrictions on delivery*) and the restrictions in paragraph (c) (*Restrictions on export*) shall not apply to the delivery or acceptance of delivery of dyestuffs.

(1) To or by the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, the United States Post Office, the Government Printing Office, the Bureau of Engraving and Printing or the Government of Canada;

(2) For ultimate delivery to any of the agencies mentioned in subparagraph (1) of this paragraph (d), or for use, to the extent specified in the prime contract, in the manufacture of any item which is being produced for any of said agencies;

(3) For use in the manufacture of materials for uniforms as described in subdivisions (i) to (ix), inclusive, of paragraph (e) (1) of General Limitation Order L-224 (Clothing for Men and Boys) and in paragraph (d) (10) of General Limitation Order L-85 (Apparel for Feminine Wear);

(4) Between or among producers and exclusive sales agents of producers;

(5) For coloring gasoline and tractor fuels;

(6) For chemical indicators or bacteriological stains;

(7) For medicinal, therapeutic or diagnostic uses;

(8) For ultimate delivery to or by a retailer (who for this purpose means one who sells dyestuffs and other merchandise directly to the general public for its consumption, e. g., a general store, a drug store, etc.) of dyestuffs in containers not exceeding 8 ounces in content; or

(9) To replace in inventory amounts which, although not acquired for any of the uses referred to in any of the subparagraphs of this paragraph (d), were nevertheless used for one or more of such purposes.

(10) For purposes other than coloring (e. g. rubber chemicals).

Provided, That all deliveries of dyestuffs exempted from the restrictions of said paragraphs (b) and (c) by subparagraphs (2), (3), (4), (5), (6), (7), or (9) of this paragraph (d) shall be made only upon the receipt by the vendor from the purchaser of a certificate signed by such purchaser, or by a per-

son authorized to sign in his behalf, in substantially the following form:

The undersigned hereby certifies to his vendor and to the War Production Board that the dyestuffs to be delivered on the annexed purchase order will be used for one or more of the purposes specified in paragraph (d) of Conservation Order M-103, or will replace inventory so used.

(e) The War Production Board may authorize the delivery and acceptance of delivery, export of and delivery for export of additional quantities of Classes A, B, C and D dyestuffs to be used as specifically directed. Such authority will be issued either in the form of individual letters or by published Directions supplemental to this order. Applications by letter for authorizations under this paragraph may be filed by producers of dyestuffs or commercial dyestuff users. Authorizations for the delivery and acceptance of delivery of additional quantities of Classes A, B, C, or D dyestuffs for domestic use (excluding dyestuffs to be used domestically in dyeing apparel for export) may be granted to the extent that it is necessary for the user to obtain additional dyestuffs to carry out a War Production Board order, direction, or approved program. Additional dyestuffs shall be deemed necessary when the user has insufficient supply of dyestuffs to carry out such orders, directions, or approved programs provided he is not using any of his regular quota to dye or print any material a deeper shade than a standard consistent with available supplies of dyestuffs and the need for the particular shades in carrying out War Production Board orders, directions, and approved programs. The granting of authorizations among dyestuff users participating in the same approved program or direction shall, insofar as practicable, be based on their proportionate participation in such program or direction. Authorizations for dyestuffs to be used in dyeing apparel for export may be granted when the dyestuffs will be used to fill contracts or subcontracts of a government agency or for other essential export uses. Authorization which in the aggregate would require more than a total of 2 per cent of the domestic dyestuff production for export as dyestuffs, or for use in redyeing apparel for export, will be granted only upon program determinations.

Any person who did not deliver or accept deliveries of dyestuffs covered by this order during 1941 may, nevertheless, on application to the War Productiton Board be granted quotas on an equitable basis in view of the quotas of other persons in the industry. This application should be made by letter stating the products the applicant proposes to manufacture which will require dye intermediates or dyestuffs; and what his present facilities are for the manufacture or processing of these products. Quotas for delivery or acceptance of deliveries of dyestuffs will be granted where this will not require materials, facilities or labor needed for war purposes and will not otherwise adversely affect or interfere with production for war purposes.

(f) *Treatment of mixtures.* In the case of physical mixtures of different classes of dyestuffs containing a component or components of one class to the extent of at least 80% of the value of such mixture, such mixtures shall be considered as belonging to the class to which said component or components belong. In the case of all other physical mixtures of dyestuffs, the classes of components shall be considered separately.

(g) *Restrictions on use of specific dyestuffs.* No person shall use any:

(1) [Deleted Oct. 23, 1943.]

(2) Anthraquinone in any physical form in discharging (including color and white discharge), stripping or destroying naphthol (azoic), vat or other dyes already present on textile fibers. This provision shall not prohibit the use of Anthraquinone in the manufacture of dyestuffs.

(3) Annato or annato extracts for coloring any materials other than food products.

(h) *Restrictions on inventory.* In addition to the restrictions on inventory contained in Priorities Regulation No. 1 (§ 944.14), no person shall accept delivery of any Class A dyestuffs which will increase his inventory thereof beyond an amount which, to the best of his knowledge and belief, will be used by him in the next 45 days.

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

(j) *General prohibitions.* No person shall deliver or accept delivery of any dyestuffs, if he knows, or has reason to believe, such material is to be used or is to be delivered or accepted in violation of the terms of this order.

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

(l) *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.

(m) *Communications to the War Production Board.* All communications concerning this order, shall, unless otherwise directed in writing, be addressed to: War Production Board, Textile, Clothing and Leather Bureau, Washington 25, D. C., Reference: M-103.

Issued this 16th day of December 1944.

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

LIST A

PART I—CHEMICAL NAMES

1. Brown R CI 1151.
2. Brown G CI 1152.
3. Olive R CI 1159.
4. Golden orange R CI 1037.
5. Khaki 2G Pr 122.
6. Olive T.
7. Olive GGL.
8. Olive green B.

PART II—TRADE NAMES

Amanthrene dark olive B.
Amanthrene Khaki 2G Pr 122.
Amanthrene olive R CI 1159.
Amanthrene olive green B.
Calcoloid golden orange RRTD CI 1037.
Calcozol brown G CI 1152.
Calcozol brown R CI 1151.
Calcozol brown RP CI 1151.
Calcozol golden orange RRTL CI 1037.
Calcozol golden orange RRTP CI 1037.
Calcozol khaki G Pr 122.
Calcozol olive R CI 1159.
Carbanthrene brown AR CI 1151.
Carbanthrene brown AG CI 1152.
Carbanthrene golden orange RRT CI 1037.
Carbanthrene prtg. golden orange RRT CI 1037.
Carbanthrene khaki 2G Pr 122.
Carbanthrene olive R CI 1159.
Cibanone brown RG CI 1152.
Cibanone brown GR CI 1151.
Cibanone golden orange 2R CI 1037.
Cibanone olive 2R CI 1159.
Indanthrene brown FRA CI 1151.
Indanthrene brown GA CI 1152.
Indanthrene brown GAF CI 1152.
Indanthrene brown GAP CI 1152.
Indanthrene brown GWF CI 1152.
Indanthrene brown GWP CI 1152.
Indanthrene brown RA CI 1151.
Indanthrene brown RAP CI 1151.
Indanthrene brown RWP CI 1151.
Indanthrene khaki 2GA Pr 122.
Indanthrene khaki 2GF Pr 122.
Indanthrene khaki 2GWP Pr 122.
Indanthrene olive green BA.
Indanthrene olive RA CI 1159.
Indanthrene olive RAP CI 1159.
Indanthrene olive RW CI 1159.
Indanthrene olive RWF CI 1159.
Indanthrene orange RRIA CI 1037.
Indanthrene orange RRTF CI 1037.
Indanthrene orange RRTP CI 1037.
Indanthrene orange RRTW CI 1037.
Indanthrene olive T.
Poncel brown AG CI 1152.
Poncel brown AR CI 1151.
Poncel brown ARS CI 1151.
Poncel green 2BL.
Poncel golden orange RRT CI 1037.
Poncel golden orange RRTS CI 1037.
Poncel khaki 2G Pr 122.
Poncel olive AR CI 1159.
Poncel olive ARS CI 1159.
Poncel olive GGL.

[F. R. Doc. 44-19003; Filed, Dec. 16, 1944; 11:18 a. m.]

PART 3230—TEXTILE, CLOTHING AND LEATHER

[General Conservation Order M-317, Direction 6 as Amended Dec. 15, 1944]

PRIORITIES ASSISTANCE FOR CLASS A AND CLASS B SHIPPINGS FOR GOVERNMENTAL AGENCIES AND INSTITUTIONS

The following amended direction is issued pursuant to General Conservation Order M-317:

(a) Governmental agencies and institutions (including hospitals, schools and orphanages), as defined in CMP Regulation 5A, may apply on Form WPB-2342 for pri-

orities assistance to obtain Class A and Class B sheetings to be used for their own use only and not for resale, as follows:

Mental hospitals: For inmates' sewing, underwear and dresses for manufacture in the hospital, bed linens, surgical gowns and other uniforms, orthopedic equipment, airplane splint covers, and cover cloth for laundry presses.

General hospitals: For surgical gowns and other uniforms, orthopedic equipment, airplane splint covers, and cover cloth for laundry presses.

Schools, orphanages, colleges and other institutions: For laundry pressing covers, and garments for food handlers.

Federal, State and local governmental agencies: For shroud cloth, orderlies' clothing, orthopedic equipment, airplane splint covers, surgical gowns and uniforms, folding cots, cover cloth for laundry presses, fire protection, equipment for forest rangers, survey parties, and for protective use in construction work.

(b) Applications must be filed on a quarterly basis with Government Bureau, Office of Civilian Requirements, War Production Board, Washington 25, D. C., not later than 15 days prior to the beginning of each calendar quarter. However, applications for priorities assistance for the first calendar quarter of 1945 may be filed not later than January 1, 1945.

(c) The total amount of Class A and Class B sheetings for which priorities assistance will be granted under this program in each calendar quarter is limited. Within the available supply applications will generally be granted on a pro rata basis, based on the actual consumption of the materials by the applicant in the quarter preceding the date of the filing of the application, taking into account the applicant's inventory on hand at the end of that quarter. New institutions and institutions and agencies whose consumption of these materials for the above listed uses during the preceding quarter was below their average quarterly consumption during the preceding year may, nevertheless, apply for their needs, and their applications will be processed on an equitable basis.

(d) No person may accept delivery of materials obtained with this priorities assistance that will result in his having on hand in excess of a 45 days' supply of the materials: *Provided, however,* That this shall not prevent the acceptance of deliveries of minimum procurable quantities.

(e) The preference rating assigned under this direction may be used by the applicant only to buy Class A or Class B sheetings. However, he may make arrangements with manufacturers of the finished items for the incorporation of the sheetings into the finished items to be actually delivered to the applicant.

(f) Orders shall be placed and the preference rating assigned under this direction shall be applied and extended in the manner provided in Priorities Regulations 1 and 3. The following certification shall be placed on all orders on which the rating is used:

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

This rating has been assigned under Form WPB-2842, Serial No. ____ (Insert the serial number.)

_____
(Name of Purchaser)

_____
(Address)

By_____
(Signature and Title of duly authorized officer.)

_____
(Date)

When the above is complied with, the requirements of M-317 and M-328 are met, and it is unnecessary to use any other notation.

Issued this 15th day of December 1944.

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

[F. R. Doc. 44-19065; Filed, Dec. 15, 1944; 4:30 p. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[General Conservation Order M-317, Direction 8]

PRIORITIES ASSISTANCE FOR COTTON YARNS FOR THE PRODUCTION OF CLOSURE TAPES, 1ST QUARTER 1945

The following direction is issued pursuant to General Conservation Order M-317:

Manufacturers of selvage closure tapes may apply on Form WPB-2842 for priorities assistance to obtain cotton yarns to be used for the manufacture of button and buttonhole tape, hook and eye tape, snap fastener tape and slide fastener tape. Applications must be filed with the War Production Board, Textile, Clothing and Leather Bureau, Washington 25, D. C., not later than December 26, 1944. Priorities assistance will be granted only for 30/2 and finer combed cotton yarns, and 16/2 to 26/2 carded cotton yarns. Yarns for which priorities assistance is given must be purchased for delivery not later than March 31, 1945, and must be consumed in the production of selvage closure tape prior to April 30, 1945. No person whose application is granted may purchase for delivery during the first calendar quarter of 1945 or during this period accept delivery of cotton yarns to be used for the production of closure tapes except upon a rated order.

The total amount of cotton yarn for which priorities assistance will be granted under this program is limited. If the applications received exceed the total quantity of yarn allotted to this program, applications will be granted pro rata.

Issued this 16th day of December 1944.

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

[F. R. Doc. 44-19087; Filed, Dec. 16, 1944; 11:18 a. m.]

PART 3900—SPECIAL ORDERS APPLICABLE TO THE TERRITORY OF HAWAII

[*Territory of Hawaii Order THO-6*]

REVOCATION OF CERTAIN HAWAIIAN WAR PRODUCTION BOARD REGULATIONS

§ 3900.6 *Territory of Hawaii Order THO-6.* (a) Hawaii Regulation No. 12, issued February 21, 1944, is hereby revoked.

(b) This revocation does not affect any liabilities incurred under the regulation revoked by this order.

(c) *Effective date.* This order shall take effect this 16th day of December, 1944.

Issued this 16th day of December 1944.

WAR PRODUCTION BOARD,
By JAMES F. MCINDOE,
Regional Priorities Manager, Region No. 10.

Confirmed:

J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-19089; Filed, Dec. 16, 1944; 11:19 a. m.]

PART 921—ALUMINUM AND MAGNESIUM

[Supplementary Order M-1-j as Amended Dec. 18, 1944]

ALUMINUM DISTRIBUTORS

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

§ 921.12 *Supplementary Order M-1-j*—(a) *Definitions.* For the purpose of this order:

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

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

(3) "Producer" means any person who manufactures aluminum.

(4) "Delivery" includes deliveries received on consignment.

(b) *Acquisition of aluminum.* A distributor may obtain delivery of aluminum in any of the following ways:

(1) *Purchase of idle or excess inventories.* A distributor may obtain delivery of aluminum from a holder of idle or excess inventories by a "special sale" under Priorities Regulation No. 13. He no longer needs authorization of the War Production Board to make such a purchase, but the aluminum, once acquired, may only be disposed of as provided in CMP Regulation No. 4 dealing with distributors.

(2) *Purchase from a producer.* A distributor may obtain delivery of aluminum from a producer only after receiving the specific authorization in writing of the War Production Board to do so. The specific authorization of the War Production Board will include written authorization to the distributor to use on his purchase orders for aluminum placed with producers or other distribu-

tors an AM symbol in either the 9500 or 9600 series. Assignments of AM numbers made prior to the issuance of this order shall remain in effect and constitute authorization to obtain delivery of aluminum from a producer to the extent provided below. The use of these AM numbers is subject to any conditions imposed by the War Production Board.

Orders on a producer bearing the symbol AM and a number in the 9500 series must, within the limit specified in the CMP Regulation No. 1, paragraph (t) and Direction 23 to that regulation, be accepted and filled by the producer as if they were authorized controlled material orders. Orders on a producer bearing the symbol AM and a number in the 9600 series may, but need not, be accepted by a producer; but any part of the order which is accepted must be filled as if it were an authorized controlled material order.[1]

Applications for authorization to place orders for aluminum on a producer and other distributors shall be made by letter in duplicate setting forth the relevant facts.

(3) *Purchase from another distributor.* A distributor who has been issued an AM number in either the 9500 or 9600 series may place an order for aluminum with another distributor. The other distributor may, but need not, fill any such order.

(c) *Reports.* Each distributor shall file monthly Form WPB-2685 dealing with shipments and unfilled past-due orders, and any other reports that may be required from time to time by the War Production Board, subject to the approval of the Bureau of the Budget under the Federal Reports Act of 1942.

(d) *General Provisions*—(1) *Communications to War Production Board.* All communications concerning this order should be addressed to the Warehouse Section, Aluminum and Magnesium Division, War Production Board, Washington 25, D. C., Reference M-1-j.

(2) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. 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) *Special instructions.* The War Production Board may from time to time issue instructions to distributors with respect to making, withholding, accepting or refusing deliveries.

(4) *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.

Issued this 18th day of December 1944.

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

[F. R. Doc. 44-19165; Filed, Dec. 19, 1944; 11:18 a. m.]

[1] It is the intention of the War Production Board to issue AM numbers in the 9500 series only to a distributor who was authorized to order aluminum from producers prior to April 1, 1944.

PART 1029—FARM MACHINERY

[Limitation Order L-257, Direction 5]

PRODUCTION DIRECTIVE FOR HAMES

The following direction is issued pursuant to Limitation Order L-257:

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of hames and of materials and facilities used in the production of hames for defense, for private account, and for export. It is deemed necessary and appropriate in the public interest and to promote the national defense to assign priority to orders for hames and to allocate materials and facilities available for the production of hames on the conditions and in the manner and to the extent set forth in the following direction to Order L-257:

(a) *Required production of hames.* Each producer of hames shall manufacture for sale in the United States, and accept and fill orders for, hames as follows: At least 40% by weight of his uncompleted annual quota of hames (as of December 16, 1944) under Schedule B of Order L-257, Item 223, by March 31, 1945, and at least 80% by June 30, 1945. Manufacture of hames under this direction shall take precedence over all other production in the hame producer's plant except for orders rated higher than AA-2. This direction does not permit any producer to make more than his quota of hames under Schedule B of Order L-257, but each hame producer is required to produce at least 80% of his uncompleted quota of hames in the manner specified above.

(b) *Appeals.* Any appeal from the provisions of this direction shall be made by filing a letter in triplicate with the War Production Board, Farm Machinery and Equipment Division, Washington 25, D. C., Ref: L-257, Direction 5, referring to the particular provision appealed from and stating fully the grounds of the appeal. An appeal for suspension of this direction may be made by any producer on the ground that compliance with it will result in production at a loss, provided that an application for price relief on that ground is first filed with the Secretary of the Office of Price Administration, Washington, D. C., and a copy is filed with the WPB appeal. If the WPB appeal is granted, requirements of this direction for increases above current production will be suspended until the decision by the Office of Price Administration upon the application for price relief. This paragraph does not indicate or limit the extent or kind of price relief, if any, which may be granted by the Office of Price Administration.

Issued this 16th day of December 1944.

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

[F. R. Doc. 44-19102; Filed, Dec. 16, 1944; 4:40 p. m.]

PART 1157—CONSTRUCTION MACHINERY

[Limitation Order L-53, as Amended Dec. 18, 1944]

TRACK-LAYING TRACTORS

§ 1157.1 *Limitation Order L-53*—(a) *What this order does.* This order restricts the sale and delivery of track-laying tractors.

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

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

(2) "Producer" means any person engaged in the manufacture of track-laying tractors.

(3) "Dealer" means any person engaged in the business of acquiring unused track-laying tractors for sale.

(4) "Track-laying tractor" means a vehicle powered by an internal combustion engine, used for pushing or pulling heavy loads and obtaining traction from a crawler or track-type device.

(5) "Unused" when applied to track-laying tractors means any track-laying tractor which has never been delivered to an ultimate consumer.

(c) *Restrictions on sale or delivery.* No producer or dealer shall sell or deliver any unused track-laying tractor to any person, and no person shall accept any sale or delivery of any unused track-laying tractor unless the sale or delivery is specifically authorized by the War Production Board on Form WPB-1319.[1]

Application for such authorization and for a preference rating must be made by filing the required number of copies of Form WPB-1319 with the War Production Board regional office in the region in which the purchaser desires to use the track-laying tractor, in accordance with the current instructions for the form. When a person receives authorization on Form WPB-1319 to purchase a track-laying tractor, he may give his supplier the authorization along with his purchase order, or, if he prefers, he may give the supplier a certification in substantially the following form: "Authorized under Order L-53—on Form WPB-1319, Case No. ....." This certification shall constitute a representation to the War Production Board that the purchase or delivery of the track-laying tractor ordered has been specifically authorized by the War Production Board on Form WPB-1319.

(d) *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 wilfully violates any provisions of this or-

[1] The use of this form has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

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

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

(4) *Communications.* All reports required to be filed hereunder and all other communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Construction Machinery Division, Washington 25, D. C., Ref: L-53.

Issued this 18th day of December 1944.

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

[F. R. Doc. 44-19162; Filed, Dec. 18, 1944, 11:17 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 1, Direction 49, as Amended Dec. 18, 1944]

ACCEPTANCE OF ORDERS AND SHIPMENT OF ALUMINUM INGOT (INCLUDING PIG, BILLETS, SLABS AND SIMILAR RAW FORMS)

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

(a) This direction explains the conditions under which aluminum ingot producers and smelters may accept orders for and make shipment of aluminum ingot, and the method of reporting such shipments on Form WPB-2593 (formerly CMP-23). The term "ingot", as used in this direction includes pig, slabs, billets, shot and similar other raw forms. It does not include powder, flake, paste or pigment.

(b) Aluminum ingot may be delivered only to fill authorized controlled material orders and "AM" orders as follows:

(1) *Authorized Controlled Material Orders.* (i) Placed by the War Department only and bearing the symbol "W" or "O". The War Department will order ingot only for use in their own establishments.

(ii) For export under a program of the Foreign Economic Administration. These orders for aluminum ingot will bear allotment numbers in the "E" or "L" series and may be placed by the United States Treasury Department, or by another person on the basis of an export license.

(iii) Bearing CMP allotment numbers of which the first four digits follow in the series S-2950 through S-2975. Allotments are made in this series only for destructive or similar direct use of aluminum. Application for allotments for these purposes should be made on Form WPB-2360 to the War Production Board, Washington 25, D. C.

(iv) Bearing the CMP allotment symbols "MRO-P-43" or "V-9". These symbols are used by persons purchasing aluminum ingot for experimental and research work under Order P-43.

(v) For use in casting patterns by foundries which do not have AM authorization numbers. Such orders should be designated "MRO patterns".

No other CMP allotment symbols are acceptable as authority for shipment of aluminum ingot. In any instance, in which the consumer wishes to purchase aluminum ingot under the MRO symbol, except for those uses permitted under paragraphs (b) (1) (iv) and (b) (1) (v), above; he should be referred to the Ingot Section of the Aluminum and Magnesium Division.

(2) "AM" orders bearing a number in the series listed below: [1]

AM-0100 through AM-0499 usable by producers and smelters of aluminum ingot.

AM-0500 through AM-0599 usable by aluminum powder manufacturers.

AM-1000 through AM-1099 usable by producers of aluminum rolled rod and bar.

AM-1100 through AM-1199 usable by producers of aluminum rolled structural shapes.

AM-3000 through AM-3999 usable by aluminum forge shops.

AM-4000 through AM-4099 usable by producers of aluminum extruded products.

AM-6000 through AM-6099 usable by producers of aluminum sheet, strip and plate.

AM-7000 through AM-9499 usable by aluminum foundries and die casting plants.

AM-9500 through AM-9699 usable by aluminum warehouses under the provisions of Order M-1-j.

No other "AM" authorization numbers are acceptable for the shipment of aluminum ingot. An "AM" order placed with an ingot producer as provided above must be accepted and filled as though it were an authorized controlled material order.

(c) In reporting shipments of ingot on Form WPB-2593, show the full CMP allotment number if it falls in the S-2950 to S-2975 series. Only the abbreviated CMP allotment number (Claimant Agency letter and first program number) need be shown for shipments on allotment numbers in the "E", "L", "O", or "W" series. For shipments on "AM" numbers show the full "AM" authorization number.

(d) Any questions concerning authorization for the movement of aluminum ingot should be addressed to the attention of the Ingot Section, Aluminum and Magnesium Division, War Production Board, Washington 25, D. C.

(e) This direction supersedes aluminum directive P-8, dated October 1, 1943, and any previous instructions or directives relative to the acceptance of orders for shipment of aluminum ingot, and paragraph (t) (3) (i) of CMP Regulation No. 1. Aluminum Directive No. P-3, dated July 15, 1943, to "approved" aluminum smelters is hereby revoked.

Issued this 18th day of December 1944.

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

[F. R. Doc. 44-19161; Filed, Dec. 18, 1944; 11:18 a. m.]

[1] Orders for aluminum ingot are identified by authorization numbers preceded by the symbol "AM". These numbers are assigned to aluminum producers, smelters, fabricators, and foundries as authority to purchase aluminum for further fabrication into other forms of aluminum controlled materials, and warehouses for stocking aluminum for resale. If a person or firm wishes to purchase aluminum ingot for such fabrication and does not have such an authorization number, he should be referred to the Ingot Section, Aluminum and Magnesium Division, War Production Board.

PART 3285—LUMBER AND LUMBER PRODUCTS

[Order L-335, Direction 6, as Amended Dec. 18, 1944]

SET-ASIDE OF CERTAIN HARDWOOD LUMBER FOR MILITARY ORDERS

Direction 6 to Order L-335 is amended to read as follows:

(a) *What sawmills are covered by this direction.* This direction applies only to sawmills located in the United States which produce hardwood lumber.

(b) *Mills producing over 5,000 feet must sell hardwood on certified orders.* Every sawmill which currently produces 5,000 or more board feet of lumber (whether hardwood lumber or not) per average day of 8 hours of continuous operation or which produced an average of 5,000 or more board feet of lumber per day during the days from June 3, 1943 to December 3, 1943 on which it was in operation is prohibited from delivering any hardwood lumber that it produces except on certified orders. This requirement does not apply to deliveries of culls and rejects which a sawmill delivers in accordance with paragraph (e) of Direction 7 to Order L-335.

(c) *Prohibition against sale, delivery or transfer of certain grades and species of hardwood lumber except on orders of the Central Procuring Agency.* Every sawmill which currently produces 5,000 or more board feet of hardwood lumber per average day of 8 hours of continuous operation is prohibited from selling, transferring or delivering to consumers or distributors any 5/4 or 6/4 #1 common and better white oak including WHND, red oak, birch, beech, pecan, rock elm, hard maple and tough white ash except on orders covered by Memorandum of Purchase issued by the Central Procuring Agency, Procurement Division of the United States Corps of Engineers on ED form 526, commonly known as "Purchase Allocation", or as permitted as result of an appeal filed with the War Production Board, in accordance with the provisions of paragraph (y) (9) of Order L-335. The provisions of this direction are not to be construed as prohibiting sales, transfers or deliveries of lumber between sawmills nor does it restrict the transfer of white ash to ash specialists under Direction 11 of L-335. However, white ash specialists in selling, transferring or delivering white ash to consumers and distributors must comply with the above provisions of this direction.

(d) *Sawmills producing less than 5,000 board feet not getting certified orders may ship on uncertified orders.* Any sawmill defined in paragraph (a) which is smaller than the type of sawmill included in paragraph (b) must accept certified orders (whether military or not) of consumers and distributors offered it in accordance with paragraphs (x) (1) and (x) (2) of Order L-335 but if such a sawmill has not been offered certified orders for all of its lumber it may ship the balance to lumber distributors or consumers on uncertified and unrated orders. A shipment of lumber on an uncertified and un-

rated order must not be made if it will interfere with the filling of a certified order.

Issued this 18th day of December 1944.

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

[F. R. Doc. 44-19164; Filed, Dec. 18, 1944; 11:17 a. m.]

PART 3290—TEXTILES, CLOTHING AND LEATHER

[General Conservation Order M-310, Gen. Direction 11]

REQUIRED PRODUCTION OF HEAVY MILITARY UPPER LEATHER

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

Effective immediately, each person tanning any heavy military side upper leather (excluding cuff and gusset retan) is hereby directed not to process any cattlehides into shoe upper leather nor to sell, deliver or use any such leather unless he complies with the following requirements:

In his operations, all cattlehides, except green salted domestic cow and steer hides weighing individually over 60 pounds, which will make heavy military side upper leather gauging 4½ ounces or heavier (as measured by the Woburn Machine Company's gauge or its equivalent) shall be made into either flesh finish, or russet grain finish, or black grain finish, chrome retan side upper leather or waterproof side upper leather. All such leather meeting military specifications for military footwear shall be sold, delivered or used only in filling military orders as defined in paragraph (a) (5) of General Conservation Order M-310. The foregoing requirements are subject to the following exceptions:

(1) Any cattlehide leather meeting military specifications for military footwear may be made, sold, delivered or used to the extent necessary to meet actual military orders.

(2) Mechanical leathers may be made, sold, delivered or used to the extent necessary to meet actual orders for such leather.

(3) Waterproof side upper leather may be made, sold, delivered or used to the extent necessary to fill purchase orders, bearing thereon a statement that the leather is to be used for loggers' boots.

Issued this 16th day of December 1944.

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

[F. R. Doc. 44-19103; Filed, Dec. 16, 1944; 4:40 p. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-328, Gen. Direction 4]

PRODUCTION OF MEN'S HEAVY WEIGHT UNION SUITS—JANUARY 1945

The following direction is issued pursuant to Conservation Order M-328:

(a) *Production quotas.* Each person in the business of producing knit underwear, who in January 1944 produced any men's heavy weight union suits, shall during the month of January 1945, produce, and accept and fill orders for, at least as many dozens of men's heavy weight union suits as he produced during the month of January 1944. Production of men's heavy weight union suits on orders of or for the account of the U. S. Army or Navy shall be excluded in computing these quotas.

(b) *Priorities assistance.* Any person who is unable to obtain without priorities assistance sufficient cotton knitting yarn or cotton broad woven fabrics for findings to be able to comply with the provisions of paragraph (a) must file with the War Production Board, Textile, Clothing and Leather Bureau, Washington 25, D. C., by December 23, 1944, an application on Form WPB-2812 for priorities assistance to obtain sufficient cotton knitting yarn and cotton broad woven fabrics to complete the required production. A preference rating will be assigned to such applicants to obtain sufficient cotton knitting yarn and cambric, sateen, twill, jean cloth or similar fabrics customarily used for facings, bindings, and stays to complete the production of the number of garments required.

(c) *Definition.* "Men's heavy weight union suits" means men's knit union suits, over 9 lbs. per dozen in weight based on size 42, long sleeves, ankle length.

Issued this 16th day of December 1944.

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

[F. R. Doc. 44-19020; Filed, Dec. 16, 1944; 11:18 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-323, Direction 5]

PROVISIONS APPLICABLE TO TEXTILES, CLOTHING AND RELATED PRODUCTS

The following direction is issued pursuant to Conservation Order M-323:

(1) For the purpose of this direction: "overcoats" means men's overcoats, topcoats and other types of outer coat, whether a uniform or for civilian use; and "coats" means men's coats, whether separate or as part of a suit, whether a uniform or for civilian use and includes overcoats.

(2) No person is affected by this direction unless between July 1, 1944 and September 30, 1944, he cut and sewed, cut and had sewn for his account, or sewed at least 1,750 men's overcoats, or 7,000 men's coats (defined to include overcoats) from wool cloth. No plant owned or operated by the U. S. Navy is affected by this direction.

(3) Between January 1, 1945 and April 30, 1945, no person shall cut and sew, or cut and have sewn for his account, any cloth containing wool for the production of men's clothing unless he complies within the times hereinafter set forth with the following requirements:

(i) On or before January 1, 1945, such person shall accept from the U. S. Army contracts to produce a quantity of Army overcoats at least equal to all overcoats produced by him between July 1, 1944 and September 30, 1944, or equal to 25% of the total number of all coats (defined to include overcoats) produced by him during such period, whichever quantity is larger, and shall agree to deliver them in equal installments in the months of February, March and April 1945, or in such other proportions as are designated in the Army contract.

(ii) One week after delivery to such person by the U. S. Army of the uncut cloth necessary to begin performance of his contract to produce Army overcoats, he shall put no cloth into the first sewing machine operation unless he first puts into such operation a quantity of Army cut cloth at least sufficient to maintain a ratio of production of Army overcoats to total production of all coats not less than the ratio of his production of overcoats to his total production of all coats during the base period from July 1, 1944 through September 30, 1944, but in no event less than the ratio of 25% of his total production of all coats during such base period, whichever ratio will result in the greater rate of production of Army overcoats.

(iii) Beginning four weeks after Army cut cloth has been put into the first sewing machine operation, such person shall not thereafter finish or complete the production of any men's civilian overcoats or coats unless he is currently delivering overcoats to meet the terms of his contract for Army overcoats.

(4) Between January 1, 1945 and April 30, 1945, no person shall sew for the account of others any cloth containing wool for the production of men's clothing unless he complies within the times hereinafter set forth with the following requirements:

(i) Whenever after January 1, 1945, such person shall be offered a contract to sew Army overcoats, he shall contract to produce a quantity of Army overcoats at least equal to all overcoats produced by him between July 1, 1944 and September 30, 1944, or equal to 25% of the total number of all coats produced by him during such period, whichever quantity is larger, and shall agree to deliver them in equal installments in the months of February, March and April of 1945, or in such other proportions as may be required to fill the Army contract.

(ii) Whenever after January 1, 1945, such person shall receive cut cloth for the production of Army overcoats he shall thereafter put no cloth into the first sewing machine operation unless he first puts into such operation a quantity of Army cut cloth at least sufficient to maintain a ratio of production of Army overcoats to total production of all coats not less than the ratio of his production of overcoats to his total production of all coats during the base period from July 1, 1944 through September 30, 1944, but in no event less than the ratio of 25% of his total production of all coats during such base period, whichever ratio will result in the greater rate of production of Army overcoats.

(iii) Beginning four weeks after he has first put into the first sewing machine operation Army cut cloth for the production of Army overcoats, such person shall not thereafter finish or complete the production of any men's civilian overcoats or coats unless he is currently delivering overcoats to meet the terms of his contract for Army overcoats.

(5) All of the above requirements shall remain in full force and effect until April 30, 1945, unless the person affected receives from the Quartermaster General a written statement that he does not want overcoats from such person's facilities for the period from January 1, 1945, to April 30, 1945.

Issued this 16th day of December 1944.

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

[F. R. Doc. 44-19104; Filed, Dec. 16, 1944; 4:40 p. m.]

PART 3305—PAPERBOARD

[Limitation Order L-239, as Amended Sept. 13, 1944, Amdt. 1]

FOLDING AND SET-UP BOXES

Section 3305.16 *Limitation Order L-239* is amended as follows:

The words "77 lbs." appearing in paragraph (a) (3) of Schedule 2 shall be changed to read "82 lbs.".

Issued this 16th of December 1944.

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

[F. R. Doc. 44-19163; Filed, Dec. 18, 1944; 11:17 a. m.]

Chapter XI—Office of Price Administration

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

[RMPR 143,[1] Amdt. 3]

WHOLESALE PRICES FOR NEW RUBBER TIRES AND TUBES

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.*

Sections 3 and 4 are amended by substituting the date "April 15, 1945," for the date "December 15, 1944," wherever the latter appears.

This amendment shall become effective December 15, 1944.

Issued this 15th day of December 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-19066; Filed, Dec. 15, 1944; 4:29 p. m.]

PART 1391—BICYCLES AND BICYCLE EQUIPMENT

[MPR 158, Amdt. 3]

RESALE OF WAR BICYCLES—DISTRIBUTORS AND DEALERS

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

Maximum Price Regulation No. 158 is amended in the following respects:

1. Section 1391.51 (a) is amended to read as follows:

(a) No person shall sell or deliver any war bicycle at a price higher than the maximum price permitted by this Maximum Price Regulation No. 158: Provided, however, that this Maximum Price Regulation No. 158 shall not apply to sales by manufacturers, for which maximum prices are established under Maximum Price Regulation No. 188.

2. Section 1391.52 is amended to read as follows:

§ 1391.52 *Maximum prices for sales of war bicycles in the continental United States.* The maximum price for the sale of a war bicycle in the continental United States shall be the basic maximum price listed below, plus the applicable zone differential.

(a) The basic maximum price for the sale of a lightweight conventional war bicycle shall be:

(1) For a sale at wholesale $23.75 f. o. b. point of shipment, subject to discount of 2 percent for cash within ten days.

(2) For a sale at retail (except by mail order) the lower of the following:

(i) The net cost to the seller plus $10.00; or
(ii) $32.50.

(3) For a sale by mail order $29.50 f. o. b. seller's usual point of shipment.

(b) The basic maximum price for the sale of a balloon-tire conventional war bicycle shall be:

(1) For a sale at wholesale $25.40 f. o. b. point of shipment, subject to discount of 2 percent for cash within ten days.

(2) For a sale at retail (except by mail order) the lower of the following:

(i) The net cost to the seller plus $10.70; or
(ii) $34.75.

(3) For a sale by mail order, the seller's published catalog price in March 1942 for the same or similar bicycle then offered for sale, f. o. b. the seller's usual point of shipment.

(c) The basic maximum price for the sale of a lightweight folding war bicycle shall be:

(1) For a sale at wholesale $31.97 f. o. b. point of shipment, subject to discount of 2 percent for cash within ten days.

(2) For a sale at retail $41.75 delivered.

(d) The basic maximum price for the sale of a balloon-tire folding war bicycle shall be:

(1) For a sale at wholesale $34.20 f. o. b. point of original shipment, subject to a discount of 2 percent for cash within ten days.

(2) For a sale at retail $44.50 delivered.

To the above maximum prices for conventional bicycles equipped with a bicycle lamp, the same as or similar to one supplied by a manufacturer as original equipment in March 1942, may be added the following:

(i) $.75 at wholesale.
(ii) $1.00 at retail.

3. Section 1391.53 is amended to read as follows:

§ 1391.53 *Additions to maximum prices for zone differentials*—(a) *Mid-west zone.* The following differentials may be added to the applicable basic maximum prices for sales made from the seller's stock in the mid-west zone: *Provided,* That such addition does not result in a maximum price which exceeds the net cost to the seller by more than $10.00 for a lightweight conventional bicycle and $10.70 for a balloon-tire conventional bicycle.

(1) For sales at wholesale $0.75 per bicycle for lightweight war bicycles and $0.80 per bicycle for balloon-tire war bicycles.

(2) For sales at retail, $1.00 per bicycle for lightweight war bicycles, and $1.10 per bicycle for balloon-tire war bicycles.

(b) *Far west zone.* The following differentials may be added to the applicable basic maximum price for sales made from the seller's stock in the far west zone: *Provided,* That such addition does not result in a maximum price which exceeds the net cost to the seller by more than $10.00 for a lightweight conventional bicycle, or $10.70 for a balloon-tire conventional bicycle.

(1) For sales at wholesale, $1.50 per bicycle for lightweight war bicycles, and $1.60 per bicycle for balloon-tire war bicycles.

(2) For sales at retail $2.00 per bicycle for lightweight bicycles, and $2.20 for balloon-tire bicycles.

4. Section 1391.53a is amended to read as follows:

§ 1391.53a *Maximum prices for sales of war bicycles in the territories and possessions.* For a sale or delivery of a war bicycle in a territory or possession of the United States, the maximum prices shall be as follows:

(a) For a sale at wholesale of a war bicycle imported by the seller from the continental United States, the maximum price is the seller's direct cost plus $3.00 for a lightweight bicycle, or $3.25 for a balloon-tire bicycle, f. o. b. seller's point of shipment, subject to discount of 2 per cent for cash within ten days.

(b) For a sale at retail of a war bicycle which the seller purchases directly from the manufacturer, the maximum price is the seller's direct cost plus $10.00 for a lightweight bicycle, or $10.70 for a balloon-tire bicycle.

(c) For a sale at retail of a war bicycle which the seller purchased from a wholesaler in the continental United States or from a wholesaler who imported it from the continental United States, the maximum price is the seller's direct-cost plus $8.25 for a lightweight conventional bicycle and $8.85 for a balloon-tire conventional bicycle, $9.50 for a lightweight folding bicycle, and $10.15 for a balloon-tire folding bicycle.

(d) For all sales other than those for which maximum prices are established by paragraphs (a), (b), and (c) of this § 1391.53a, the maximum price is the price paid by the seller.

5. Section 1391.65 (b) is amended to read as follows:

(b) "War bicycle" means a civilian type bicycle manufactured within the limitations of War Production Board Limitation Order L-52 as amended. Four types of war bicycles are defined as follows:

(1) A "lightweight folding" war bicycle means a war bicycle which has a two-piece frame assembled by means of a locking device, tires of approximately 26 x 1⅜ inches in size, folding handle bars, chain guard and a kick stand.

(2) A "balloon-tire folding" war bicycle means a war bicycle which has a two-piece frame assembled by means of a locking device, tires of approximately 26 x 2⅛ inches in size, folding handle bars, chain guard and a kick stand.

(3) A "lightweight conventional" war bicycle means a war bicycle which has a conventional type frame and tires of approximately 26 x 1⅜ inches in size.

(4) A "conventional balloon-tire" war bicycle means a war bicycle which has a conventional type frame, tires of approximately 26 x 2⅛ inches in size, chain guard and kick stand.

6. Section 1391.65 (c) is amended to read as follows:

(c) "Sale at wholesale" means a sale by a person who buys a war bicycle and resells it, without substantially altering

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

[1] 9 F.R. 4286, 7260, 12270.

it, to any person other than the ultimate consumer.

This amendment shall become effective on the 18th day of December 1944.

Issued this 16th day of December 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-19114; Filed, Dec. 16, 1944; 5:14 p. m.]

PART 1499—COMMODITIES AND SERVICES

[MPR 188, Amdt. 47]

WHEEL GOODS

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

Maximum Price Regulation No. 188 is amended in the following respect:

Paragraph (b) (16) of § 1499.166, Appendix A is amended to read as follows:

(16) Wheel goods:

Baby carriages.
Bicycles.
Bicycle accessories and parts, except tires and tubes.
Go-carts.
Motor bicycles, motor scooters, and power cycles.
Wheel chairs.

This amendment shall become effective on the 18th day of December 1944.

Issued this 16th day of December 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-19113; Filed, Dec. 16, 1944; 5:14 p. m.]

PART 1305—ADMINISTRATION

[Supp. Order 92,[1] Amdt. 9]

GREY DUCK

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

In Table I of § 1305.120 (b), Reference No. 2, relating to ducks (in the grey), is hereby revoked.

This amendment shall become effective December 16, 1944.

Issued this 16th day of December 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-19112; Filed, Dec. 16, 1944; 5:14 p. m.]

PART 1358—TOBACCO

[RMPR 494]

DOMESTIC CIGAR FILLER AND BINDER TOBACCOS

Maximum Price Regulation No. 494 is redesignated Revised Maximum Price Regulation No. 494, and is revised and amended to read as follows:

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

ARTICLE I—EXPLANATION OF THE REGULATION

Sec.
1. Explanation of the regulation.
2. Certain definitions.

ARTICLE II—PRICES AND PRICING METHODS

3. Maximum prices for sales of domestic cigar filler and binder tobaccos by growers and grower-cooperatives.
4. Maximum prices for sales of domestic cigar filler and binder tobaccos by packers.
5. Maximum prices for sales of domestic cigar filler and binder tobaccos by dealers and jobbers.
6. Maximum prices for sales of domestic cigar filler and binder tobaccos by manufacturers.
7. Maximum prices for sellers unable to price under sections 4, 5, or 6.
8. Customary discounts and allowances.
9. Adjustable pricing.

ARTICLE III—GENERAL PROVISIONS

10. Geographical applicability.
11. Export sales.
12. Records.
13. Compliance with regulation.
14. Petitions for amendment.

AUTHORITY: § 1358.255 issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

ARTICLE I—EXPLANATION OF THE REGULATION

SECTION 1. *Explanation of the regulation.* The purpose of this regulation is to establish maximum prices and pricing methods for purchases and sales of the following types of domestic cigar filler and binder tobaccos:

Cigar filler types:
Type 41 Pennsylvania Seedleaf.
Type 42 Ohio—Gebhardt and Hybrid Types (Seedleaf).
Type 43 Ohio—Zimmer or Spanish (Havana Type).
Type 44 Ohio—Dutch or Little Dutch.
Cigar binder types:
Type 51 Connecticut Broadleaf.
Type 52 Connecticut Havana Seed.
Type 53 New York and Pennsylvania Havana Seed.
Type 54 Southern Wisconsin, except Grant County.
Type 55 Northern Wisconsin, including Grant County.

Specific cents per pound maximum prices are established at the grower level for sales of each of the listed types and, except for types 52 and 53, for specified grades of each type. The listed grades of each type are as follows:

Fillers:
Type 41 Wrapper B's, Farm fillers, Strip straight.
Type 42-44, inclusive. Wrappers and fillers Strip Straight, Farmer's trash.
Binders:
Type 51 Run of crop (Unsorted in bundles), Sorted tobacco (not including Farmer's trash), Farmer's Trash.
Types 52 and 53 Run of crop.
Types 54 and 55 Wrappers and binders, Stemming ends, Strip straight, Farmer's trash.

The regulation applies to you if you are a grower, packer, dealer or jobber of this tobacco, or if you buy this tobacco from any grower, packer, dealer or jobber. It fixes maximum prices for sales and purchases of the tobacco in the continental United States. The maximum prices and pricing methods may be found in sections 3, 4, 5 and 6.

SEC. 2. *Certain definitions.* (a) When used in this regulation the term:

(1) "Domestic cigar filler type tobacco" means U. S. Types Nos. 41, 42, 43 and 44, as specified in Regulatory Announcement No. 118 of the Bureau of Agricultural Economics, United States Department of Agriculture, and as further defined below:

"Type 42 Ohio—Gebhardt" means a Broadleaf type tobacco also known as Seedleaf.

"Type 42 Ohio—Hybrid" means a crossed seed Broadleaf type, classified as Seedleaf.

"Type 43 Ohio—Zimmer or Spanish" means a Havana Seed type.

"Type 44 Ohio—Dutch or Little Dutch" means a very narrow Seedleaf type.

"Domestic cigar binder type tobacco" means U. S. types Nos. 51, 52, 53, 54, and 55, as specified in Regulatory Announcement No. 118 of the Bureau of Agricultural Economics, United States Department of Agriculture, except that for purposes of this regulation, binder type tobacco grown in Grant County, Wisconsin (type 54), shall be considered as type 55.

(2) "Grade" means a subdivision of the type of tobacco according to group and quality, and according to color when color is treated as a separate factor.

(3) "Priming" means a packing of tobacco.

(4) "Green weight" means the weight of the tobacco at its first weighing after delivery or acceptance in the bundle and after being cured in a shed.

(5) "Selling weight" means the weight of the tobacco when invoiced.

(6) "Sorted tobacco" means tobacco separated by grades.

(7) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or a legal successor or representative of any of the foregoing, and includes the United States Government, any other government, or any political subdivision or agency of the foregoing.

(8) "Grower-cooperative" means a non-profit organization operating in conformity with the provisions of the Capper-Volstead Act and engaged in the business of buying or receiving and selling tobacco.

(9) "Packer" means a person who, with respect to the tobacco being priced, sweats, sorts, bundles, sizes, bales, cases, or otherwise processes this tobacco for use by a manufacturer of tobacco products. A manufacturer shall be deemed a packer of any tobacco with respect to which he performs or causes to be performed for his account, any of these functions. A grower shall not be deemed a packer solely because he sorts, bundles or cases tobacco after curing and prior to its first weighing after delivery.

(10) "Dealer" or "Jobber" means any person other than a packer or a manufacturer who, with respect to the tobacco

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

[1] 9 F.R. 7502.

being priced, purchases it in packed form or as low grades and holds or offers such tobacco for resale.

(11) "Seller of the same class" means a seller of the same type (packer, dealer, jobber or manufacturer) performing the same primary function (packing, reselling or manufacturing), dealing in the same type of tobacco and selling to the same class of purchaser.

(12) "Purchaser of the same class" means a purchaser of the same type (packer, dealer, jobber or manufacturer, or a government agency) for whom the seller has adopted a practice of setting different prices depending on the quantity purchased, the grades purchased, the area within which the purchaser is located, or other conditions of sale.

(13) "Affiliate" means a person so related to another by reason of the method of or circumstances surrounding its organization or operation as to make it reasonable to believe that its affairs will be managed or operated in the interests of the other. Existence of common officers, directors, stockholders or membership, or the existence of common ownership through a holding company or companies, or voting trust or trusts, shall be deemed prima facie evidence of affiliation.

(14) "Initial credit terms" means terms fixing the time for payment of the purchase price agreed to by a seller and purchaser at or prior to delivery of the tobacco being priced.

(15) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer, deliver and contracts and offers to do any of the foregoing. The terms "sale", "selling", "sold", "seller", "buy", "purchase" and "purchaser" shall be construed accordingly.

(16) "Net delivered cost" means the amount you paid for the tobacco delivered at your customary receiving point, less all discounts except that for prompt payment. No charges for local hauling or trucking shall be included. Net delivered cost of a packer who grows the tobacco packed and sold by him shall be the farm level price set forth in Tables I and II, section 3, for the type and grade of the tobacco being priced.

(17) "Low grade" means a grade of a particular type of domestic cigar filler or binder tobacco resulting from sorting, packing or other warehousing operations. The term refers to the following grades of cigar filler and binder tobaccos in the localities indicated:

FILLERS

PENNSYLVANIA

Farm fillers.
Strip straight (including seconds).
Warehouse sprigs.
Warehouse throw-outs.

OHIO

Farm fillers.
Farmer's trash.
Warehouse sprigs.
Warehouse throw-outs.
Warehouse leaves.

BINDERS

CONNECTICUT

Havana seed: Warehouse stemming.
Broadleaf:
Farm fillers.
Farmer's trash.
Farmer's stemming.

NEW YORK AND PENNSYLVANIA

Havana seed:
Farm fillers.
Stemming ends.

WISCONSIN

Stemming ends and farm fillers.
Strip Straight.
Farmer's trash.
Warehouse stemming.
Warehouse throw-outs.

(18) "Packing costs" means the lawful cost of direct labor and materials incurred by the packer in processing the tobacco being priced. The term does not include costs normally considered indirect expense in established accounting practice, such as plant or general overhead, office expense, management salaries, taxes or other indirect expense.

(19) "Records" means written evidence of transactions, including books of account, price lists, sales lists and slips, orders, vouchers, contracts, receipts, invoices, bills of lading, copies of letters requesting establishment of maximum prices, or reports to the Office of Price Administration, and other papers or documents necessary to determine prices charged or paid.

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

ARTICLE II—PRICES AND PRICING METHODS

SEC. 3. *Maximum prices for sales of domestic cigar filler and binder tobaccos by growers and grower-cooperatives*—(a) *For growers.* If you are a grower, your maximum price per pound, selling weight, for a type of domestic cigar filler or binder tobacco of a particular grade listed in Table I or Table II shall be as follows:

TABLE I—FILLERS

Type		Grade	Cents per pound selling weight
41	Pennsylvania seedleaf.	Wrapper-B's table sized.	[2] 21
		Farm fillers	[2] 7
		Strip straight	[2] 11
42	Ohio-Gebhardt and hybrid types (seedleaf).	Wrappers and fillers.	[1] [2] 18
		Strip straight	[1] [2] 14
		Farmer's trash	[1] [2] 4
43	Ohio-Zimmer and Spanish (Havana type).	Wrappers and fillers.	[1] [2] 18
		Strip straight	[1] [2] 14
		Farmer's trash	[1] [2] 4
44	Ohio-Dutch or Little Dutch.	Wrappers and fillers.	[1] [2] 20
		Strip straight	[1] [2] 14
		Farmer's trash	[1] [2] 4

[1] Price includes tobacco packed in cases where cases are furnished by buyer. If grower furnishes cases, following rules apply: (a) For new cases, grower may charge in addition to maximum price of tobacco the lower of (a) the actual cost of the new cases or (b) the maximum price for such cases established under Maximum Price Regulation No. 195—Industrial Wooden Boxes, or other maximum price regulations of the Office of Price Administration.

(b) For used cases, grower may charge in addition to maximum price of tobacco the lower of (a) the actual cost to him of such used cases or (b) $2.50 per case.

[2] Delivery expense to be paid by buyer. If delivery is made by grower, in vehicle owned and controlled by him, transportation cost charged to buyer shall not exceed the following:

Over—	But not over—	Cents per 100 pounds
0 miles	5 miles	16
5 miles	10 miles	17
10 miles	20 miles	18
20 miles	30 miles	20
30 miles	40 miles	21
40 miles	50 miles	23
50 miles [1]		

[1] Not in excess of the rail carload rate from the station nearest to the point of origin to the station nearest to the destination.

TABLE II—BINDERS

Type		Grade	Cents per pound selling weight [1]
51	Connecticut broadleaf.	Run of crop (unsorted in bundle).	[2] 40
		Sorted tobacco (not including farmer's trash).	[2] 49
		Farmer's trash	[3] 5
52	Connecticut Havana seed.	Run of crop	[2] 40
53	New York and Pennsylvania Havana seed.	Run of crop	22
54	Southern Wisconsin, except Grant County.	Sorting or binders.	[3] 25
		Stemming ends	[3] 12
		Strip straight	[3] 15
		Farmer's trash	[3] 4
55	Northern Wisconsin, (including Grant County).	Sorting or binders.	[3] 30
		Stemming ends	[3] 12
		Strip straight	[3] 15
		Farmer's trash	[3] 4

[1] Price includes delivery to buyer's nearest receiving point.

[2] Deduct 1% from total receiving weight of tobacco wrapped in bundles to compensate for weight of paper and twine.

[3] Deduct from total selling weight of tobacco wrapped in bundles one pound for each six bundles, to compensate for weight of paper and twine.

(b) *For grower cooperatives.* If you are a grower-cooperative, your maximum price per pound, selling weight, for a particular grade of domestic cigar filler or binder tobacco shown in Tables I and II shall be the maximum selling price for growers set forth in Table I or II of this section for such listed type and grade plus one (1) cent per pound.

SEC. 4. *Maximum prices for sales of domestic cigar filler and binder tobaccos by packers*—(a) *Maximum prices for Types 41, 42, 43, 44, 53, 54 and 55.* If you are a packer of Type 41 (Pennsylvania Seedleaf), Type 42 (Ohio-Gebhardt and Hybrid Types (Seedleaf), Type 43 (Ohio-Zimmer or Spanish (Havana Seed Type), Type 44 (Ohio-Dutch or Little Dutch), Type 53 (New York and Pennsylvania Havana Seed), Type 54 (Southern Wisconsin, except Grant County) and Type 55 (Northern Wisconsin, including Grant County), domestic cigar filler and binder tobaccos. Your maximum prices for your sales of each of those types of tobacco which you sell as a packer shall be computed as follows:

(i) Ascertain your net delivered cost per pound for all of each type of the above-described tobacco which you sell as a packer;

(ii) Multiply each figure at (i) by 130%;

(iii) Add to the appropriate figure at (ii) your per pound packing costs allocable to the type of tobacco being priced.

In computing your maximum price for a particular sale, you may apply a markup factor in excess of 130% of your net delivered cost for the type of tobacco being priced if, (but only if) the total of your selling prices for the sale and for all your previous sales of that type of tobacco does not exceed 130% of your net delivered cost for all such tobacco, plus applicable packing costs.

This provision shall not apply to types of filler and binder tobaccos of the 1943 and prior crops.

(b) *Maximum prices for Types 51 and 52*—(1) Listed grades. If you are a packer of Type 51 (Connecticut Broadleaf) or Type 52 (Connecticut Havana Seed) domestic cigar binder tobacco, your maximum price per pound, selling weight, of a particular grade listed in Table IV shall be as follows:

TABLE IV

TYPE 51—CONNECTICUT BROADLEAF

Grades:	*Cents per pound selling weight*
Light wrapper	1.25
Mediums	.70
Long seconds	.90
Short seconds	.80
Dark wrappers	.60
#2 Dark wrappers	.45
#2 Long seconds	.80
43's	.55
Tops	.35
Brokes	.50
42's	.45
Loose leaves, Stemming, Wet	.17

TYPE 52—CONNECTICUT HAVANA SEED

Grades:	*Cents per pound selling weight*
Light wrappers	1.50
14" #1 seconds	.40
16" #1 seconds	.50
18" up #1 seconds	.75
14" #2 seconds	.30
16" #2 seconds	.40
18" #2 seconds	.50
16" dark wrappers	.25
18" dark wrappers	.40
20" up dark wrappers	.65
Medium wrappers	.75
#2 seconds—long	.50
#2 seconds—short	.40
Tied-up tobacco	.30
Stemming	.17

(2) *Grades not listed.* If you are a packer of Type 51 (Connecticut Broadleaf) or Type 52 (Connecticut Havana Seed) domestic binder tobacco, your maximum price per pound, selling weight, of a particular grade not listed in Table IV shall be:

(i) The highest price per pound, selling weight, you charged a purchaser of the same class for the same grade of the 1942 crop of the type of tobacco being priced; or

(ii) If your maximum price cannot be determined under (i), your maximum price shall be the highest price per pound, selling weight, charged by a seller of the same class to a purchaser of the same class for the same grade of the 1942 crop of the type of tobacco being priced; or

(iii) If your maximum price cannot be determined under (i) or (ii), your maximum price shall be the highest price per pound, selling weight, you charged a purchaser of the same class for the most closely comparable grade of the 1942 crop of the type of tobacco being priced; or

(iv) If your maximum price cannot be determined under (i), (ii), or (iii), your maximum price shall be the highest price per pound, selling weight, charged by a seller of the same class to a purchaser of the same class for the most closely comparable grade of the 1942 crop of the tobacco being priced.

SEC. 5. *Maximum prices for sales of domestic cigar filler and binder tobaccos by dealers and jobbers.* (a) If you are a dealer or jobber, your maximum price per pound, selling weight, for a type and grade of domestic cigar filler or binder tobacco shall be determined as follows:

(1) Ascertain your weighted average cost per pound of the type and grade of tobacco being priced of the 1939, 1940 and 1941 crops by dividing your total net delivered cost for all such tobacco by the weight thereof.

(2) Ascertain your weighted average selling price per pound for your sales of the type and grade of tobacco being priced of the 1939, 1940 and 1941 crops by dividing your total selling price therefor by the number of pounds sold.

(3) Ascertain your markup factor by dividing the result obtained in (2) by the result obtained in (1).

(4) Multiply your net delivered cost per pound of the tobacco being priced by the percentage obtained in (3). The resulting figure is your maximum price per pound, selling weight.

(b) If your maximum price cannot be determined under (a), your maximum price shall be that of your most closely competitive dealer or jobber to a purchaser of the same class for the same type and grade of domestic cigar filler or binder tobacco.

SEC. 6. *Maximum prices for sales of domestic cigar filler and binder tobacco by manufacturers.* If you are a manufacturer, your maximum prices for sales of domestic binder and filler tobacco packed by you shall be determined in the manner provided in section 4 as if you were a packer. If you resell in packed form binder or filler tobacco purchased by you in packed form, your maximum price shall be your net delivered cost per pound for the tobacco.

SEC. 7. *Maximum prices for seller unable to price under sections 4, 5 or 6.* If you are required to price under sections 4, 5 or 6, but cannot determine your maximum price for a sale of a type and grade of domestic cigar filler and binder tobacco to a purchaser, you shall apply by letter to the Office of Price Administration, Washington, D. C., requesting that a maximum price be established for the sale. The application should state (a) the name and address of the purchaser; (b) a description of the tobacco sufficient to identify it for pricing purposes; and (c) the reasons for your inability to determine a maximum price under sections 4, 5 or 6.

After receipt of the application, the Office of Price Administration will, by order, establish a maximum price, or prescribe a method of determining it. Until a maximum price is established or a method of determining it prescribed, you may deliver the tobacco, but you may not receive payment.

SEC. 8. *Customary discounts and allowances.* If you are a seller, you shall continue to grant your customary discounts and allowances with respect to sales of the 1942 crop to the particular purchaser. If you made no sales of the 1942 crop to that purchaser, you shall continue to grant your customary discounts and allowances on sales by you of the 1942 crop to purchasers of the same class. If you made no sales of the 1942 crop, you shall grant the discounts and allowances customarily allowed on sales of the 1942 crop by a seller of the same class to purchasers of the same class.

SEC. 9. *Adjustable pricing.* You may agree to sell this tobacco at a price which can be increased up to the maximum price in effect at the time of delivery, but you may not, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by it after delivery. Such authorization may be given when a request to establish a maximum price or for a change in a maximum price is pending, but only if the authorization is necessary to promote distribution and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration having authority to establish the price or to act upon the pending request for a change in price. The authority above will be given by order except that it may be given by letter or telegram when the contemplated action will be the granting of an individual application for establishment of a maximum price.

ARTICLE III—GENERAL PROVISIONS

SEC. 10. *Geographical applicability.* The provisions of this regulation shall be applicable in the forty-eight states of the United States and the District of Columbia.

SEC. 11. *Export sales.* The maximum prices at which you may export tobacco covered by this regulation shall be determined in accordance with the provisions of the Second Revised Maximum Export Regulation[2] issued by the Office of Price Administration.

SEC. 12. *Records.* If you buy or sell any tobacco covered by this regulation, you must keep and make available for examination by the Office of Price Administration for as long as the Emergency Price Control Act of 1942, as amended, remains in effect, records showing the prices you charged, received or paid in those sales and the manner in which they were figured (which records may be of the same kind as you have customarily kept if your customary

[2] 8 F.R. 4132, 5987, 7662.

records supply that information). You must also furnish to a purchaser on his request, a written statement showing the number of pounds of each grade and type of that tobacco he purchased from you in any sale to which this regulation applies. Specifically, those records shall show:

(a) The date of each sale or purchase, the date of delivery, the name of the seller or purchaser, the total number of pounds of each grade purchased or sold, the prices paid or received for each grade purchased or sold, and the amount of any discounts, commission, fee or other compensation allowed or paid to or by you in the transaction.

(b) With respect to any sale of tobacco covered by this regulation for which a specific dollar-and-cent ceiling is not provided, all data used as a basis for determining maximum prices in the manner provided by this regulation.

SEC. 13. *Compliance with regulation.* (a) No buying or selling above maximum prices. On and after the effective date of this regulation, regardless of any contract, agreement, or other obligation, you shall not:

(1) Sell or deliver, or buy or receive in the course of trade or business, any type or grade of domestic cigar filler or binder tobacco for which maximum prices are established by the regulation at a price in excess of the maximum price for the sale of the particular type or grade of the tobacco involved.

(2) Agree, offer, solicit or attempt to do any of the foregoing.

However, you may charge, demand, pay or offer prices lower than the maximum prices fixed by this regulation.

(b) *Evasion.* (1) The provisions of this regulation shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of, or relating to any type or grade of domestic cigar filler or binder tobacco for which maximum prices are established by this regulation, alone or in conjunction with any other commodity, or by way of any commission, service, transportation or other charge or discount, premium or other privilege, or by tying agreement or other trade understanding, or otherwise.

(2) Specifically, but not exclusively, the following practices in the marketing of any type or grade of domestic cigar filler or binder tobacco for which maximum prices are established by this regulation are prohibited:

(i) If you are a grower, you shall not be paid, nor shall you receive, in the sale of your own crop, a commission, fee, or other compensation where the total amount paid to and received by you exceeds your maximum price for such sale.

(ii) You shall not sell or buy this tobacco other than as a grade or in a condition for which maximum prices are or may be established under sections 3, 4, 5, 6 or 7.

(iii) If you are a seller, you shall not alter or deviate from the grading practices observed by you with respect to the 1942 crop, normal variations excepted.

(iv) If you are a seller, you shall not eliminate or reduce the initial credit terms allowed by you on sales of the 1942 crop to a particular purchaser or, if you made no sales of the 1942 crop to the particular purchaser, you shall not eliminate or reduce the initial credit terms allowed by you on sales of the 1942 crop to purchasers of the same class.

(v) If you are a seller, you shall not eliminate or reduce any commission, allowance, fee or other compensation customarily paid by you on similar sales of the 1942 and prior crops.

(vi) If you are a seller, you shall not sell any type or grade of domestic cigar filler or binder tobacco purchased by you from an affiliate at a higher price than that which you paid the affiliate for the same tobacco.

(c) *Penalties for violation.* If you violate any provisions of this regulation, you are subject to the criminal penalties, civil enforcement actions, license suspension proceedings and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended.

(d) *Licensing.* The provisions of Licensing Order No. 1, licensing persons who make sales under price control, apply to sellers subject to this regulation, but no such license is required of or granted to a farmer as a condition of selling an agricultural commodity produced by him.

SEC. 14. *Petitions for amendment.* If you seek a general modification of this regulation, you may file a petition for amendment as provided in Revised Procedural Regulation No. 1,[3] issued by the Office of Price Administration.

This regulation shall become effective December 16, 1944.

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

Issued this 16th day of December 1944.

CHESTER BOWLES,
Administrator.

Approved: December 16, 1944.

GROVER B. HILL,
First Assistant War Food Administrator.

[F. R. Doc. 44-19109; Filed, Dec. 16, 1944; 5:13 p. m.]

PART 1360—MOTOR VEHICLES AND MOTOR VEHICLE EQUIPMENT

[RO 2C,[1] Amdt. 1]

USED PASSENGER AUTOMOBILES IN HAWAII

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

Ration Order 2C is amended in the following respect:

1. Section 6.3(a) is amended to read as follows:

(a) A person may lease, loan or borrow a "rationed used car" for a period of 30 days or less if the car is operated or registered for use. A person desiring to lease, loan, or borrow a "rationed used car" for a period in excess of 30 days must first secure the approval of the Local Board having jurisdiction over the car. In the absence of such Board approval, a "rationed used car" may not be loaned, leased or borrowed for a period in excess of 30 days.

This amendment shall become effective as of December 11, 1944.

Issued this 18th day of December 1944.

GERALD A. BARRETT,
Territorial Director,
Territory of Hawaii.

Approved:

JAMES P. DAVIS,
Regional Administrator,
Region IX.

[F. R. Doc. 44-19169; Filed, Dec. 18, 1944; 11:44 a. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5C,[1] Amdt. 166]

MILEAGE RATIONING: GASOLINE REGULATIONS

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

Ration Order 5C is amended in the following respects:

1. Section 1394.7551 (a) (17) (ii) (*d*) is added to read as follows:

(*d*) A person is not a licensed distributor with respect to the storage facilities he has as a retail vendor or bulk consumer of aviation gasoline.

2. In § 1394.7652 (a) the Table of Valid Periods is amended by adding the following provisions at the end of the present table:

14---- December 22, 1944, to March 21, 1945, inclusive; throughout the entire area included within the continental limits of the United States.
15---- March 22, 1945, to June 21, 1945, inclusive.
16---- June 22, 1945, to September 21, 1945, inclusive.
17---- September 22, 1945, to December 21, 1945, inclusive.

3. In § 1394.7653 (f) the first three sentences and the schedule of periods immediately following the third sentence are amended to read as follows:

No basic ration may be issued for a vehicle for use during the time that another currently valid basic ration issued for use with the same vehicle is outstanding, except as provided in § 1394.8007 (a). (Section 1394.8007 (a) relates to the replacement of lost or wrongfully withheld coupons.) No person, except as provided in § 1394.8007 (a) or as provided below in this paragraph, shall be entitled to receive more than one basic

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

[1] 9 F.R. 9164.

[3] 7 F.R. 8961; 8 F.R. 3813, 3533, 6173.

[1] 8 F.R. 15937.

ration for the same vehicle for use during any of the following periods:

Class A rations outside the gasoline shortage area, September 22, 1944, to December 21, 1945, inclusive.

Class A rations within the gasoline shortage area, November 9, 1944, to December 21, 1945, inclusive.

Basic Class D rations, November 12, 1944, to December 21, 1945, inclusive.

4. The center headnote preceding § 1394.8001 is amended to read as follows: "General Provisions with Respect to Issuance of Rations and Mileage Rationing Records."

5. In § 1394.8004 the section heading is amended by deleting the words "tire inspection records".

6. Section 1394.8004 (b) (1) is amended by adding the word "and" at the end of the present text.

7. Section 1394.8004 (b) (2) is revoked.

8. Section 1394.8004 (b) (3) and (4) are amended by redesignating them subparagraphs (2) and (3), respectively.

9. Section 1394.8004 (c) is amended to read as follows:

(c) *Notations by Board on non-highway rations.* At the time of issuance of any non-highway rations represented by coupons, the Board shall make a notation on the accompanying folder of the name and address of the applicant, the date on which the ration becomes valid for use, the earliest renewal date and the serial numbers of the coupons.

10. In § 1394.8004 (d) the paragraph heading is amended by deleting the words "tire inspection records and".

11. The text § 1394.8004 (d) (1) is amended by deleting the words "tire inspection record or" in the two places where those words now appear.

12. Section 1394.8004 (e) (2) is amended to read as follows:

(2) In the case of B, C, D and T coupons, the license number and state of registration of the vehicle for which the ration was issued except as follows:

(i) In the case of coupons issued for use interchangeably among fleet or official passenger automobiles or motorcycles, or commercial vehicles bearing a fleet designation, the official or fleet designation and the state and city or town in which the principal office of the fleet operator is located.

(ii) In the case of coupons issued for use interchangeably among motor vehicles not bearing fleet designations or for use with a motor vehicle, which has not been assigned a specific license number, the name and address of the person to whom the ration has been issued.

13. Section 1394.8051 (b) (1) is revoked.

This amendment shall become effective December 21, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong.; WPB Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121; E.O. 9125, 7 F.R. 2719)

Issued this 18th day of December 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-19170; Filed, Dec. 18, 1944; 11:43 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 16,[1] Amdt. 28]

MEAT, FATS, FISH AND CHEESES

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

Revised Ration Order 16 is amended in the following respects:

1. Section 15.10 is added to read as follows:

SEC. 15.10 *Independent collectors may apply for allowable inventory adjustments*—(a) *How to apply.* An independent collector who finds that his allowable inventory is inadequate may apply for an increase. He must apply on OPA Form R-315 to the district office with which he is registered. The application must give the following information:

(1) The amount of his allowable inventory;

(2) The number of pounds of household salvage fats he acquired for sale or transfer during the calendar month preceding the month in which the application is made, or the number of pounds of such fats he estimates he will acquire for sale or transfer during the calendar month following the month in which the application is made;

(3) The reasons he claims his allowable inventory is inadequate;

(4) The amount of the increase which he needs;

(5) The number of points he has on hand and in his household salvage fats ration bank account;

(6) The number of pounds of household salvage fats he has on hand;

(7) The number of points he owes for household salvage fats he acquired; and

(8) The number of points owed to him for household salvage fats he transferred.

(b) *Action on application.* If the district office finds that an independent collector's allowable inventory is inadequate, it may grant him an adjustment. His adjusted allowable inventory shall be computed by multiplying by two the number of pounds of household salvage fats he acquired during the calendar month preceding the month in which the application is made or the number of pounds of such fats which the district office estimates he will acquire during the following calendar month. The district office will issue to him a check in this amount, less the number of points owed to him for household salvage fats he transferred, the number of points he has on hand and in his ration bank account, and the number of pounds of such fats, multiplied by two, which he has on hand on the date of his application. However, if he owes points for such fats acquired by him, the amount of any check issued under this paragraph shall be increased by the number of points owed. If the applicant requests a greater adjustment in his allowable inventory than the district office is authorized to grant to him, the district office may grant the adjustment to the extent authorized, and forward the entire file to the Washington Office, for decision, or take such other action as the Washington Office may authorize or direct with respect to the balance of the adjustment requested.

2. The last sentence of section 26.3 (c) is deleted and the following substituted therefor:

He will receive for each allotment period a check for the amount of his allotment less the number of points he has on hand and in his ration bank account. If he owes points for household salvage fats acquired by him, the amount of any check issued under this paragraph shall be increased by the number of points owed. However, if the number of points he has on hand and in his ration bank account, less the points he owes for household salvage fats acquired, exceeds the amount of his allotment, he must give up to the Office of Price Administration, for cancellation, points equal to the difference. The points are to be given up in the form of a check drawn on his ration bank account, payable to the Office of Price Administration. That check must be attached to and forwarded with his report on OPA Form R-1620 for the last month of an allotment period.

3. Section 26.5a is added to read as follows:

SEC. 26.5a *New rendering establishments may be opened*—(a) *Registration.* A person who wishes to open a rendering establishment must register his establishment on OPA Form R-315 in the way described in section 26.2 (a). As part of his registration, he must attach a statement showing the number of pounds of household salvage fats he expects to acquire between the date of his registration and the end of the next calendar month. This statement must show:

(1) The name and address of each independent collector, if any, from whom he expects to acquire household salvage fats, and the number of pounds he expects to acquire from each during that period;

(2) The number of pounds of household salvage fats he expects to acquire from all other sources during that period;

(3) The total number of pounds of household salvage fats he expects to acquire during that period; and

(4) The number of points he owes for household salvage fats he acquired.

If he has more than one rendering establishment, and registers them together, he must attach a separate statement for each.

(b) *Allotments.* (1) His first allotment is determined by multiplying by two the number of pounds of household salvage fats which the district office estimates he will acquire between the date of his registration and the end of the next calendar month.

(2) His second allotment is determined by multiplying by two the number of pounds of household salvage fats he acquired during his first full calendar month of operation. The result is mul-

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

[1] 9 F.R. 6731, 7060, 7081, 7082, 7167, 7203, 7256, 7262, 7344, 7438, 7578, 7774, 8182, 8793, 9954, 9955, 10049, 10087, 10590, 10376, 11643, 12036, 12037, 12649, 12971, 13993.

tiplied by the number of months remaining in the allotment period for which the allotment is made.

(3) For each succeeding allotment period his allotment is determined in the way described in section 26.3 (c).

He will receive for each allotment a check for an amount determined in the way described in section 26.3 (c).

4. Section 26.7 (c) is added to read as follows:

(c) *Other independent collectors.* An independent collector who did not acquire any household salvage fats for sale or transfer during October 1943, or a person who wishes to open a new independent collector establishment may register on OPA Form R-315, for an allowable inventory to acquire household salvage fats, in the way described in paragraph (a). His registration must show:

(1) The number of pounds of household salvage fats he acquired for sale or transfer in the calendar month preceding the month in which the application is made, or, if he was not in operation during that month (or if he was in operation during only part of that month), the number of pounds of such fats he estimates he will acquire for sale or transfer during the calendar month following the month in which the application is made;

(2) A description of his collecting facilities;

(3) A statement of his expected sources of supply;

(4) The names and addresses of the renderers to whom household salvage fats have been and will be sold;

(5) The number of pounds of household salvage fats he has on hand;

(6) The number of points he owes for household salvage fats he acquired;

(7) The number of points owed to him for household salvage fats he transferred; and

(8) The number of points he has on hand and in his ration bank account.

His allowable inventory is determined by multiplying by two the number of pounds of household salvage fats he acquired in the calendar month preceding the month in which the application is made, or if he was not in operation during that month (or if he was in operation during only part of that month), the number of pounds of such fats which the district office estimates he will acquire in the following calendar month. The district office will issue to him a check for an amount determined in the way described in paragraph (b).

This amendment shall become effective December 22, 1944.

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

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong., and by Pub. Law 383, 78th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; and Supp. Dir. 1-M, 7 F.R. 8234; WFO No. 56, 8 F.R. 2005, 9 F.R. 4319; WFO No. 58, 8 F.R. 2251, 9 F.R. 4319; WFO No. 59, 8 F.R. 3471, 9 F.R. 4319; WFO No. 61, 8 F.R. 3471, 9 F.R. 4319, and Supp. 1 to WFO No. 61, 9 F.R. 9134, 9389)

Issued this 18th day of December 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-19171; Filed, Dec. 18, 1944; 11:43 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 373, Amdt. 113]

ULUPALAKUA RANCH STORE, HAWAII

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.*

Section 41 (e) is amended in the following respects:

1. Subparagraph (1) (iii) is amended to read as follows:

(iii) *Maui.* All of precincts 26 and 27 on the Island of Maui.

2. Subparagraph (2) (ii) is amended to read as follows:

(ii) *Maui.* All of precincts 21, 22, 23, and 24, on the Island of Maui.

This amendment shall become effective as of December 5, 1944.

Issued this 18th day of December 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-19166; Filed, Dec. 18, 1944; 11:44 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 373, Amdt. 114]

AUTO TOPS AND UPHOLSTERED SEAT COVERS IN HAWAII

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.*

Section 74 is added to read as follows:

SEC. 74. *Ceiling prices for locally manufactured made to order auto tops and made to order auto seat covers*—(a) *Scope of this section.* This section fixes ceiling prices for all made to order auto tops and made to order auto seat covers manufactured and installed in the Territory of Hawaii.

(b) *Maximum prices*—(1) *Auto tops.* The maximum prices installed for sales of locally manufactured made to order auto tops shall be as follows:

(i) Tops designed for use on open or convertible cars of makes and models having a wheel base up to and including 115".

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

Body type	Year—model 1921-1931	Year—model 1932-1934	Year—model 1935-1936	Year—model 1937-1939	Year—model 1940-1942
Roadster	$30.00	$35.00	$37.00	------	------
Sport Coupe	35.00	35.00	------	------	------
Convert. Coupe—2 Pass	35.00	37.00	40.00	$45.00	$50.00
Convert. Coupe—4 Pass	------	------	------	50.00	55.00
Touring	40.00	40.00	45.00	45.00	------
Victoria	60.00	60.00	------	------	------
¾ Sedan	60.00	60.00	------	------	70.00
Convert. Sedan	60.00	60.00	65.00	70.00	75.00

(ii) Tops designed for use on open or convertible cars of make and models having a wheel base of over 115".

Body type	Year-model 1921-1931	Year-model 1932-1934	Year-model 1935-1936	Year-model 1937-1939	Year-model 1940-1942
Roadster	$35.00	$40.00	$42.00	------	------
Sport Coupe	40.00	40.00	------	------	------
Convert. Coupe—2 Pass	40.00	42.00	45.00	$50.00	$55.00
Convert. Coupe—4 Pass	------	------	------	55.00	60.00
Touring	45.00	45.00	50.00	50.00	------
Victoria	65.00	65.00	------	------	------
¾ Sedan	65.00	65.00	------	------	75.00
Convert. Sedan	65.00	65.00	70.00	75.00	80.00

(iii) Tops designed for use on closed car of any make, model, or wheel base.

Sedan	$15.00
Coupe	10.00
Station wagon	30.00

(2) *Made-to-order auto seat covers.* The maximum prices installed for sales of locally manufactured made-to-order auto seat covers shall be as follows:

(i) STANDARD SEAT COVERS

Body types	Light cars (all cars having a wheel base up to and including 115")	Heavy cars (all cars having a wheel base over 115")
Coupe:		
Full seat	$10.00	$12.00
Broken lazy back	11.00	------
Sedan:		
Four door	20.00	22.00
Two door—broken lazy back	21.75	23.00
Two door—bucket seats	22.75	------

(ii) DE LUXE SEAT COVERS

Body types	Light cars (all cars having a wheel base up to and including 115")	Heavy cars (all cars having a wheel base over 115")
Four door	$25.00	$27.50
Coupe:		
Full seat	12.50	15.00
Broken lazy back	13.75	------
Two door:		
Broken lazy back	27.20	28.75
Bucket seats	28.45	------

In the event an arm rest center rear upholstered seat cover is furnished on a particular job, $5.00 may be added to the applicable maximum prices set forth

above. No additional charge may be made for installation or any other extra services.

(c) *Definitions.* (1) "Standard seat covers" means custom made covers specially designed for automobile seats which include covers for the seat and lazy-back made of fiber material and lap-overs constructed from cloth bound in leatherette.

(2) "Deluxe seat covers" means custom made covers specially designed for automobile seats which include covers for the seat and lazy-back made of fiber material and lap-overs constructed from leatherette bound in leatherette.

(3) "Lap-over" means a strip 4" to 5" in width of composition material at the head of the lazy-back and on the side of seats which is designed to hold the fiber material in place on the automobile seats.

This amendment shall become effective as of November 20, 1944.

Issued this 18th day of December 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-19167; Filed, Dec. 18, 1944; 11:43 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 373, Amdt. 115]

CHRISTMAS TREES IN HAWAII

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.*

Section 75 is added to read as follows:

SEC. 75. *Maximum prices for Christmas trees in the Territory of Hawaii*—(a) *What this section covers.* This section sets maximum prices for all sales of Christmas trees, or any part thereof, grown and produced in the Territory of Hawaii.

(b) *Maximum prices for Christmas trees.* Maximum prices for all sales of Christmas trees in the Territory of Hawaii shall be as follows:

Size of trees	Maximum prices for sales at the roadside by the producer	Maximum prices for sales at wholesale		Maximum prices for sales at retail	
		On the island of Oahu	On all other islands	On the island of Oahu	On all other islands
Under 6 ft.	$1.00	$1.75	$1.50	$2.50	$2.00
6 to 8 ft.	1.50	2.60	2.25	3.75	3.00
8 to 10 ft.	2.00	3.50	3.00	5.00	4.00
10 to 12 ft.	3.00	5.25	4.50	7.50	6.00
12 to 14 ft.	5.00	8.75	7.50	12.50	10.00
14 to 16 ft.	10.00	--------	--------	15.00	14.00
16 to 18 ft.	15.00	--------	--------	22.00	20.00
18 to 20 ft.	22.50	--------	--------	33.00	30.00
20 to 25 ft.	30.00	--------	--------	44.00	40.00
Over 25 ft.	45.00	--------	--------	65.00	60.00

(c) *Maximum prices for Christmas tree branches at retail.* The maximum price for sales at retail of Christmas tree branches shall not exceed 25¢ per branch regardless of the size of the branch.

(d) *Transportation and delivery charges.* No extra charge for transportation, delivery, or any other services may be added to the maximum prices established by this section.

(e) When used in this section, a "Christmas tree" means any tree, or any part thereof, grown and produced in the Territory of Hawaii which is sold for the purpose of ornamentation and decoration at Christmas time.

(f) Any person who is unable to ascertain his maximum price for the sale of any Christmas tree, or part thereof, covered by this section, shall apply the provisions of section 9a of this regulation to determine his maximum price.

This amendment shall become effective as of December 1, 1944.

Issued this 18th day of December 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-19168; Filed, Dec. 18, 1944; 11:44 a. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 426,[1] Amdt. 75]

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

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

Maximum Price Regulation 426 is amended in the following respects:

1. Section 5 is amended to read as follows:

SEC. 5. *Exempt sales.* This regulation does not apply to the following sales:

(a) Sales at retail;

(b) Sales of fruits specifically exempted by the provisions of any appendix to this regulation;

(c) Those sales of gift packages of fruit, and fruit to be used in gift packages, specified in section 5a of this regulation.

2. A new section 5a is added to read as follows:

SEC. 5a. *Special provisions for sales of gift packages of fruit and sales of fruit to be used in gift packages*—(a) *Definitions.* When used in this section the term

(1) "Standard container" includes "standard" or "legal" container as defined elsewhere in this regulation, and also includes single units or component parts of standard containers, such as a half-strap box, a one-half box bag, etc.

(2) "Gift package of fruit" means either (i) a container, other than a standard container, which is specially made, wrapped or otherwise particularly adapted for use as a gift, and which contains either one or several kinds of fresh fruit specially packed in the container, or (ii) any container, not larger than a standard container, which contains more than one kind of fresh fruit, specially packed in the container; whether or not, in either case, the fresh fruit is mixed with other food items such as nuts, jams, preserves, glaced fruits, etc.

(3) "Ultimate consumer" means a person who buys the particular gift package of fruit for use as a gift, or for direct consumption, and not for re-sale or for commercial or industrial use.

(b) *Exempt sales of gift packages of fruit.* Sales and deliveries of gift packages of fruit are exempt from the regulation if all of the following conditions are satisfied:

(1) The sale is made by the packer of the particular gift package to an ultimate consumer;

(2) The order is taken directly from the buyer by the seller and not through any agent except a regularly paid employee, and delivery is made directly by the seller and not through any agent except a regularly paid employee or a carrier;

(3) The sale provides for delivery of not more than 5 packages in one lot to the buyer or to any one person designated by him.

(c) *Exempt sales of fruit to be used in gift packages of fruit.* Sales of fruit by growers, country shippers or primary sellers to packers of gift packages of fruit are exempt from this regulation if the fruit sold is to be used and resold in gift packages.

(d) *Reports to be filed by packers of gift packages of fruit.* Every packer of gift packages of fruit who purchases fruit that is exempt under paragraph (c) of this section shall, within 5 days after each such purchase, file an affidavit with the Regional Office of the Office of Price Administration for the region in which he is located showing his name and address, the name and address of the person from whom he purchased the fruit, the date of the purchase, the quantity and a description of the fruit purchased and containing a statement that the fruit was purchased or received for sale in gift packages of fruit.

(e) *Maximum prices for all other sales of gift packages of fruit.*—For all sales of gift packages of fruit not specifically exempted by this section, the seller, unless the sale is covered by Maximum Price Regulation 421, 422 or 423, figures his maximum price in each case as follows:

(1) He determines his maximum price under this regulation for the quantity of each fruit contained in the package and adds these to his maximum prices, if any, for the other items in the package. If the fruit was produced by him, he uses the per-pound maximum price for bulk sales, or for bulk graded sales if such a price is named for the particular fruit. If he bought the particular fruit, he uses the per-pound maximum price for the type and style of pack in which he bought it.

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

[1] 8 F.R. 16409, 16294, 16519, 16423, 17372; 9 F.R. 780, 902, 1581, 2008, 2023, 2091, 2493, 4030, 4086, 4088, 4434, 4786, 4787, 4877, 5326, 5929, 6104, 6108, 6420, 6711, 7259, 7263, 7434, 7425, 7580, 7583, 7759, 7774, 7834, 8148, 8066, 9090, 9289, 9356, 9509, 9512, 9549, 9785, 9896, 9897, 10192, 10192, 10499, 10377, 10777, 10378, 11350, 11534, 11546, 12038, 12203, 12340, 12341, 12263, 12412, 12537, 12643, 12968, 12973, 13067, 13138, 13205, 13761, 13934.

(2) He adds the actual cost to him (not to exceed the legal cost) of any item in the package that is not covered by this regulation, or for which he cannot determine a maximum price, and of all packaging materials, including the container.

(3) He multiplies the total by 1.05. The result is his maximum price for the particular gift package of fruit.

If any particular fruit or other item in the package has no maximum price under this or any other maximum price regulation, the seller uses his actual cost of that item. However, he may not use the actual cost of any fruit which he purchased under paragraph (c) of this section. For such fruit he must use his maximum price figured under (1) above.

This amendment shall become effective December 18, 1944.

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

Issued this 16th day of December 1944.

CHESTER BOWLES,
Administrator.

Approved: December 14, 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44-19110; Filed, Dec. 16, 1944; 5:13 p. m.]

PART 1499—COMMODITIES AND SERVICES

Rev. SR. 14 to GMPR, Amdt. 195]

CERTAIN BULK MALT SYRUPS

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.*

Section 1.30 is amended to read as follows:

SEC. 1.30 *Certain liquid and dry malt syrups sold in bulk.* (a) This section applies only to malt syrups prepared from an infusion of barley malt (sprouted barley), with or without other cereals, concentrated to a moisture content of approximately 20% to 50% in liquid form and approximately 3% to 5% in dry form and packed in bulk, that is, in containers of 10 pounds or more capacity. Such syrups may possess varying degrees of diastatic activity or may be non-diastatic. Enzymatically-treated syrups, to which section 1.22 of this regulation applies, are not included in this section.

(b) The seller's maximum price for sales of bulk malt syrups to which this section applies, per pound, shall be the total of:

(1) Such seller's maximum price as established by § 1499.2 of the General Maximum Price Regulation, for an identical quantity, on sales to the same class of purchasers; plus:

(2)

(i) For liquid malt syrup	$0.0052
(ii) For dry malt syrup	0.0069

(c) The maximum price an industrial user may pay per pound for bulk malt syrups to which this section applies shall be his supplier's maximum price as established under § 1499.2 of the General Maximum Price Regulation plus the stipulated increase set forth in the preceding paragraph.

(d) Sellers who increase their prices under the provisions of this section shall mail or otherwise supply a copy of this section to each purchaser prior to or at the time of the first delivery to such purchaser.

This amendment shall become effective December 23, 1944.

Issued this 18th day of December 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-19172; Filed, Dec. 18, 1944; 11:44 a. m.]

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

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans Administration

PART 1—GENERAL PROVISIONS

RELEASE OF INFORMATION CONCERNING CLAIMANTS AND BENEFICIARIES

In § 1.311, paragraphs (a), (d) and (e) are amended to read as follows:

§ 1.311 *Disclosure of specific information*—(a) *Military record.* (1) Information received by the Veterans Administration from the War and Navy Departments relative to the military service of a claimant is furnished solely for the official use of the Veterans Administration, and such information may be disclosed to the claimant or his duly authorized representative, subject to the provisions of §§ 1.310–1.338. Information contained in the medical records (including clinical records and social data) may be released under the following conditions:

(i) Complete transcript or résumé of medical records on request to:

(*a*) The War Department.

(*b*) The Navy Department (Navy, Marine Corps, and Coast Guard).

(*c*) Selective Service (in the case of registrants only).

(*d*) Federal or State hospitals or penal institutions when the veteran is a patient or inmate therein.

(*e*) Registered civilian physicians, on request of the individual or his or her legal representative, when required in connection with the treatment of the veteran. (The transcript or résumé should be accompanied by the statement "It is expected that the information contained herein will be treated as confidential, as is customary in civilian professional medical practice").

(*f*) The veteran on request, except information contained in the medical record which would prove injurious to his or her physical or mental health.

(*g*) The next of kin on request of the individual, or legal representative, when the information may not be disclosed to the veteran because it would prove injurious to his or her physical or mental health; and directly to the next of kin, or legal representative, when the veteran has been declared to be insane or is dead.

(ii) In addition to the above, the Department of Justice, the Treasury Department, and the Post Office Department may, on request, be given pertinent information from medical records for use in connection with investigations conducted by these departments. Each such request shall be considered on its merits, and the information released should be the minimum necessary in connection with the investigation conducted by these departments.

(iii) Compliance with court orders calling for the production of medical records in connection with litigation or criminal prosecutions will be effected in accordance with § 1.315.

* * * * *

(d) *Genealogy.* Information of a genealogical nature when its disclosure will not be detrimental to the memory of the veteran, and not prejudicial, so far as may be apparent, to the interests of any living person, or to the interests of the Government may be released by the Veterans Administration or in the case of inactive records may be released by the Archivist of the United States if in his custody.

(e) *Social Security record.* All information received from the Social Security Board will be treated as strictly confidential and will not be disclosed to anyone other than an employee of the Veterans Administration entitled to such information in the discharge of his official duties. When not being reviewed by an authorized employee, the correspondence containing the information will be placed in a large size non-franked envelope, sealed and securely fastened on the left side of the case file. There will also be placed in this envelope a sheet of paper on which the employee sealing the envelope will endorse his name, designation and date of sealing and which will be similarly endorsed by all other employees who subsequently have occasion to refer to such information. A new envelope will be used each time the information is examined and the following notation will be typed on each envelope so used: "Confidential under section 1106, Social Security Act as amended (53 Stat. 1398, 42 U. S. C. A. 1306). Not to be opened by any person other than an employee of the Veterans Administration charged with the duty of examining claims, and then not in the presence of any person not so authorized. This envelope contains confidential information which shall not be revealed under penalty of law to any one other than an employee of the Veterans Administration charged with the duty of examining this case, and it will at all times be kept sealed, except as herein provided."

[SEAL] FRANK T. HINES,
Administrator.

DECEMBER 11, 1944.

[F. R. Doc. 44-19071; Filed, Dec. 16, 1944; 9:53 a. m.]

PART 10—INSURANCE

REINSTATEMENT

Section 10.3422 is amended to read as follows.

§ 10.3422 *Reinstatement of National Service Life Insurance.* Subject to the provisions of the National Service Life Insurance policy, or any amendment or supplement thereto, any insurance which has lapsed, or may hereafter lapse, and which has not been surrendered for a cash value or for paid-up insurance, may be reinstated upon written application signed by the applicant, and, except as hereinafter provided, upon payment of all premiums in arrears, with interest from their several due dates at the rate of 5 per centum per annum, compounded annually, provided such applicant at the time of application and tender of premiums is in the required state of health as shown in paragraph (a), (b) or (c) of § 10.3423, whichever is applicable, and submits evidence thereof at the time of application and tender of premiums as may be satisfactory to the Administrator of Veterans Affairs: *Provided,* That during the present war and for six months thereafter the reinstatement of National Service Life Insurance on the five-year level premium term plan may be effected by written application of the insured accompanied by evidence of insurability and tender of two monthly premiums without interest: *Provided further,* That any five-year level premium term policy which is reinstated without payment of all premiums in arrears with interest shall have no reserve value: *Provided further,* That application for reinstatement of a five-year level premium term policy accompanied by evidence of insurability and tender of premiums must be submitted prior to the expiration of the five-year term period: *Provided further,* That the payment or reinstatement of any indebtedness against any policy must be made, and if such indebtedness with interest exceeds the reserve of the policy at the time of application for reinstatement thereof, then, the amount of such excess shall be paid by the applicant as a condition of the reinstatement of the indebtedness and of the policy: *And, provided, further,* That a lapsed National Service Life Insurance policy which is in force under extended term insurance may be reinstated without health statement or other medical evidence, if application and tender of premiums with interest are made not less than five years prior to the date such extended insurance would expire.

[SEAL] FRANK T. HINES,
Administrator.

DECEMBER 16, 1944.

[F. R. Doc. 44-19073; Filed, Dec. 16, 1944; 9:54 a. m.]

PART 36—REGULATIONS UNDER SERVICEMEN'S READJUSTMENT ACT OF 1944

PAYMENTS TO APPROVED INSTITUTIONS FOR EDUCATION OR TRAINING

Sections 36.207, 36.208 and 36.209 are amended to read as follows:

Sec.
36.207 Authority of manager to pay institutions.
36.208 Definition of "ordinary school year".
36.209 Deduction of amount of scholarship award.

AUTHORITY: §§ 36.207 to 36.209, inclusive, issued under 58 Stat. 284.

§ 36.207 *Authority of manager to pay institutions.* When a veteran entitled to the benefits provided under Part VIII, Veterans Regulation Numbered 1 (a), as amended, elects his course of training and chooses the approved educational or training institution where he wishes to pursue his course of training and is accepted by and enrolled in a full-time or a part-time course in such approved institution, the manager of the regional office is authorized to pay to such institution for the veteran's tuition, laboratory, library, health, infirmary and other similar fees, and for books, supplies, equipment and other necessary expenses, exclusive of board, lodging, other living expenses and travel, as are generally required for the successful pursuit and completion of the course by other students in the institution:

(a) *Charges for tuition, laboratory, library, health, infirmary and other similar fees.* Pursuant to the authority contained in the Servicemen's Readjustment Act of 1944, the Administrator hereby determines that the charges established in accordance therewith, and pursuant to the limitations thereof, the following provisions are fair and reasonable for the purpose of enabling the institutions to give the services required by said act and are within the intent and authority of paragraph 5, section 400 (b) Title II, of said act.

(1) The charges for tuition, laboratory, library, health, infirmary and other similar fees customarily made and in effect prior to June 22, 1944, or as may be established after said date if applicable to all classes of students at the approved institution for any student who pursues the particular course of training, except that the charge for the tuition fee of a full-time veteran trainee shall be not less than $15.00 per month ($45.00 per quarter or $60.00 per semester), said rates shall be effective, as to those heretofore enrolled, from the beginning of the first term beginning after December 7, 1944, and as to those hereafter enrolled, from the date of enrollment: *Provided,* That the proper official certifies to the manager of the regional office the charges customarily made to any student pursuing the particular course.

(2) In the case of State and municipal schools, colleges, or universities, and other approved institutions which have non-resident tuition fees, the charges for such tuition, laboratory, library, health, infirmary and other similar fees which were in effect prior to June 22, 1944, or as may be established after said date if applicable to all classes of students are determined as the customary charges for all veteran trainees except that the charge for the tuition fee of a full-time veteran trainee shall be not less than $15.00 per month ($45.00 per quarter or $60.00 per semester): *Provided,* That the charges are not in conflict with existing laws or other legal requirements.

(3) Arrangements pursuant to subparagraphs (1) and (2) do not require a formal contract with institutions and payments will be made at the end of each term, semester, or quarter prorated in the cases of veteran trainees who withdraw during the term on the same basis as for nonveteran students.

(4) If the instructional costs, which are hereby defined as actual costs of teaching personnel and supplies for instruction, are in excess of the tuition charge herein authorized in subparagraphs (1) and (2), the facts may be certified to the Veterans Administration and the Administrator may by contract establish the rates to be paid.

(b) *Charges for books, supplies, equipment and other necessary expenses.* The charges for books, supplies, equipment and other necessary expenses customarily incurred for or by any student who pursues the particular course of training shall be estimated and included in the statement required of the institution under the established procedure of the Veterans Administration. Payments will be made at the end of each term, semester, or quarter on submission of a voucher by the institution to the manager of the regional office certifying to the actual cost of such books, supplies, equipment and other expenses for each veteran and also certifying that the material has been delivered to the trainee and that the institution has evidence of such delivery and of such expenditures on hand and available for the inspection of the Veterans Administration.

(c) All provisions for payment stated in this section are subject to the provision of the law that such payments may not be paid in excess of $500 for an ordinary school year in respect to any person.

§ 36.208 *Definition of "ordinary school year".* The "ordinary school year" is defined as a period of two semesters or three quarters—not less than thirty nor more than thirty-eight weeks in total length. Under this definition an institution may be paid as much as $500 for each "ordinary school year" which is completed, regardless of the time required for such completion. Thus $500 may be paid for each of four "ordinary

school years" which are completed within three twelve-month periods. For short, intensive, or special courses, payment will be computed upon the basis of weeks required to complete such course in relation to an ordinary school year of thirty weeks.

§ 36.209 *Deduction of amount of scholarship award.* The amount of any scholarship award to a veteran trainee shall be deducted from the charge for tuition and other fees ordinarily payable by the Veterans Administration, except (a) when the award is to make up any balance of tuition and other fees in excess of the $500 limit of payment for such charges by the Veterans Administration and (b) when the award is paid in cash to the trainee.

[SEAL] FRANK T. HINES, *Administrator.*

DECEMBER 7, 1944.

[F. R. Doc. 44-19072; Filed, Dec. 16, 1944; 9:54 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[Docket No. 6672]

PART 3—RULES GOVERNING STANDARD AND HIGH FREQUENCY BROADCAST STATIONS

ANNOUNCEMENT OF SPONSORED PROGRAMS

In the matter of promulgation of rules and regulations under section 317 of the Communications Act.

Whereas, the Commission on September 26, 1944, announced a proposed rule relative to the announcement of sponsored programs as required by section 317 of the Communications Act of 1934; and

Whereas, certain suggested revisions of the proposed rule have been filed by different broadcasters and their representatives; and

Whereas, after due consideration of the proposed rule and the suggested revisions, the Commission is of the opinion that public interest, convenience and necessity will be served by the adoption and promulgation of the following rule:

§ 3.409 *Sponsored programs, announcement of* (a) In the case of each program for the broadcasting of which money, services, or other valuable consideration is either directly or indirectly paid or promised to, or charged or received by, any radio broadcast station, the station broadcasting such program shall make, or cause to be made, an appropriate announcement that the program is sponsored, paid for, or furnished, either in whole or in part.

(b) In the case of any political program or any program involving the discussion of public controversial issues for which any records, transcriptions, talent, scripts, or other material or services of any kind are furnished, either directly or indiricelty, to a station as an inducement to the broadcasting of such program, an announcement shall be made both at the beginning and conclusion of such program on which such material or services are used that such records, transcriptions, talent, scripts, or other material or services have been furnished to such a station in connection with the broadcasting of such program: *Provided, however,* That only one such announcement need be made in the case of any such program of five minutes' duration or less, which announcement may be made either at the beginning or the conclusion of the program.

(c) The announcement required by this section shall fully and fairly disclose the true identity of the person or persons by whom or in whose behalf such payment is made or promised, or from whom or in whose behalf such services or other valuable consideration is received, or by whom the material or services referred to in paragraph (b) hereof are furnished. Where an agent or other person contracts or otherwise makes arrangements with a station on behalf of another, and such fact is known to the station, the announcement shall disclose the identity of the person or persons in whose behalf such agent is acting instead of the name of such agent.

(d) In the case of any program, other than a program advertising commercial products or services, which is sponsored, paid for or furnished, either in whole or in part, or for which material or services referred to in paragraph (b) hereof are furnished, by a corporation, committee, association or other unincorporated group, the announcement required by this section, shall disclose the name of such corporation, committee, association or other unincorporated group. In each such case the station shall require that a list of the chief executive officers or members of the executive committee or of the board of directors of the corporation, committee, association or other unincorporated group shall be made available for public inspection at one of the radio stations carrying the program.

(e) In the case of programs advertising commercial products or services, an announcement stating the sponsor's corporate or trade name or the name of the sponsor's product, shall be deemed sufficient for the purposes of this section and only one such announcement need be made at any time during the course of the program.

Now, therefore, it is hereby ordered, This 12th day of December, 1944, that the foregoing rule be, and it hereby is, adopted.

[SEAL] FEDERAL COMMUNICATIONS COMMISSION, T. J. SLOWIE, *Secretary.*

[F. R. Doc. 44-19078; Filed, Dec. 16, 1944; 10:23 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

PART 122—MONTHLY OPERATING REPORTS

SELECTED INCOME AND BALANCE-SHEET FORMS

At a session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D. C., on the 21st day of October, A. D. 1944.

The matter of monthly reports of selected income and balance-sheet items of Class I steam railways being under consideration:

It is ordered, That the order of November 25, 1941, in the matter of monthly reports of selected income and balance-sheet items of Class I steam railways (49 CFR, Cum. Supp., 122.2) and and it is hereby vacated and set aside, effective January 1, 1945, and the following order shall become effective.

§ 122.2 *Selected income and balance-sheet items.* Commencing with the month of January 1945, and monthly thereafter until further order, all Class I Steam Railways, excluding Class I Switching and Terminal Companies, subject to the provisions of Section 20, Part I of the Interstate Commerce Act are required to file monthly reports of Selected Income and Balance-Sheet Items in accordance with the form of report which is attached hereto and made a part of this order.[1] Such monthly reports shall be made under oath and filed in duplicate in the Bureau of Transport Economics and Statistics, Interstate Commerce Commission, Washington, D. C., within 45 days after the end of the month to which they relate.

(Sec. 20, 24 Stat. 386, sec. 7, 34 Stat. 593, 35 Stat. 649, sec. 14, 36 Stat. 556, sec. 435, 41 Stat. 493, sec. 13, 54 Stat. 916; 49 U.S.C. 20 (1)-(8))

By the Commission, Division 1.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 44-19082; Filed, Dec. 16, 1944; 10:54 a. m.]

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[1] Filed as part of the original document.

Notices

DEPARTMENT OF THE INTERIOR.

Geological Survey.

[Power Site Classification 373]

KETTLE RIVER, WASH.

CLASSIFICATION AS POWER SITE

NOVEMBER 13, 1944.

Under authority vested in me by the act of March 3, 1879 (20 Stat. 394; 43 U.S.C. 31), the following described land is hereby classified as power sites and, in so far as title thereto remains in the United States and subject to valid existing rights, it is recommended that this classification be given full force and effect under the provisions of section 24 of the act of June 10, 1920, as amended by sec. 211 of the Act of August 26, 1935 (41 Stat. 1075, 49 Stat. 846; 16 U.S.C. sec. 818):

KETTLE RIVER, WASHINGTON

WILLAMETTE MERIDIAN

T. 39 N., R. 32 E.,
Sec. 1, lots 3, and 6;
Sec. 2, lots 4, and 8, NW¼SW¼;
Sec. 3, lots 1, and 3;
Sec. 12, NE¼SW¼;
Sec. 13, lot 1.
T. 40 N., R. 32 E.,
Sec. 9, NW¼NE¼;
Sec. 10, lot 3;
Sec. 16, lots 2, and 3;
Sec. 21, lot 1, NW¼NE¼;
Sec. 22, lots 3, and 4, NW¼SE¼, and SE¼SE¼;
Sec. 26, NW¼NW¼, and SE¼NW¼;
Sec. 27, NW¼NW¼;
Sec. 34, SW¼SE¼;
Sec. 35, W½SE¼.
T. 39 N., R. 33 E.,
Sec. 7, lots 3, and 4;
Sec. 15, SW¼NW¼;
Sec. 17, lots 4, and 5;
Sec. 18, NW¼NE¼, and SE¼NE¼.
T. 39 N., R. 34 E.,
Sec. 6, lots 2, 3, 6, and 7.
T. 40 N., R. 34 E.,
Sec. 3, lot 6;
Sec. 4, lot 3;
Sec. 9, SE¼SW¼;
Sec. 17, lots 5, and 8;
Sec. 20, lots 12, and 13, SE¼SW¼;
Sec. 31, lots 1, 4, 5, and 8, NW¼NE¼.
T. 38 N., R. 36 E.,
Sec. 1, lot 1.
T. 39 N., R. 36 E.,
Sec. 1, lot 4 exclusive of Mineral Survey No. 1161;
Sec. 2, lot 1 exclusive of Mineral Survey Nos. 1059 and 1161;
Sec. 26, lot 6.
T. 40 N., R. 36 E.,
Sec. 3, lot 6, SE¼SE¼;
Sec. 11, SE¼SW¼;
Sec. 15, lots 4, 5, and 6, NE¼SE¼;
Sec. 22, lots 2, and 3, SE¼NE¼;
Sec. 23, lots 1, and 4, NE¼SW¼;
Sec. 26, NW¼NW¼;
Sec. 27, lots 2, 3, 6, and 7;
Sec. 34, lot 2;
Sec. 35, lot 11.
T. 37 N., R. 37 E.,
Sec. 16, lots 3, 4, 5, 6, 7, and 8, W½NE¼, SW¼NW¼, SW¼SW¼, and W½SE¼.
T. 38 N., R. 37 E.,
Sec. 6, SW¼SE¼;
Sec. 16, lots 1, and 2;
Sec. 17, lot 6;
Sec. 32, lot 5.
T. 39 N., R. 37 E.,
Sec. 31, SE¼SW¼.

W. E. WRATHER,
Director.

Approved: December 8, 1944.

OSCAR L. CHAPMAN,
Assistant Secretary.

[F. R. Doc. 44-19101; Filed, Dec. 16, 1944; 3:33 p. m.]

CIVIL AERONAUTICS BOARD.

[Docket Nos. 1346 and 1345]

AMERICAN EXPORT AIRLINES, INC., AND AMERICAN AIRLINES, INC.

NOTICE OF ORAL ARGUMENT

In the matter of the application of American Export Lines, Inc., for approval of a plan for the divestiture of control of American Export Airlines, Inc., and the application of American Airlines, Inc., for approval of acquisition of control of American Export Airlines, Inc., under sections 408 and 412 of the Civil Aeronautics Act of 1938, as amended.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 401 and 1001 of said act, oral argument before the Board in the above-entitled proceeding is hereby assigned for January 8, 1945, 10:00 a. m. (eastern war time) in Room 5042, Commerce Building, 14th and Constitution Avenue, N.W., Washington, D. C.

Dated: Washington, D. C., December 15, 1944.

By the Civil Aeronautics Board.

FRED A. TOOMES,
Secretary.

[F. R. Doc. 44-19151; Filed, Dec. 18, 1944; 10:59 a. m.]

[Docket No. 842]

COLONIAL AIRLINES, INC.

NOTICE OF ORAL ARGUMENT

In the matter of compensation for the transportation of mail by aircraft and facilities used therefor and the services connected therewith of Colonial Airlines, Inc., over F. A. M. route No. 1.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 406 and 1001 of said act, that oral argument in the above-entitled proceeding is hereby assigned for January 23, 1945, at 10:00 a. m. (eastern war time) in Room 5042, Commerce Building, 14th and Constitution Avenue, N. W., Washington, D. C.

Dated: Washington, D. C., December 15, 1944.

By the Civil Aeronautics Board.

FRED A. TOOMES,
Secretary.

[F. R. Doc. 44-19152; Filed, Dec. 18, 1944; 10:59 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 6932]

COURIER BROADCASTING SERVICE, INC.

AMENDED NOTICE OF HEARING

In re application of Courier Broadcasting Service, Inc. (New); date filed, August 21, 1944; for construction permit for a new standard broadcast station; class of service, broadcast; class of station, broadcast; location, Birmingham, Alabama; operating assignment specified: Frequency, 1260 kc; power, 250 w; hours of operation, unlimited. File No. B3-P-3031.

You are hereby notified that the issues heretofore published in the above-entitled matter are amended and superseded by the following:

1. To determine the qualifications of the applicant to construct and operate the proposed station.
2. To obtain full information with respect to the nature and character of the proposed program service.
3. To determine the manner in which the applicant's program policies and methods of operation will be determined.
4. To determine the areas and populations which would gain primary service from the operation of the proposed station, and what other broadcast services are available to those areas and populations.
5. To determine whether the granting of this application would be consistent with the standards of good engineering practice, particularly in view of the expected nighttime interference limitation to the service of the proposed station.
6. To determine the extent of any interference which would result from the simultaneous operation of the proposed station and Stations WFBM, Indianapolis, Indiana; KGBX, Springfield, Missouri; and CMZ, Columbia, Havana, Cuba.
7. To determine the areas and populations which may be expected to lose primary service, particularly from Stations WFBM and KGBX, as a result of the proposed operation, and what other broadcast services are available to those areas and populations.
8. To determine whether the granting of this application would be consistent with the provisions of the North American Regional Broadcasting Agreement.
9. To determine whether the granting of this application would tend toward a fair, efficient and equitable distribution of radio service as contemplated by section 307 (b) of the Communications Act of 1934 as amended.
10. To determine whether the granting of this application would be consistent with the Standards of Good Engineering

Practice, the proper allocation of broadcast facilities (Footnote 4, page 3 of the Standards of Good Engineering Practice).

11. To determine whether the granting of this application would be consistent with the Commission's supplemental statement of policy of January 26, 1944.

12. To determine whether the proposed station would provide primary service to (a) the business district, (b) the residential districts, and (c) the metropolitan district of Birmingham as contemplated by the Standards of Good Engineering Practice.

13. To determine whether the granting of this application, the application of Patterson Broadcasting Service (File No. B3-P-3647; Docket No. 6680), the application of Magic City Broadcasting Company (File No. B3-P-3671, Docket No. 6679), the application of Thomas N. Beach (File No. B3-P-3713, Docket No. 6681), or any of them would serve public interest, convenience or necessity.

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 of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Courier Broadcasting Service, Inc., P. O. Box 1928, Birmingham, Alabama.

Dated at Washington, D. C., December 14, 1944.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 44-19079; Filed, Dec. 16, 1944; 10:24 a. m.]

[Docket No. 6706]

MARSHALL BRAODCASTING CO.

NOTICE OF HEARING

In re application of Marshall Broadcasting Company (New); date filed, August 11, 1944; for construction permit for a new standard broadcast station; class of service, broadcast; class of station, broadcast; location, Marshall, Texas; operating assignment specified: Frequency, 1450 kc; power, 250 w; hours of operation, unlimited. File No. B3-P-3675.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the application of KVOM, Incorporated, Docket No. 6707, upon the following issues:

1. To determine the legal, technical, financial and other qualifications of the applicant corporation, and of its officers, stockholders and directors, to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary broadcast service from the operation of the proposed station and what other broadcast services are available to these areas and populations.

3. To determine the type and character of the program service which the applicant may be expected to render and the extent to which such service is now being rendered by any other station or stations serving the proposed service area in whole or in part.

4. To obtain complete information concerning the applicant's proposals with respect to the employment of personnel to construct and operate the proposed station.

5. To determine whether the granting of this application would serve an outstanding public need or national interest, within the meaning of the Commision's supplemental statement of policy of January 26, 1944.

6. To determine whether the granting of this application would be otherwise consistent with the policies announced by the Commission in its memorandum opinion of April 27, 1942 as supplemented.

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 of practice and procedure. Persons other than the applicant herein and the applicant already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141, and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Marshall Broadcasting Company, Inc., c/o Riley Cross, News-Messenger Building, N. Washington Street, Marshall, Texas.

Dated at Washington, D. C., December 14, 1944.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 44-19076; Filed, Dec. 16, 1944; 10:24 a. m.]

[Docket No. 6707]

KVOM, INC.

NOTICE OF HEARING

In re application of KVOM, Incorporated (New); date filed, October 4, 1944; for construction permit for a new standard broadcast station; class of service, broadcast; class of station, broadcast; location, Marshall, Texas; operating assignment specified: frequency, 1450 kc; power, 250 w; hours of operation, unlimited. File No. B3-P-3717.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the application of Marshall Broadcasting Company, Inc., Docket No. 6706, upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant corporation, and of its officers, stockholders and directors, to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary broadcast service from the operation of the proposed station and what other broadcast services are available to these areas and populations.

3. To determine the type and character of the program service which the applicant may be expected to render and the extent to which such service is now being rendered by any other station or stations serving the proposed service area in whole or in part.

4. To obtain complete information concerning the applicant's proposals with respect to the employment of personnel to construct and operate the proposed station.

5. To determine whether the granting of this application would serve an outstanding public need or national interest, within the meaning of the Commission's supplemental statement of policy of January 26, 1944.

6. To determine whether the granting of this application would be otherwise consistent with the policies announced by the Commission in its memorandum opinion of April 27, 1942, as supplemented.

7. To determine whether the operation of the proposed station at the transmitter site specified would be consistent with the provisions of the Commission's Standards of Good Engineering Practice, with particular respect to the population which would be contained in the "blanket area."

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 of practice and procedure. Persons other than the applicant herein and the applicant already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows: KVOM, Incorporated, 308 West Houston Street, Marshall, Texas.

Dated at Washington, D. C., December 14, 1944.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 44-19077; Filed, Dec. 16, 1944; 10:24 a. m.]

FEDERAL POWER COMMISSION.

[Docket No. G-599]

TENNESSEE GAS AND TRANSMISSION CO.

ORDER FIXING DATE OF HEARING

DECEMBER 12, 1944.

Upon consideration of the application filed November 30, 1944, by Tennessee Gas and Transmission Company, a Tennessee corporation having its principal place of business in Houston, Texas, for a certificate of public convenience and necessity under section 7 of the Natural Gas Act, as amended, to authorize the construction and operation of the following described facilities:

Area A. (1) One mile of 4½-inch O. D. pipe line, extending from applicant's main transmission pipe line to the Odem field in San Patricio County, Texas.

(2) One mile of 4½-inch O. D. pipe line, extending from applicant's main transmission pipe line to the Riverside field in Nueces County, Texas.

(3) 11½ miles of 4½-inch O. D. pipe line, extending from applicant's main transmission pipe line to Quinto Creek field, Jim Wells County, Texas.

Area B. (1) 6.8 miles of 6⅝-inch O. D. pipe line, extending from applicant's main transmission pipe line to the Tom O'Connor field in Refugio County, Texas.

(2) 4.5 miles of 6⅝-inch O. D. pipe line, extending from applicant's main transmission pipe line to the Refugio field in Refugio County, Texas.

(3) 10.8 miles of 4½-inch O. D. pipe line, extending from applicant's main transmission pipe line to the Heard field in Bee County, Texas.

Area C. (1) 8 miles of 10¾-inch O. D. pipe line, extending from applicant's main transmission pipe line to the Heyser field in Victoria County, Texas.

(2) 6 miles of 6⅝-inch O. D. pipe line, extending from applicant's main transmission pipe line to the Placedo field in Victoria County, Texas.

(3) 5.5 miles of 8⅝-inch O. D. pipe line, extending from applicant's main transmission pipe line to the McFaddin field in Victoria County, Texas.

Area D. (1) 2.16 miles of 6⅝-inch O. D. pipe line, extending from applicant's main transmission pipe line to the Menefee field in Wharton County, Texas.

(2) 7 miles of 4½-inch O. D. pipe line, extending from applicant's main transmission pipe line to the Hungerford field in Wharton County, Texas.

In addition to the above, a dehydration plant to be located on the site of applicant's No. 4 compressing station in Jasper County, Texas, and 20 houses to be constructed for applicant's employees at certain compressing stations.

The Commission orders that:

(A) A public hearing be held, commencing on January 29, 1945, at 10 a. m. (e. w. t.) in the Hearing Room of the Federal Power Commission, 1800 Pensylvania Avenue, N. W., Washington, D. C., respecting the matters involved and the issues presented in this proceeding.

(B) Interested State commissions may participate in this hearing, as provided in § 67.4 of the provisional rules of practice and regulations under the Natural Gas Act.

By the Commission.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 44-19074; Filed, Dec. 16, 1944; 10:03 a. m.]

[Project No. 1256]

LOUP RIVER PUBLIC POWER DISTRICT

ORDER POSTPONING HEARING

DECEMBER 12, 1944.

Upon consideration of the proposal by counsel for Loup River Public Power District, licensee for Project No. 1256, Nebraska, that further consideration of the exemption of this licence from payment of annual charges under the license be postponed by the Commission until after final determination of the liability of Central Nebraska Public Power and Irrigation District for payment of annual charges under the licence for Project No. 1417; and

It appearing that:

The principal outlet for electric energy generated at these two projects and at Project No. 1835 operated under licence by Platte Valley Public Power and Irrigation District is through the Nebraska Public Power System and the questions pertaining to exemption of the three licensees are practically identical and can be disposed of in consideration of the application for exemption filed by Central Nebraska District;

It is ordered that:

The hearing scheduled for January 15, 1945, on the exemption of Loup River Public Power District from payment of annual charges under the licence for Project No. 1256 be and it is hereby postponed to such time and place as may be hereafter fixed by the Commission.

By the Commission.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 44-19039; Filed, Dec. 16, 1944; 3:23 p. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 70-A, Special Permit 736]

RECONSIGNMENT OF POTATOES AT CLEVELAND, OHIO

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

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Cleveland, Ohio, December 13, 1944, by National Produce Company of car PFE 51559, potatoes, now on the New York, Chicago & St. Louis Railroad, to Pezzolof Brothers, Pittsburgh, Pennsylvania (NHP-PLO).

The waybill shall show reference to this special permit.

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

Issued at Washington, D. C., this 13th day of December 1944.

V. C. CLINGER, *Director, Bureau of Service.*

[F. R. Doc. 44-19031; Filed, Dec. 16, 1944; 10:54 a. m.]

[S. O. 70-A, Special Permit 737]

RECONSIGNMENT OF APPLES AT MILWAUKEE, WIS.

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

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Milwaukee, Wisconsin, December 14, 1944, by Morris Goldman, of car CP 223119, apples, now on the C., M., St. P. & P. RR., to Victor Joseph, New York, New York (Erie).

The waybill shall show reference to this special permit.

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

Issued at Washington, D. C., this 14th day of December 1944.

V. C. CLINGER, *Director, Bureau of Service.*

[F. R. Doc. 44-19157; Filed, Dec. 18, 1944; 11:02 a. m.]

[S. O. 70-A, Special Permit 738]

RECONSIGNMENT OF POTATOES AT CHICAGO, ILL.

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

carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, December 14, 1944, by Sterling Huxtable Company, of car PFE 51436, potatoes, now on the Wood Street Terminal, to Kroger Grocery Company, Ft. Wayne, Indiana. (NKP)

The waybill shall show reference to this special permit.

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

Issued at Washington, D. C., this 14th day of December 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-19158; Filed, Dec. 18, 1944; 11:02 a. m.]

[S. O. 70-A, Special Permit 739]

RECONSIGNMENT OF POTATOES AT POPLAR BLUFF, MO.

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

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Poplar Bluff, Missouri, December 14, 1944, by M. C. Ragatz of car FGE 36552, potatoes, now on the Missouri Pacific Railroad, to Memphis Produce Exchange, Memphis, Tennessee (Mo. Pac.).

The waybill shall show reference to this special permit.

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

Issued at Washington, D. C., this 14th day of December 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-19159; Filed, Dec. 18, 1944; 11:02 a. m.]

[S. O. 70-A, Special Permit 740]

RECONSIGNMENT OF POTATOES AT CHICAGO, ILL.

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

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, December 14, 1944, by W. M. Frizzell of car FGE 32842, potatoes, now on the Wood Street Terminal to H. R. Bushman & Son, St. Louis, Missouri (CB&Q).

The waybill shall show reference to this special permit.

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

Issued at Washington, D. C., this 14th day of December 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-19160; Filed, Dec. 18, 1944; 11:02 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 4365]

NIKKA LIFE INSURANCE CO., LTD.

In re: United States Branch of The Nikka Life Insurance Company, Limited.

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

1. That The Nikka Life Insurance Company, Limited, whose principal place of business is Tokyo, Japan, is a corporation organized under the laws of Japan and a national of a designated enemy country (Japan);

2. That the said The Nikka Life Insurance Company, Limited, has an established Branch Agency office in Honolulu, Territory of Hawaii, engaged in the conduct of business within the United States and, therefore, is to that extent a business enterprise within the United States;

and determining:

3. That the United States branch of The Nikka Life Insurance Company, Limited, is controlled by and is acting for and on behalf of The Nikka Life Insurance Company, Limited, Tokyo, Japan, and is a national of a designated enemy country (Japan);

4. 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 (Japan);

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 all property of any nature whatsoever situated in the United States and owned or controlled by, payable or deliverable to, or held for or on behalf of, or on account of, or owing to The Nikka Life Insurance Company, Limited, and/or its United States branch, including but not limited to all the right, title and interest of The Nikka Life Insurance Company, Limited, or its United States branch in and to the U. S. Treasury Bonds or proceeds thereof held by the Insurance Commissioner of the Territory of Hawaii to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States, and hereby undertakes the direction, management, supervision and control of said business enterprise and all property of any nature whatsoever situated in the United States, owned or controlled by, payable or deliverable to, or held on behalf of or on account of, or owing to said business enterprise, to the extent deemed necessary or advisable from time to time by the Alien Property Custodian.

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 vary the extent of or terminate such direction, management, supervision or control, or 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", "designated enemy country" and "business enterprise within the United States" 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. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-19153; Filed, Dec. 18, 1944; 10:57 a. m.]

[Vesting Order 4366]

NIPPON FIRE INSURANCE CO., LTD.

In re: United States Branch of The Nippon Fire Insurance Company, Limited.

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

1. That The Nippon Fire Insurance Company, Limited, whose principal place of business is Tokyo, Japan, is a corporation organized under the laws of Japan and is a national of a designated enemy country (Japan);

2. That the said The Nippon Fire Insurance Company, Limited, has an established Branch Agency office in Honolulu, Territory of Hawaii, engaged in the conduct of business within the United States and, therefore, is to that extent a business enterprise within the United States;

and determining:

3. That the United States branch of The Nippon Fire Insurance Company, Limited, is controlled by and is acting for and on behalf of The Nippon Fire Insurance Company, Limited, Tokyo, Japan, and is a national of a designated enemy country (Japan);

4. 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 (Japan);

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 all property of any nature whatsoever situated in the United States and owned or controlled by, payable or deliverable to or held for or on behalf of, or on account of, or owing to The Nippon Fire Insurance Company, Limited, and/or its United States branch, including but not limited to all the right, title and interest of The Nippon Fire Insurance Company, Limited, and/or its United States branch in and to the U. S. Treasury Bonds held by the Insurance Commissioner of the Territory of Hawaii to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States, and hereby undertakes the direction, management, supervision and control of said business enterprise and all property of any nature whatsoever situated in the United States, owned or controlled by, payable or deliverable to, or held on behalf of or on account of, or owing to said business enterprise, to the extent deemed necessary or advisable from time to time by the Alien Property Custodian.

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 vary the extent of or terminate such direction, management, supervision or control, or 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," "designated enemy country" and "business enterprise within the United States" 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. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-19154; Filed, Dec. 18, 1944; 10:57 a. m.]

[Vesting Order 4371]

WALTHAM WATCH CO., VS. M. I. AKAMATSU

In re: Waltham Watch Company v. M. I. Akamatsu, Equity No. 13316; File D-39-18342; E. T. sec. 12205.

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: Twenty shares of the Common Stock, Class A of Waltham Watch Company evidenced by Certificate No. 66 registered in the name of M. I. Akamatsu,

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

National and Last Known Address

M. I. Akamatsu, Japan.

That such property is the subject of a judicial proceeding entitled Waltham Watch Company vs. M. I. Akamatsu, Equity No. 13316, now pending in the Superior Court for the County of Middlesex, Commonwealth of Massachusetts;

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, (Japan);

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 29, 1944.

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

[F. R. Doc. 44-19155; Filed, Dec. 18, 1944; 10:57 a. m.]

[Supplemental Vesting Order 4333]

ANNA M. VON ZEDLITZ

In re: Estate of Anna M. von Zedlitz, deceased; File D-28-431; E. T. sec. 587.

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 property described as follows: All right, title, interest and claim of any kind or character whatsoever of Georg von Zedlitz und Leipe in and to the Estate of Anna M. von Zedlitz, deceased, including a life interest in the residuary estate of said Anna M. von Zedlitz, deceased, together with all accumulated and undistributed income thereon,

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

National and Last Known Address

Georg von Zedlitz und Leipe, Germany.

That such property is in the process of administration by Frank W. Chambers, as Administrator, c. t. a., acting under the judicial supervision of the Surrogate's Court, New York County, State of New York;

2. That the property described as follows:

a. The contents of Safe Deposit Box No. 1055 in the vaults of the Manufacturers Safe Deposit Company, 1511 Third Avenue, New York, New York, including but not limited to, the jewelry and other articles described in Exhibit A attached hereto and by reference made a part hereof, together with all rights of access thereto subject, however, to any lien for storage which the Manufacturers Safe Deposit Company may have under any contract for storage or under the Laws of the State of New York,

b. One Steinway Grand Piano, No. 81624 and one piano bench, now stored in the name of Thomas F. Morris, Executor of the Estate of Anna M. von Zedlitz, in the warehouse of the Manhattan Storage & Warehouse Company, 68th Street and Third Avenue, New York, New York, subject, however, to any lien for storage which the Manhattan Storage & Warehouse Company may have under any

contract for storage or under the Laws of the State of New York, and

c. Two unsecured debenture bonds issued by the George Ehret Brewery, Inc. to Georg von Zedlitz und Leipe in the amounts of Twenty thousand ($20,000.00) Dollars dated January 30, 1942 and Seventy-five hundred ($7,500) Dollars dated June 2, 1942 in the custody of The Lawyers Trust Company at 111 Broadway, New York City, New York.

is property within the United States owned or controlled by the aforesaid Georg von Zedlitz und Leipe, a national of a designated enemy country, (Germany);

And determining that the property described in subparagraph 2-c hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 1 hereof) belonging to the same national of the same designated enemy country, (Germany) and subject to vesting (and in fact vested by this order) pursuant to the provisions of 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 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 compesation 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 December 7, 1944.

[SEAL] FRANCIS J. MCNAMARA,
Deputy Alien Property Custodian.

EXHIBIT A

One white metal chain with 35 white beads.
One diamond ring with red center stone.
Three gold rings (wedding) no stones.
One small gold ring with blue stones.
One black locket with white stones in form of initials " G E" appearing to be diamonds.
Small yellow catch with three white stones (diamonds?)
Black Ribbon with three diamond clasps and two small rings attached, with small chips.
Three hat pins.
One pair of earrings, each earring containing two very large white stones and chips (pendant form) appear to be diamonds.
One large white metal pendant containing one large white stone, six small stones and numerous chips. (All appearing to be diamonds.)
One small gold bow-knot pin with diamond chip.
One small gold locket with diamond chips, with small ring attached containing chips.
One pair of earrings, each earring containing two diamonds (?) and one pearl, pendant form.
One small metal pencil.
One white opalescent stone headed pin (appears to be small pearl headed).
Three gold ladies watches (one with small ring attached containing two white diamond-like stones.)
One black metal pin with diamond in center, with one pair of matching earrings, one diamond in center of each earring.
One cameo pin, edged with small white diamond-like chips.
One gold bracelet with small cameo and chips (matching the above item).
One gold bar pin (Latticed) with small white diamond-like chips and stones.
One small gold pin in form of a butterfly with green and white stone and small red stone.
One yellow metal bar pin with one red and three white stones.
One yellow metal watch chain (thin).
One metal pencil.
One ladies gold watch with chain attached.
One white metal ladies wrist watch.
One pair of black earrings, pendant form.
One black ribbon with metal clasp containing white stone chips.
One yellow metal pin with two green and two purple stones.
One yellow metal compact.
One yellow metal wrist watch (bracelet form).
One black metal bracelet with chips.
One black ladies watch.
One mans gold watch (large).
One black pendant with picture and four stones, and various chips.
One yellow metal locket.
One necklace containing yellow and black beads.
One small gunmetal locket.
One small bowknot pin.
Three piece yellow metal buckle set.
Small heart shaped box (metal) containing black beads.
Two small white diamond-like stones (unset) in paper envelope marked "2 loose diamonds."
Four very small white diamond like stones in envelope.
One purple pearl in envelope so marked.

[F. R. Doc. 44-19156; Filed, Dec. 18, 1944; 10:57 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[ODT Certificate S-9]

H. AND W. MOTOR EXPRESS CO.

SUBSTITUTION OF RAIL FOR MOTOR COMMON CARRIER SERVICE; DUBUQUE, IOWA, TO MINNEAPOLIS, MINN.

Pursuant to Executive Orders 8989, as amended, and 9156, and in order to provide for the conservation and more efficient utilization of vital transportation facilities, and to prevent and alleviate traffic congestion,

I hereby find and certify that the substitution of rail transportation for that of motor common carrier from Dubuque, Iowa, to Minneapolis, Minnesota, by Urban J. Haas and Cyril H. Wissel, a partnership, doing business as H & W Motor Express Company, a motor common carrier, will not adversely affect the transportation of freight by railroad and will aid in conserving motor-carrier transportation facilities.

Issued at Washington, D. C., this 15th day of December 1944.

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

[F. R. Doc. 44-19056; Filed, Dec. 15, 1944; 2:58 p. m.]

[Supp. Order ODT 3, Rev. 427]

COMMON CARRIERS

COORDINATED OPERATIONS IN GEORGIA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

[1] Filed as part of the original document.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective December 20, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 16th day of December 1944.

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

APPENDIX 1

J. M. Cherry, doing business as Cherry Transfer & Storage Co., Atlanta, Ga.
A. Manfra, doing business as Manfra Transfer & Storage Co., Atlanta, Ga.
J. T. Flannigan, doing business as Clark's Transfer Co., Atlanta, Ga.
James B. Herndon, doing business as Herndon Transfer & Storage Co., Atlanta, Ga.
Van C. Sewell, doing business as Hudson Transfer & Storage Co., Atlanta, Ga.
R. L. McEntire, doing business as R. L. McEntire Transfer & Storage Co., Atlanta, Ga.
A. C. White, doing business as A. C. White Transfer & Storage Co., Atlanta, Ga.
Woodside Storage Co., Inc., Atlanta, Ga.
Joe Peters, doing business as Pulliam Street Transfer Co., Atlanta, Ga.

[F. R. Doc. 44-19049; Filed, Dec. 16, 1944; 2:53 p. m.]

[Supp. Order ODT 3, Rev. 430]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN PEORIA AND MORRIS, ILL.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended, (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3204, 3357, 6778) a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered,* That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify in writing the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective December 20, 1944, and shall remain in full

force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 16th day of December 1944.

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

APPENDIX 1

Peoria Cartage Co., Peoria, Ill.
H. J. Tobler Transfer, Inc., Peru, Ill.

[F. R. Doc. 44-19050; Filed, Dec. 15, 1944; 2:58 p. m.]

[Supp. Order ODT 3, Rev. 432]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS IN MINNESOTA, WISCONSIN AND ILLINOIS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered,* That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective December 20, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 16th day of December 1944.

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

APPENDIX 1

Glendenning Motorways, Inc., St. Paul, Minn.
Earl F. Schultz, doing business as Service Transfer & Storage Co., LaCrosse, Wis.

[F. R. Doc. 44-19051; Filed, Dec. 15, 1944; 2:58 p. m.]

[Supp. Order ODT 6A-72]

COMMON CARRIERS

COORDINATED OPERATIONS IN KANSAS CITY, MO.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 6A, as amended, (8 F.R. 8757, 14582; 9 F.R. 2794) a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to conserve and providently utilize vital transportation equipment, materials, and supplies; and to provide for the continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered,* That:

1. The plan for joint action above referred to is hereby approved and the persons named in Appendix 1 hereof are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers shall file forthwith a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or schedules, or appropriate supplements to filed tariffs or schedules, setting forth any changes in rates, charges, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs, schedules, or supplements, to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to re-

[1] Filed as part of the original document.

quire any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper, or to exempt or release any participant in the plan from the requirements of any order of the Office of Defense Transportation now or hereafter in effect. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be available for examination and inspection at all reasonable times by any accredited representative of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective December 20, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 16th day of December 1944.

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

APPENDIX 1

Toedebusch Transfer, Inc., St. Louis, Mo.
The Carroll Transfer and Storage Co., Wichita, Kans.
Harvey Jones, doing business as Jones Truck Lines, Springdale, Ark.

[F. R. Doc. 44-19052; Filed, Dec. 16, 1944; 2:59 p. m.]

[Supp. Order ODT 6A-73]

COMMON CARRIERS

COORDINATED OPERATIONS IN KANSAS CITY, MO.-KANS. COMMERCIAL ZONE

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 6A, as amended (8 F.R. 8757, 14582; 9 F.R. 2794) a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to conserve and providently utilize vital transportation equipment, materials, and supplies; and to provide for the continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the persons named in Appendix 1 hereof are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers shall file forthwith a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or schedules, or appropriate supplements to filed tariffs or schedules, setting forth any changes in rates, charges, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs, schedules, or supplements, to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper, or to exempt or release any participant in the plan from the requirements of any order of the Office of Defense Transportation now or hereafter in effect. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be available for examination and inspection at all reasonable times by any accredited representative of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective December 20, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 16th day of December 1944.

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

APPENDIX 1

Arkansas Motor Freight Lines, Inc., Fort Smith, Ark.
Benjamin Cain, Eva Cain, Richard A. Jacobson, Martin S. Jacobson, Ann Jacobson,

[1] Filed as part of the original document.

A. B. Hardy, R. J. Reed, and Lena Newman, copartners, doing business as Cain's Truck Lines, Oklahoma City, Okla.

Denver-Chicago Trucking Co., Inc., Denver, Colo.

Transamerican Freight Lines, Inc., Detroit, Mich.

[F. R. Doc. 44-19053; Filed, Dec. 15, 1944; 2:59 p. m.]

[Supp. Order ODT 6A-75]

COMMON CARRIERS

COORDINATED OPERATIONS IN KANSAS CITY, MO.-KANS.; COMMERCIAL ZONE

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 6A, as amended, (8 F.R. 8757, 14582; 9 F.R. 2794) a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to conserve and providently utilize vital transportation equipment, materials, and supplies; and to provide for the continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the persons named in Appendix 1 hereof are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers shall file forthwith a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or schedules, or appropriate supplements to filed tariffs or schedules, setting forth any changes in rates, charges, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs, schedules, or supplements, to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper, or to exempt or release any participant in the plan from the requirements of any order of the Office of Defense Transportation now or hereafter in effect. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be available for examination and inspection at all reasonable times by any accredited representative of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective December 20, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 16th day of December 1944.

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

[1] Filed as part of the original document.

APPENDIX 1

G. E. Bruce and E. J. Bruce, copartners, doing business as Bruce Transfer and Storage Co., Des Moines, Iowa.

Lee Way Motor Freight, Inc., Oklahoma City, Okla.

John Scott, doing business as Ottawa Transfer and Storage Co., Ottawa, Kans.

[F. R. Doc. 44-19054; Filed, Dec. 15, 1944; 3:00 p. m.]

[Supp. Order ODT 6A-80]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN WORCESTER, MILFORD AND MENDON, MASS.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 6A, as amended (8 F.R. 8757, 14582; 9 F.R. 2794), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to conserve and providently utilize vital transportation equipment, materials, and supplies; and to provide for the continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the persons named in Appendix 1 hereof are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers shall file forthwith a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or schedules, or appropriate supplements to filed tariffs or schedules, setting forth any changes in rates, charges, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs, schedules, or supplements, to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any

law or regulation, or to permit any carrier to alter its legal liability to any shipper, or to exempt or release any participant in the plan from the requirements of any order of the Office of Defense Transportation now or hereafter in effect. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be available for examination and inspection at all reasonable times by any accredited representative of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective December 20, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 16th day of December 1944.

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

APPENDIX I

Alvin R. Holmes, doing business as Holmes Transportation Service and/or Jones Express, Worcester, Mass.

Seaver's Express, Inc., Milford, Mass.

[F. R. Doc. 44-19055; Filed, Dec. 15, 1944; 3:00 p. m.]

[Notice and Order of Termination 11]

POWELL BROS. TRUCK LINES, INC.

POSSESSION, CONTROL AND OPERATION OF MOTOR CARRIERS

Pursuant to Executive Order 9402 (9 F.R. 10071), I hereby determine that possession and control of the motor carrier transportation system of Powell Bros. Truck Lines, Inc., by the United States is no longer necessary for the successful prosecution of the war, and it is hereby ordered, that:

1. *Termination of possession and control.* Possession and control by the United States of the motor carrier transportation system of Powell Bros. Truck Lines, Inc., Bolivar Road & High Street, Springfield, Missouri, including all real and personal property and other assets of said motor carrier, taken and assumed pursuant to Executive Order 9402 and the Notice and Order of the Director of the Office of Defense Transportation issued August 11, 1944, is hereby terminated and relinquished as of 12:01 o'clock a. m., December 19, 1944. No further action shall be required to effect the termination of Government control and relinquishment of possession hereby ordered.

2. *Communications.* Communications concerning this order should be addressed to the Office of Defense Transportation, Washington 25, D. C., and should refer to "Notice and Order of Termination No. 11."

Issued at Washington, D. C., this 16th day of December, 1944.

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

[F. R. Doc. 44-19107; Filed, Dec. 16, 1944; 4:54 p. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 136, Order 369]

COLUMBIA MILLS, INC.

ADJUSTMENT 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 § 1390.25a of Maximum Price Regulation 136, as amended, *It is ordered:*

(a) The maximum prices for sales of Columbia Aurora shade machines, shade equipment and shade machinery parts by resellers of those items shall be determined as follows: The reseller shall deduct from the following list prices all discounts, allowances and other deductions that he had in effect to a purchaser of the same class on October 1, 1941, for Aurora shade machines, shade equipment and shade machinery parts.

SHADE EQUIPMENT

Item:	List price
Shade Roller Motor Saw 57" or 63"	$77.25
Combination Eyelet Machine & Center Finder	43.25
Eyelet Machine only	29.75
Center Finder only	13.50
Olmstead Pincetter	21.25
Slat Cutter	5.45
Table Rack 63" or 72"	24.75

SHADE EQUIPMENT—Continued

Item—Continued	List price
Floor Truck #4 with four trays	$22.75
Floor Truck #6 with six trays	33.75
Extra Trays	4.25
Pinpuller	5.10
Shade Cloth Knife	1.50
Aurora Pincetter	20.25
No. C-63 Aurora Shade Machine (Handles widths through 63")	615.00

SHADE MACHINERY PARTS

Part number and item:	List price
37, Trimming Knives, new	$1.25
Trimming Knives, reground	.21
102, Dial Roller Bands, also used on front and split roller	.17
101, Large Back Roller Band	.17
64, 1½" Front Cloth Spring Guide (Above guides are steel bands that run across machine and down left end)	1.85
65, ⅞" Back Cloth Spring Guide	1.85
34, Upper Knife Spring Model H & C	.25
34X, Upper Knife Spring Model B	.25
67, Dial Pinion (small gear pin in right end of dial roller)	3.05
115, Upper Knife Shaft Rubber Wheel Model H	.42
49, Upper Knife Arm (part upper knife revolves on)	4.43
42, Lower Carrier (part that slides on drive rod)	5.15
41, Upper Knife Shaft	5.70
43, Lower Knife Shaft (part knives are fastened to by three small screws)	4.75
72, Dial Recoil Spring (clock spring inside dial)	.85
59, Counter Weight Spring	.90
105, Steel Tape, Right Hand	1.90
104S, Steel Tape Assembly (both right and left-hand in one unit)	4.15
104, Steel Tape, Left Hand	2.15
C350, Complete Dial Assembly (does not include dial pinion)	16.55
54, Reel Rod End Plates Model B (round discs to hold bolt of shade cloth in place)	1.20
77, Shade Roller Arm (arm that holds shade roller in place over front steel roller)	3.10
91, Shade Roller Arm Pivot, Right	2.00
93, Shade Roller Arm Pivot, Bushing	1.05
92, Shade Roller Arm Pivot, Left (receptacle for spring end and pin end of shade roller)	4.00
33, Square Upper Drive Shaft	1.35
84, Chain Sprocket Wheel, Small	1.80
85, Chain Sprocket Wheel, Large	2.80
89, Drive Shaft Chain	.65
100, Chain Guard	1.85
112, Square Drive Shaft End Casting, Right	2.60
113, Square Drive Shaft End Casting, Left	2.60
97, Square Shaft Driving Unit (part small sprocket wheel fastens to)	3.85
80, Square Hole Cap	1.60
69, Main Dial Casting	8.05
74, Main Dial Cover Plate	.42
55, Back Cut-Off Knife Carrier	1.85
142, Dial Scale	.35
58, Side Rod End	1.80
63, Cut-Off Knife Blade	.22
95, Carrier Thumb Screw	1.50
86, Square Hole Drive Cap	1.25
76, Dial Marker	.55
117, Split Guide	1.15
25X, Crank Handle with gear	6.60
All Set Screws	.13
Hollow Head Set Screw Wrenches	.21

SHADE EQUIPMENT PARTS

Item:	List price
E22, Eyelet Machine Punch	$1.15
E23, Eyelet Machine Die	.85
E25, Eyelet Machine Lower Rivet Base	1.60

SHADE EQUIPMENT PARTS—Continued

Item—Continued.	*List price*
E24, Eyelet Machine Upper Crimper	$1.05
E31, 5/8" Compression Spring	.38
E33, 7/8" Compression Spring	.41
S18, Saw Blades, New	9.15
S12, Rule	1.95
Saw Blades, Reground	3.60
C8, Center Finder Tape	.85

(b) The Columbia Mills, Inc., New York, New York, shall notify those customers who purchase the items listed in (a) for resale of the provisions of this order.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective December 16, 1944.

Issued this 15th day of December 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-19070; Filed, Dec. 15, 1944; 4:28 p. m.]

[MPR 188, Order No. 64 Under 2d Rev. Order A-3]

E. C. BROWN CO.

ADJUSTMENT 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 2d Revised Order A-3 under § 1499.159b of Maximum Price Regulation No. 188, It is ordered:

(a) *Manufacturer's maximum prices.* The E. C. Brown Company, Rochester 1, New York, may sell and deliver the Nos. 26F, 26AF, and No. 14 Sprayers of its manufacture at prices no higher than its maximum prices to each class of customers for such sales, in effect prior to the effective date of this order, plus the following amounts:

	Each
On Model No. 26F Sprayer	$0.205
On Model No. 26AF Sprayer	.10
On Model No. 14 Sprayer	.084

This adjustment may be made and collected ony if separately stated. The maximum prices before addition of the above adjustments, are subject to the manufacturer's customary allowances, and other price differentials in effect during March 1942 on sales to each class of purchaser.

(b) *Maximum prices of purchasers for resale.* Any purchaser for resale, who handles the sprayers for which the manufacturer's maximum prices have been adjusted as provided in paragraph (a) in the course of their distribution from the manufacturer to the user, may add to his properly established maximum prices, in effect immediately prior to the effective date of this order the dollar-and-cents amount of the adjustment charge which he is required to pay the manufacturer, provided such amount is stated separately. Such maximum prices before addition of the above adjustments are subject to the seller's customary allowances and other price differentials in effect during March 1942 on sales to each class of purchaser.

(c) *Notification.* At the time of or before the first invoice to each purchaser for resale or user of an article covered by this order, at an adjusted price permitted by this order, the seller must furnish the purchaser with a written notice giving the number of this order and fully explaining its terms and conditions.

(d) *Profit and loss statement.* After the effective date of this order, The E. C. Brown Company shall submit to the Office of Price Administration a detailed quarterly profit and loss statement within thirty days after the close of each quarter.

(e) *Revocation or amendment.* This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 16th day of December 1944.

Issued this 15th day of December 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-19069; Filed, Dec. 15, 1944; 4:28 p. m.]

[Supp. Order 99, Order 4]

UTICA KNITTING CO.

ADJUSTMENT OF MAXIMUM PRICES

Correction

In the table under paragraph (c) (iii) of F. R. document number 44-18254, appearing at page 14253 of the issue for Saturday, December 2, 1944, the final style number should read "91BU".

[Order 91 Under 18, (c), Amdt. 1]

PAN BREAD

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to 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 9338, *It is ordered* that Order No. 91 under § 1499.18 (c) as amended, of General Maximum Price Regulation is amended in the following respects:

1. Paragraph 2 (a) is added to read as follows:

(a) That the maximum prices on all sales of pan bread baked in a one (1) pound loaf, in the Counties of the State of Texas specified in paragraph (2) above shall be as follows:

Sales at wholesale	Sales at retail	Sales by chain stores
0.08	0.10	0.08

2. Paragraph 3 (a) is added to read as follows:

(a) That the maximum prices on all sales of pan bread baked in a one (1) pound loaf, in the following named Counties of the State of Texas, shall be as follows:

County	Sales at wholesale	Sales at retail	Sales by chain stores
Cooke	0.07	0.08	0.07
Tarrant	.07½	.09	.07½

3. Paragraph (4) is amended to read as follows:

(4) That, except as provided herein, the maximum prices on all such sales of bread shall be those specified in (2), (2a), (3) or (3a), above, or the seller's maximum price determined pursuant to the provisions of Supplementary Regulation No. 14B, or to the General Maximum Price Regulation, whichever is highest; and

This amendment to Order No. 91 shall become effective on December 19, 1944.

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

Issued this 16th day of December 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-19091; Filed, Dec. 16, 1944; 11:50 a. m.]

[MPR 120, Order 1173]

O. V. FORTNEY & SONS, ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

Correction

In Federal Register document 44-18295, appearing in the issue of Tuesday, December 5, 1944, page 14311, in the first table for Seagle Coal Co., Inc., the figure for rail shipments and railroad fuel under size group No. 4 should be "250".

[MPR 170, Order 9]

PETROLEUM SPECIALTY CO.

ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and in accordance with § 1412.13 (j) of Maximum Price Regulation No. 170, it is hereby ordered:

(a) *Definition.* As used in this order the term "glycerine base anti-freeze" refers to an anti-freeze manufactured by the Petroleum Specialty Company of Omaha, Nebraska, containing at least 60 per cent of chemically pure glycerine by volume (at least 63.9 per cent by volume of 95 per cent (by weight) C. P. glycerine).

(b) *Maximum prices for sales of glycerine base anti-freeze.* (1) The maximum price for sales of glycerine base anti-freeze to sellers at retail shall be $1.35 per gallon delivered in gallon glass jugs.

(2) The maximum prices for sales of glycerine base anti-freeze at retail shall

be $2.00 per gallon or $0.50 per quart. This price includes installation in automobile cooling system where buyer so requests and where anti-freeze was customarily so installed without charge during the six-month period ending March 31, 1942, by the seller or, if the seller did not sell anti-freeze during such period, by like sellers.

(c) *Containers.* No extra charge may be made for containers.

(d) *Marking and posting*—(1) *By the Petroleum Specialty Company.* The Petroleum Specialty Company shall clearly and conspicuously mark on the outside of each container of glycerine base anti-freeze sold by it the following information:

(i) "A glycerine base anti-freeze."

(ii) The applicable maximum retail price designated as follows: "OPA Retail Ceiling Price $2.00 per gallon."

(iii) The strength of the anti-freeze contained therein. Such strength may be designated as follows: "_____gallon(s) of this anti-freeze added to one gallon of water will reduce the freezing point of the mixture to 10 degrees below zero Fahrenheit." Or, as an alternative, it may be designated by a complete anti-freeze protection table from which the above information may be obtained: *Provided,* That where any anti-freeze is packaged which when added to water in the proportion of ¾ of a gallon or less of such anti-freeze to one gallon of water reduces the freezing point of the resulting mixture to 10 degrees below zero Fahrenheit or lower, the terms "standard," "standard strength," or "full strength" may be used instead of the above statement or protection table.

(2) *By retailers.* Every person selling glycerine base anti-freeze shall post in a manner plainly visible to and understandable by the purchasing public the maximum retail price and a short description of the commodity, such as, "glycerine base anti-freeze."

(e) This order may be revoked or amended at any time.

This order shall become effective December 18, 1944.

Issued this 16th day of December 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-19090; Filed, Dec. 16, 1944; 11:50 a. m.]

[MPR 188; Order 3145]

WAR BICYCLES

ADJUSTMENT 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 § 1499.159b of Maximum Price Regulation No. 188, it is ordered:

(a) *Purpose of this order.* This order establishes maximum prices for sales and deliveries of war bicycles, by manufacturers after the effective date of this order.

(b) *Relationship of this order to Maximum Price Regulation No. 188.* This order modifies the pricing provisions (§§ 1499.153, 1499.154, 1499.155, 1499.156, 1499.157, and 1499.158) of Maximum Price Regulation No. 188, for sales and deliveries by manufacturers of war bicycles, after the effective date of this order, to the extent provided for herein. All other sections of Maximum Price Regulation No. 188 remain in effect as to sales and deliveries of war bicycles covered by this order.

(c) *Maximum prices for manufacturers' sales of war bicycles.* (1) The maximum prices for sales by a manufacturer of war bicycles are set forth below.

(i) Lightweight conventional war bicycle.

(*a*) $20.50 per unit for sales to distributors.
(*b*) $22.50 per unit for sales to dealers.

(ii) Balloon-tire conventional war bicycle.

(*a*) $21.95 per unit for sales to distributors.
(*b*) $24.10 per unit for sales to dealers.

(iii) Lightweight folding war bicycle.

(*a*) $25.45 per unit for sales to an exclusive distributor.
(*b*) $27.60 per unit for sales to distributors.
(*c*) $30.80 per unit for sales to dealers.

(iv) Balloon-tire folding war bicycle.

(*a*) $27.23 per unit for sales to an exclusive distributor.
(*b*) $29.75 per unit for sales to distributors.
(*c*) $33.00 per unit for sales to dealers.

(2) The maximum prices established by subdivisions (i), (ii), (iii), and (iv) above, for sales to distributors and dealers, are subject, on sales to other wholesalers or retailers, to the terms, discounts, allowances, and other price differentials which the manufacturer customarily allowed or charged each such class of purchaser in March 1942.

(3) To the above maximum prices there may be added 50¢ per unit for sales of lightweight war bicycles, and 55¢ per unit for sales of balloon-tire war bicycles when shipments are made by the manufacturer, at the direction of a wholesaler, direct to a retailer or consumer, or when shipments are made by the manufacturer, at the direction of a retailer direct to a consumer.

(4) To the above maximum prices for conventional bicycles equipped with a bicycle lamp, the same as or similar to one supplied by the manufacturer on bicycles sold prior to War Production Board restrictions may be added the following:

(i) $.60 for sales to wholesalers.
(ii) $.70 for sales to retailers.

(5) The maximum prices established by this paragraph (c) are f. o. b. point of shipment, 2% 10 days, net thirty. They are also subject to the manufacturer's customary allowances and other price differentials.

(d) *Maximum prices for other sales of war bicycles by manufacturers.* For all sales and deliveries by the manufacturer of a model different from one specified above, or to a class of purchaser not specified, or under different terms and conditions of sale, the maximum prices shall be those established by order of the Office of Price Administration, in line with the general level of maximum prices of Maximum Price Regulation No. 188. Applications for the establishment of such maximum prices shall be filed with the Office of Price Administration, Washington 25, D. C., under the fourth pricing method of Maximum Price Regulation No. 188, and no sales and deliveries may be made until authorized by the Office of Price Administration, except for sales to the United States or Allied Governments. Should a manufacturer fail to make application for the establishment of maximum prices as required by this paragraph, the Office of Price Administration, may, upon its own motion, issue orders establishing maximum prices which are in line with the level of maximum prices established by this order. Maximum prices so established shall be effective as of the date of the first sale.

(e) *Definitions.* For purposes of this order:

(1) "War bicycle" means a civilian type bicycle manufactured within the limitations of War Production Board Limitation Order L-52 as amended. Four types of war bicycles are defined as follows:

(i) A "lightweight conventional" war bicycle means a war bicycle which has a conventional type frame and tires approximately 26 x 1⅜ inches in size.

(ii) A "balloon-tire conventional" war bicycle means a war bicycle which has a conventional type frame, tires approximately 26 x 2⅛ inches in size, a chain guard and kick stand.

(iii) A "lightweight folding" war bicycle means a war bicycle which has a two-piece frame assembled by means of a locking device, tires approximately 26 x 1⅜ inches in size, folding handle bars, a chain guard and a kick stand.

(iv) A "balloon-tire folding" war bicycle means a war bicycle which has a two-piece frame assembled by means of a locking device, tires approximately 26 x 2⅛ inches in size, folding handle bars, a chain guard and a kick stand.

(2) "Wholesaler" means a person who customarily purchases bicycles from the manufacturer for resale to retailers.

(3) "Distributor" means a wholesaler of the class to which the manufacturer charged the highest net prices in March 1942.

(4) "Exclusive distributor" means the person who purchases a manufacturer's entire production of a particular type of war bicycle.

(5) "Retailer" means a person who customarily purchases bicycles for resale to consumers.

(6) "Dealer" means a retailer of the class to which the manufacturer charged the highest net prices in March 1942.

(f) This order may be revoked or amended by the Price Administrator at any time.

This Order No. 3145 shall become effective on the 18th day of December 1944.

Issued this 16th day of December 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-19111; Filed, Dec. 16, 1944; 5:14 p. m.]

[MPR 136 as amended, 2d Rev. Order 88]

GENERAL ELECTRIC CO.

APPROVAL OF MAXIMUM PRICES

Correction

In F. R. document 44-18389, appearing at page 14350 of the issue for Wednesday, December 6, 1944, in the table for paragraph (a) the tenth model under "Monitor top sealed units" should read "DR2-D2". Under paragraph (b) the thirteenth model under "Monitor top sealed units" should read "DR3-DRE3-DR35-D35".

[Rev. SR 14, Order 22]

J. M. SKALA TOBACCO FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to section 6.56 (a) (2) (ii) of Revised Supplementary Regulation No. 14 to the General Maximum Price Regulation; *It is ordered,* That:

(a) J. M. Skala Tobacco Factory, 3901 Warren Street, S. E., Cleveland, Ohio (hereinafter called "manufacturer"), and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each of the following items of scrap chewing tobacco at the appropriate maximum list price and maximum retail price set forth below:

Brand	Variety	Quantity of package contents	Maximum list price per dozen packages	Maximum retail price per package
		Oz.		*Cents*
Broad Leaf	Plain	8	$4.20	42
Farmer's	Plain	16	8.12	80

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each item of scrap chewing tobacco for which maximum prices are established by this order, the discounts and allowances they customarily granted during March 1942 on their sales of such items to purchasers of the same class, unless a change therein results in a lower price.

(c) Every retailer shall maintain, with respect to his sales of each item of scrap chewing tobacco for which maximum prices are established by this order, the customary price differentials below the manufacturer's stated retail price allowed by him during March 1942 with respect to such item.

(d) The manufacturer and every other seller (except a retailer) of an item of scrap chewing tobacco for which maximum prices are established by this order, shall notify the purchaser of such maximum prices. The notice shall conform to and be given in the manner prescribed by section 6.56 (d) of Revised Supplementary Regulation No. 14 to the General Maximum Price Regulation.

(e) Unless the context otherwise requires, the provisions of section 6.56 of Revised Supplementary Regulation No. 14 to the General Maximum Price Regulation shall apply to sales for which maximum prices are established by this order.

(f) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective December 18, 1944.

Issued this 16th day of December 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-19116; Filed, Dec. 18, 1944; 9:32 a. m.]

[2d Rev. Max. Export Price Reg., Order 65]

FINISHED PIECE GOODS

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 12 of the Second Revised Maximum Export Price Regulation; *It is ordered:*

Notwithstanding any contrary provision of the Second Revised Maximum Export Price Regulation, any manufacturer or producer of finished piece goods which are governed in the domestic market by Maximum Price Regulation No. 127 may, in computing his maximum export price for any such goods which he delivers to an ocean carrier for export prior to March 3, 1945 against a firm contract entered into prior to November 15, 1944, take as his base price the maximum domestic price provided by Maximum Price Regulation No. 127 prior to adoption of Amendment No. 26 thereto on December 3, 1944, provided that such goods as are delivered to the ocean carrier after January 2, 1945 have prior to that date been packed, marked with the name and address of the foreign purchaser, and set aside and held for the foreign purchaser and that the exporter has prepared and retains inventory records identifying the goods as having been appropriated to the foreign purchaser on or before January 2, 1945.

This order shall become effective on December 18, 1944.

Issued this 16th day of December 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-19117; Filed, Dec. 18, 1944; 9:32 a. m.]

[MPR 136, Order 381]

WAGNER MALLEABLE PRODUCTS CO.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 381 under Maximum Price Regulation 136, as amended. Machines and parts and machinery services. Docket No. 6083-136.25a-43; Wagner Malleable Products Company.

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 136, as amended; *It is ordered:*

(a) The maximum prices for sales to distributors by the Wagner Malleable Products Company, Chicago, Illinois, of the three types of couplings and connectors for thin-walled electrical conduit listed below, shall be determined as follows:

The manufacturer shall deduct from the following prices to distributors all discounts, allowances and other deductions that he had in effect to a distributor of the same class just prior to the issuance of this order.

Catalog No.:	*Maximum price per 100*
802	$4.23
803	5.55
813	6.86

(b) The maximum prices for sales by resellers of the three types of couplings and connectors for thin-walled electrical conduit, listed in (a) above, shall be determined as follows:

The resellers shall add to their maximum net price in effect to a purchaser of the same class just prior to the issuance of this order, the dollar-and-cents amount by which their costs have been increased in accordance with this order.

(c) The Wagner Malleable Products Company shall notify those customers who buy those items listed in (a) above for resale of the dollar-and-cents amounts by which this order permits resellers to increase their maximum prices. The Wagner Malleable Products Company shall file a copy of each such notice with the Machinery Branch, Office of Price Administration, Washington, D. C.

(d) All requests not granted herein are denied.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective December 18, 1944.

Issued this 16th day of December 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-19118; Filed, Dec. 18, 1944; 9:35 a. m.]

[Supp. Order 94, Order 14]

UNITED STATES TREASURY DEPARTMENT, PROCUREMENT DIVISION

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and in accordance with section 11 of Supplementary Order 94, it is ordered:

(a) *What this order does.* This order establishes maximum prices at which U. S. Army hydraulic jacks hereinafter described, purchased from the United States Treasury Department, Procurement Division may be resold.

(b) *Maximum prices.* Maximum delivered prices per jack described herein shall be:

Description of jacks	Manufacturer's price to jobber or distributor	Price for sales to consumers by any person
Hydraulic jack, roller type, 10-ton capacity, TAC Tentative Specifications ES No. 245-B	$70	$100

(c) *Notification of maximum prices.* Any person who sells the jacks described in paragraph (b) to a jobber or distributor shall notify the purchaser in writing of the purchaser's maximum reselling price. This notice may be given in any convenient form.

(d) *Tagging.* Every seller of any jack covered by this Order must, before selling or delivering any jack, attach thereto a tag or label setting forth the maximum price established by this order for sales of the jacks to consumers.

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

This order shall become effective December 16, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 16th day of December 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-19115; Filed, Dec. 16, 1944; 5:16 p. m.]

Regional and District Office Orders.

[Region II Order G-27 Under 18 (c)]

FIREWOOD IN WASHINGTON, D. C., AREA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.18 (c) of the General Maximum Price Regulation, as amended, and Revised Procedural Regulation No. 1, *It is ordered:*

(a) On and after December 5, 1944, the maximum prices for the sale and delivery, in the Washington, D. C. area, as defined herein, of firewood of the following types, viz., hardwood cordwood, mixed hardwood cordwood and softwood cordwood, and softwood cordwood, delivered to consumer's premises, in the units and sizes set forth in the following schedule, shall be the applicable adjusted maximum prices specified therein:

Type	Size	Adjusted maximum price per unit		
		Cord	½ cord	¼ cord
Hardwood cordwood	12", 16", 24" lengths	$21.00	$11.00	$5.75
	4 ft. lengths	19.00	10.00	5.25
Mixed hardwood and softwood cordwood	12", 16", 24" lengths	21.00	11.00	5.75
	4 ft. lengths	19.00	10.00	5.25
Softwood cordwood	12", 16", 24" lengths	21.00	11.00	5.75
	4 ft. lengths	19.00	10.00	5.25

(b) The following charges per unit for the service comprehending wheeling, carrying, and stacking may be added to the applicable adjusted maximum prices set forth in paragraph (a), where the seller performs such service at the request of the purchaser:

Unit:	*Maximum authorized service charge, inclusive of carrying, wheeling and stacking*
Cord	$1.00
½ cord	.50
¼ cord	.25

(1) The foregoing service charge must in all cases be separately shown and separately stated on seller's invoice or memorandum of sale.

(2) The charge may be made only in those cases wherein the purchaser voluntarily requests a performance of the service, and the seller may not require, as a condition of any sale and/or delivery, that the purchaser use such seller's services.

(c) The seller may not charge for any service for which a charge is not specifically authorized by this order, and may not add to the maximum prices above established any charge which is not expressly permitted in this order.

(d) No person shall evade any of the maximum prices established herein, directly or indirectly, whether by commission, service, transportation or other charge; by tying agreement or other trade understanding, or in any other way. However, prices lower than these maximum prices may be charged and paid.

If a seller makes a sale in quantities smaller than those specified in this order, at a price substantially equal to or greater than the price established in this order for a designated quantity of firewood, he shall be in violation of this order. No seller shall break up a purchase order in an effort to obtain a higher price.

(e) *Invoices and records.* Every person making a sale of firewood for which a maximum price is set by this order shall give the purchaser or his agent at the time of the sale an invoice or other memorandum of sale, which shall show:

(1) The date of sale,

(2) The name and address of the buyer and seller,

(3) The quantity of firewood sold,

(4) Description of firewood sold, in the same manner as it is described in this order. (This shall include the kind of wood, i. e., hard, soft or mixed, and length of pieces of wood.)

(5) Place of sale. (If the price is dependent on place of delivery, then the place of delivery shall be stated.)

(6) The total price of the wood.

On the invoice or memorandum, a separate statement shall be made of any discounts and of each service rendered such as wheeling, carrying and stacking, and the charge made for each such service.

The seller shall keep an exact copy of such invoice or memorandum for as long as the Emergency Price Control Act of 1942, as amended, remains in effect, and such copy shall be made available for inspection by the Office of Price Administration.

(f) The Regional Administrator or Price Administrator may amend, revoke or rescind this order at any time.

(g) *Definitions.* When used in this order the term:

(1) "Firewood" means any wood prepared and intended for consumption as fuel.

(2) "Cordwood" means any firewood so prepared that at least 80% consists of cleft wood or merchantable body wood in the round, of desirable species.

(3) "Hardwood cordwood" means any cordwood cut from deciduous trees.

(4) "Softwood cordwood" means cordwood cut from other than deciduous trees.

(5) "Cord" means a standard cord of 128 cubic feet of compactly piled firewood.

(6) "½ Cord" means 64 cubic feet of compactly piled firewood.

(7) "¼ Cord" means 32 cubic feet of compactly piled firewood.

(8) "Stacking" means the orderly placing, arranging, setting or piling of individual pieces of firewood on or at the premises designated by, and in a place therein prescribed, by the purchaser.

(9) "Carrying and wheeling" refer to the movement of firewood from seller's truck or other vehicle to the place designated by the purchaser for stacking.

(10) "To the consumer's premises" means delivered and deposited on or at premises designated by the purchaser or his representative.

(11) The Washington, D. C., area includes the District of Columbia, and the following districts in the State of Maryland: Chevy Chase, Bethesda, Sligo, Silver Spring, Takoma Park, College Park, Seat Pleasant, Riverdale, Capitol Heights, Oxon Hill, Kensington, Mt. Rainier, Hyattsville and Brentwood which are in Montgomery and Prince Georges Counties.

NOTE: the record-keeping provision of this order has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This order shall become effective December 5, 1944.

(56 Stat. 23, 765; 57 Stat. 565; Pub. Law 383, 78th Cong., E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 5th day of December 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44-19048; Filed, Dec. 15, 1944; 1:39 p. m.]

[Raleigh Order Rev. G-1 Under Gen. Order 59, Amdt. 2]

MALT AND CEREAL BEVERAGES IN RALEIGH, N. C.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the District Director of the Raleigh, North Car-

olina, District Office of Region IV of the Office of Price Administration by General Order No. 50 issued by the Administrator of the Office of Price Administration, and Region IV Revised Delegation Order No. 17, issued May 5, 1944, *It is hereby ordered,* That Appendices A and B of Revised Order No. G-1 under General No. 50 are amended to read as follows:

APPENDIX A

PART I—BOTTLED BEERS AND ALES

Group 1B

Commodity and brand or trade name	Maximum price per bottle	
	12-ounce	32-ounce
Beer:	*Cents*	*Cents*
Ballantine	25	50
Barbarossa	25	50
Blatz Pilsner	25	50
Budweiser	25	50
Canadian Ace	25	50
Loewers	25	50
Miller's High Life	25	50
Namar Premium	25	50
National Premium	25	50
Pabst Blue Ribbon	25	50
Schlitz	25	50
Trim	25	50
Tru-Blu Old Fashioned	25	50
Ale:		
Ballantine	25	50
Canadian Ace	25	50
Carling's Red Cap	25	50
Krueger Cream	25	50
Red Top	25	50
Imported beer: Carta Blanca	35	--------
All other brands of domestic or imported beer and ale not listed above and not listed in Appendix B hereof including unlabeled beer and ale	20	45

For beers and ales bottled in containers of odd sizes, that is, other than 12 oz. or 32 oz. sizes, the maximum price for such odd size bottle shall be calculated by multiplying the number of net ounces of the beverage by 1¢.

The above prices include all State taxes, sales or otherwise, and all Federal taxes with the exception of the Federal excise tax on cabarets. Sellers who are required to pay the Federal excise tax on cabarets may add the same to the above prices if such tax is separately stated and collected.

(See part II of this appendix A for draft beer and ale.)

Group 2B

Commodity and brand or trade name	Maximum price per bottle	
	12-ounce	32-ounce
Beer:	*Cents*	*Cents*
Ballantine	20	45
Barbarossa	20	45
Blatz Pilsner	20	45
Budweiser	20	45
Canadian Ace	20	45
Loewers	20	45
Miller's High Life	20	45
Namar Premium	20	45
National Premium	20	45
Pabst Blue Ribbon	20	45
Schlitz	20	45
Trim	20	45
Tru-Blu Old Fashioned	20	45
Ale:		
Ballantine	20	45
Canadian Ace	20	45
Carling's Red Cap	20	45
Krueger Cream	20	45
Red Top	20	45
Imported beer: Carta Blanca	30	----
All other brands of domestic or imported beer and ale not listed above and not listed in Appendix B hereof including unlabeled beer and ale	15	40

For beers and ales bottled in containers of odd sizes, that is, other than 12 oz. or 32 oz. sizes, the maximum price for such odd size bottle shall be calculated by multiplying the number of net ounces of the beverage by 1¢.

The above prices include all State taxes, sales or otherwise, and all Federal taxes with the exception of the Federal excise tax on cabarets. Sellers who are required to pay the Federal excise tax on cabarets may add the same to the above prices if such tax is separately stated and collected.

(See part II of this appendix A for draft beer and ale)

Group 3B

Commodity and brand or trade name	Maximum price per bottle	
	12-ounce	32-ounce
Beer:	*Cents*	*Cents*
Ballantine	17	42
Barbarossa	17	42
Blatz Pilsner	17	42
Budweiser	17	42
Canadian Ace	17	42
Loewers	17	42
Miller's High Life	17	42
Namar Premium	17	42
National Premium	17	42
Pabst Blue Ribbon	17	42
Schlitz	17	42
Trim	17	42
Tru-Blu Old Fashioned	17	42
Ale:		
Ballantine	17	42
Canadian Ace	17	42
Carling's Red Cap	17	42
Krueger Cream	17	42
Red Top	17	42
Imported beer: Carta Blanca	27	--------
All other brands of domestic or imported beer and ale not listed above and not listed in Appendix B hereof including unlabeled beer and ale	12	37

For beers and ales bottled in containers of odd sizes, that is, other than 12 oz. or 32 oz. sizes, the maximum price for such odd size bottle shall be calculated by multiplying the number of net ounces of the beverage by 1¢.

The above prices include all State taxes, sales or otherwise, and all Federal taxes with the exception of the Federal excise tax on cabarets. Sellers who are required to pay the Federal excise tax on cabarets may add the same to the above prices if such tax is separately stated and collected.

(See part II of this appendix A for draft beer and ale)

PART II—DRAFT BEERS AND ALES

Commodity and brand or trade name	Contents of container	Maximum prices for groups		
		1B	2B	3B
Draft beer and ale: All brands	*Ounces*	*Cents*	*Cents*	*Cents*
	8	10	09	09
	9	11	10	10
	10	12	11	11

NOTE: For any size of container other than those set forth above the maximum price for sellers of all groups shall be 1¢ per ounce.

The above prices include all State taxes, sales or otherwise, and all Federal taxes with the exception of the Federal excise tax on cabarets. Sellers who are required to pay the Federal excise tax on cabarets may add the same to the above prices if such tax is separately stated and collected.

APPENDIX B

NOTE: This Appendix B fixes maximum prices for all groups of sellers on certain so-called "intermediate priced" beers and ales. A seller may not establish his group on the basis of the prices given in Appendix B but must determine his group on the basis of prices given for the other brands covered by Appendix A.

Commodity and brand or trade name	Size of bottle	Maximum prices for groups		
		1B	2B	3B
Beer:	*Ounces*	*Cents*	*Cents*	*Cents*
Bay State	12	20	17	17
Burger Brau	12	20	17	17
Dover	12	20	17	17
Ehret	12	20	17	17
Esslinger's	12	20	17	17
Genesee	12	20	17	17
Gold Label	12	20	17	17
Gold Medal Tivoli	12	20	17	17
Holland	12	20	17	17
Hornung's	12	20	17	17
Koenig Brau	12	20	17	17
Krueger	12	20	17	17
Lion	12	20	17	17
Nectar	12	20	17	17
P. O. S	12	20	17	17
Supreme	12	20	17	17
Bay State	32	45	42	42
Burger Brau	32	45	42	42
Dover	32	45	42	42
Ehret	32	45	42	42
Esslinger's	32	45	42	42
Genesee	32	45	42	42
Gold Label	32	45	42	42
Gold Medal Tivoli	32	45	42	42
Holland	32	45	42	42
Hornung's	32	45	42	42
Koenig Brau	32	45	42	42
Krueger	32	45	42	42
Lion	32	45	42	42
Nectar	32	45	42	42
P. O. S	32	45	42	42
Supreme	32	45	42	42
Ale:				
Bay State	12	20	17	17
Dover	12	20	17	17
New England	12	20	17	17
Esslinger's Little Man	12	20	17	17
Bay State	32	45	42	42
Dover	32	45	42	42
New England	32	45	42	42
Esslinger's Little Man	32	45	42	42

For beers and ales bottled in containers of odd sizes, that is, other than 12 oz. or 32 oz. sizes, the maximum price for such odd size bottle shall be calculated by multiplying the number of net ounces of the beverage by 1¢.

The above prices include all State taxes, sales or otherwise, and all Federal taxes with the exception of the Federal excise tax on cabarets. Sellers who are required to pay the Federal excise tax on cabarets may add the same to the above prices if such tax is separately stated and collected.

This Amendment No. 2 to Revised Order No. G-1 under General Order No. 50 shall become effective October 14, 1944 and supersedes any provision of the aforesaid Revised Order or Amendment No. 1 thereto which is inconsistent with the provisions of this amendment.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; General Order 50, 8 F.R. 4808)

Issued this 9th day of October 1944.

THEODORE S. JOHNSON,
District Director.

[F. R. Doc. 44-19012; Filed, Dec. 15, 1944; 9:59 a. m.]

[Region VIII Order G-4 Under MPR 355, Corr.]

FABRICATED MEAT CUTS IN SACRAMENTO, CALIF., AREA

The above entitled order incorrectly states the finding of the Regional Administrator and the conditions upon which it was based. Therefore, the statement of condition designated number (2) is corrected by adding the fol-

lowing clause at the end thereof: "or the dealers who sell fabricated cuts in that area lack adequate facilities;"

Said order is further corrected by changing the third sentence in the finding of the Regional Administrator to read as follows: "The purchase of ration quotas of meat has been made by purveyors of meals from retail markets, for wholesalers or hotel supply houses in the area who fabricate meat locally, lacking facilities, are failing to sell their full quotas."

Issued this 30th day of November 1944.

CHAS. R. BAIRD,
Regional Administrator.

[F. R. Doc. 44-19045; Filed, Dec. 15, 1944; 1:39 p. m.]

[Region VIII Order G-6 Under MPR 188]

CONCRETE BUILDING BLOCKS IN DESIGNATED COUNTIES IN CALIFORNIA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.161 (a) (2) of Maximum Price Regulation No. 188, it is hereby ordered:

(a) *Geographical applicability.* This order shall apply in the Counties of Los Angeles, Riverside, San Bernardino, and Orange, State of California.

(b) *Adjusted maximum prices.* The adjusted maximum prices of producers of concrete building blocks in the above described area shall be as follows:

Dimensions	F. o. b. plant (maximum price per 1,000 blocks)			Addition for delivery (miles from producer's plant)—		
	Hollow	Cap	Solid	Under 12	12-20	Over 20
2" x 4" x 6"			$16.00	$2.00	$4.00	$6.00
2" x 4" x 8"			17.00	2.50	5.00	7.00
2" x 4" x 12"			28.00	3.50	6.50	9.00
4" x 4" x 12"	$37.00	$42.00	47.00	4.50	8.00	11.50
4" x 6" x 12"	48.00	53.00	70.00	5.50	10.00	14.50
4" x 8" x 12"	59.00	64.00	95.00	6.50	12.00	17.00
4" x 12" x 12"	84.00	90.00	110.00	9.00	17.00	23.00

(c) *Other sizes.* The adjusted maximum price of a concrete building block of a size not listed in paragraph (b) shall be the adjusted maximum price provided in that paragraph for the most comparable size of the same type (that is, either hollow, cap or solid) multiplied by the ratio of the cubic content of the unlisted block and cubic content of the comparable block.

(d) *Handling charge.* Sales of less than 1,000 blocks are to be priced in proportion to the price provided for 1,000 blocks except that an additional charge of $1.00 may be made for any single sale.

(e) *Invoicing requirements.* Every person making sales subject to this order shall certify on his invoice or sales tag that the price charged does not exceed the price permitted by this order and shall separately show any additional charges made for delivery or handling permitted by paragraph (d).

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

(g) This order shall become effective November 30, 1944.

Issued this fourth day of December 1944.

CHAS R. BAIRD,
Regional Administrator.

[F. R. Doc. 44-19047; Filed, Dec. 15, 1944; 1:39 p. m.]

[Region VIII Order G-7 Under MPR 355]

FABRICATED MEAT CUTS IN SAN JOAQUIN VALLEY, CALIF., AREA

By virtue of the authority vested in me by the provisions of section 5 (c) of Maximum Price Regulation No. 336, section 5 (c) of Maximum Price Regulation No. 355 and section 5 (c) of Maximum Price Regulation No. 394, I am empowered to declare specific areas in the region under my jurisdiction to be deficient in supplies of fabricated meat cuts where I find that the following conditions exist therein:

(1) That purveyors of meals are unable to purchase fabricated meat cuts in volume sufficient to supply their requirements;

(2) That the deficiency in supplies of fabricated meat cuts is caused by the fact that there are no sellers of fabricated meat cuts located in the area, or the dealers in the area selling fabricated meat cuts lack adequate facilities or quotas to supply the requirements of purveyors of meals.

(3) That purveyors of meals located in the area customarily have relied upon, and must continue to reply upon retail sellers for their necessary supplies of meat.

I have investigated the situation existing in the San Joaquin Valley Area consisting of the California Counties of Kern, Tulare, Kings, Fresno, Merced, and Stanislaus, and as a result of that investigation I find:

(1) That purveyors of meals located in the area are unable to obtain supplies of fabricated meat cuts adequate to fill their needs. This conclusion is based upon the fact that purveyors of meals within the area are unable to obtain fabricated meat cuts in sufficient volume to supply their requirements. The purchase of ration quotas of meat has been made by purveyors of meals from retail markets because dealers in this area selling fabricated cuts do not have adequate facilities or quotas to supply purveyors of meals in that area. Purveyors of meals have customarily relied upon retail dealers, and they must continue to rely upon retail sellers for supplies of meat sufficient to meet their requirements.

This declaration shall be effective as of December 6, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; MPR No. 336, 8 F.R. 2859; MPR No. 355, 8 F.R. 4423; MPR No 394, 8 F.R. 6364)

Issued this 4th day of December 1944.

CHAS. R. BAIRD,
Regional Administrator.

[F. R. Doc. 44-19046; Filed, Dec. 15, 1944; 1:39 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register December 15, 1944.

REGION II

Trenton Order 22, covering dry groceries in the Trenton, New Jersey Area. Filed 10:09 a. m.

REGION IV

Atlanta Order 4-F, Amendment 14, covering fresh fruits and vegetables in certain counties in the Atlanta district, filed 10:11 a. m.

Atlanta Order 4-F, Amendment 15, covering fresh fruits and vegetables in certain counties in the Atlanta district, filed 10:12 a. m.

Columbia Order 14, Amendment 18, covering shell eggs in certain counties in South Carolina, filed 10:10 a. m.

Columbia Order 14, Amendment 19, covering shell eggs in certain counties in South Carolina, filed 10:10 a. m.

Columbia Order 14, Amendment 20, covering shell eggs in certain counties in South Carolina, filed 10:11 a. m.

Jacksonville Order 10-F, Amendment 9, covering fresh fruits and vegetables in certain cities in the State of Florida, filed 10:09 a. m.

Raleigh Order G-1, Amendment 2, covering certain food items in certain areas in North Carolina, filed 9:59 a. m.

REGION V

Arkansas Order 2-F, Amendment 37, covering fresh fruits and vegetables in Little Rock, Ark., filed 10:07 a. m.

Arkansas Order 5-F, Amendment 34, covering fresh fruits and vegetables in Little Rock, Ark., filed 10:08 a. m.

Arkansas Order 6-F, Amendment 35, covering fresh fruits and vegetables in Little Rock, Ark., filed 10:08 a. m.

Fort Worth Order 1-F, Amendment 47, covering fresh fruits and vegetables in Fort Worth, Tex., filed 10:07 a. m.

Fort Worth Order 2-F, Amendment 47, covering fresh fruits and vegetables in Fort Worth, Tex., filed 10:07 a. m.

Fort Worth Order 3-F, Amendment 47, covering fresh fruits and vegetables in Fort Worth, Tex., filed 10:07 a. m.

Fort Worth Order 4-F, Amendment 47, covering fresh fruits and vegetables in Fort Worth, Tex., filed 10:07 a. m.

Fort Worth Order 5-F, Amendment 47, covering fresh fruits and vegetables in Fort Worth, Tex., filed 10:06 a. m.

Fort Worth Order 6-F, Amendment 11, covering fresh fruits and vegetables in Fort Worth, Tex., filed 10:06 a. m.

Wichita Order 4-F, Amendment 23, covering fresh fruits and vegetables in Wichita, Kans., filed 10:03 a. m.

REGION VI

Chicago Order 1-C, covering prices for poultry in the Chicago area, filed 10:05 a. m.

Chicago correction to Order 1-C, covering poultry in certain counties in Illinois and Indiana, filed 10:05 a. m.

Springfield Order 1-FS, Amendment 18, covering fresh fruits and vegetables in Sangamon County Ill., filed 10:06 a. m.

Springfield Order 2-FS, Amendment 2, covering fresh fruits and vegetables in certain counties in the State of Illinois, filed 10:06 a. m.

REGION VII

New Mexico Order 2-W, Amendment 4, covering dry groceries in the New Mexico area, filed 10:02 a. m.

New Mexico Order 4-W, Amendment 4, covering dry groceries in the New Mexico area, filed 10:02 a. m.

New Mexico Order 5-W, Amendment 4, covering dry groceries in the New Mexico area, filed 10:03 a. m.

New Mexico Order 6-W, Amendment 5, covering dry groceries in the New Mexico area, filed 10:05 a. m.

Wyoming Order 7-W, covering community food prices in the Casper area, filed 10:12 a. m.

Wyoming Order 8-W, covering community food prices in the Cheyenne and Laramie area, filed 10:12 a. m.

REGION VIII

San Francisco Order F-1, Amendment 45, covering fresh fruits and vegetables in certain cities and counties in the State of California, filed 10:02 a. m.

San Francisco Order F-2, Amendment 38, covering fresh fruits and vegetables in certain cities in the State of California, filed 10:01 a. m.

San Francisco Order F-3, Amendment 37, covering fresh fruits and vegetables in certain counties in the State of California, filed 10:01 a. m.

San Francisco Order F-4, Amendment 36, covering fresh fruits and vegetables in certain cities in the State of California, filed 10:01 a. m.

San Francisco Order F-5, Amendment 35, covering fresh fruits and vegetables in certain cities in the State of California, filed 10:10 a. m.

San Francisco Order F-6, Amendment 31, covering fresh fruits and vegetables in certain cities in the State of California, filed 10:09 a. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44-19068; Filed, Dec. 15, 1944; 4:29 p. m.]

[Region IV Order G-1 Under RMPR 269]

LIVE POULTRY EXCEPT TURKEYS IN DESIGNATED VIRGINIA COUNTIES

For the reasons set forth in the accompanying opinion and pursuant to the authority vested in the Regional Administrator of the Office of Price Administration, Region IV, by § 1429.14 (e) (1) (ii) of Revised Maximum Price Regulation 269 as amended, it is hereby ordered:

(a) *Permitted increase to maximum base prices.* (1) Permitted increase for transporting live poultry. Any person who transports live poultry items, except turkeys, for a distance of more than five miles to any processing plant of any processor located in Accomac, Albermarle, Augusta, Frederick, Northampton, Page, Rockingham and Shenandoah Counties, Virginia, may sell or deliver such poultry items to the processor at the maximum base price for the point at which the processing plant is located, plus 1½¢ per pound. The weight of the live poultry items sold or delivered shall be the weight at the time of delivery at the processing plant.

(b) *Applicability of Revised Maximum Price Regulation 269.* (1) Except as provided in paragraph (a) above, all the provisions of Revised Maximum Price Regulation 269 continue in effect.

(c) This order may be revoked, amended or corrected at any time.

This order shall become effective at 12:01 a. m. Eastern War Time, December 11, 1944.

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

Issued: December 9, 1944.

ALEXANDER HARRIS,
Regional Administrator.

[F. R. Doc. 44-19092; Filed, Dec. 16, 1944; 11:51 a. m.]

[Region VI Order G-16 Under RMPR 122, Amdt. 3]

SOLID FUELS IN CERTAIN SPECIFIED AREAS IN CHICAGO REGION

An opinion accompanying this amendment has been issued simultaneously herewith. Order No. G-16 under Revised Maximum Price Regulation No. 122 is amended in the following respects:

(1) Section (k) is amended to read as follows:

(k) *Invoices, sales slips and receipts.* Every person selling solid fuels subject to this order shall, either at the time of, or within thirty days after the date of a sale or delivery of solid fuels governed by this order give to his purchaser an invoice, sales slip or receipt, and shall keep an exact copy thereof for so long as this order is in effect or for so long as the Emergency Price Control Act of 1942, as amended, shall permit, whichever period is longer, showing the following information:

The name and address of the seller and the purchaser; the kind, size, and quantity of the solid fuels sold, the date of the sale or delivery and the price charged. In addition, he shall separately state on each such invoice, sales slip or receipt, the amount, if any, of the required discounts, authorized service charges and taxes which must be deducted from or which may be added to the established maximum prices: *Provided,* That a dealer who is authorized to make a special service charge for chemical or oil treatment of coal need not separately state the amount of such service charge if he clearly indicates on the invoice that such coal is so treated: *And further provided,* That provisions of this section (k) shall not apply to sales of solid fuels in less than quarter ton lots unless requested by the purchaser.

This Amendment No. 3 to Order No. G-16 shall become effective November 27, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 21st day of November 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-19093; Filed, Dec. 16, 1944; 11:52 a. m.]

[Region VI Order G-16 Under RMPR 122, Appendix 9]

SOLID FUELS IN OMAHA, NEBR., AREA

(a) *Applicability.* This Appendix No. 9 applies to sales of solid fuels delivered within the unincorporated villages of Irvington and Fort Crook, Nebraska; the incorporated limits of the villages of Ralston and Bellevue, Nebraska, Carter Lake, Iowa, the city of Omaha, Nebraska, and the area adjacent to the limits of the city of Omaha for a distance of three miles, except that this shall not include territory east of the Missouri River.

(b) *Price schedule.* Immediately below and as a part of this section (b) is a price schedule that sets maximum prices for domestic "delivered" sales in lots of ½ ton and 1 ton or more, domestic "at yard" and commercial "delivered" sales in lots of 2 tons or more, by dealers of specified kinds and sizes of solid fuels. Service charges are set forth in section (c). Charges for treatment of coal are set forth in section (d). Discounts for payments made on delivery or within 10 days on domestic sales are set forth in section (e). Definitions are set forth in section (f).

PRICE SCHEDULE

Description	Domestic delivered 1 ton	Domestic delivered ½ ton	Domestic at yard 1 ton	Commercial delivered per ton
I. High volatile bituminous coal from District No. 9 (western Kentucky):				
A. No. 9 Seam: 1. Washed nut and pea—size group Nos. 17-22 inclusive including ¾" x ¼"	$9.20	$5.10	$8.20	$7.65
II. High volatile bituminous coal from District No. 10 (Illinois):				
A. Southern Subdistrict:				
1. Lump and egg—size group Nos. 1, 2 and 3; price groups 1, 2 and 8 (including 6" lump and 6" x 3" egg)	10.70	5.85	9.70	----------
2. Stove—size group No. 8 (including 2" x 1¼") price group Nos. 1, 2 and 8	10.05	5.55	9.05	8.05
3. Special stoker—size group Nos. 21, 22 and 28; price group Nos. 1, 2, and 8 (including 1" x 10 mesh and ⅜" x 10 mesh)	9.65	5.35	8.65	8.40

PRICE SCHEDULE—Continued

Description	Domestic delivered 1 ton	Domestic delivered ½ ton	Domestic at yard 1 ton	Commercial delivered per ton
II. High volatile bituminous coal from District No. 10 (Illinois)—Continued.				
B. Duquoin subdistrict: 1. Washed screenings—Size Group Nos. 23 and 24; price Group No. 8 (including 1" x 28 mesh)	$8.95	$5.00	$7.95	
C. Belleville subdistrict:				
1. Lump and egg—Size Group Nos. 1, 2 and 3; price Group Nos. 10, and 16-22 inclusive. All lump and egg coals bottom size larger than 2", washed or raw	9.75	5.40	8.75	
2. Stove—Size Group No. 8 (including 2" x 1¼") price Group Nos. 10 and 16-22 inclusive	8.95	5.00	7.95	
III. High volatile bituminous coal from District No. 12 (Iowa):				
A. Centerville Origin Group: 1. Lump or chunk—Size Group Nos. 1 and 2	9.70	5.35	8.70	
IV. Bituminous Coal from District No. 14 (Arkansas, Oklahoma):				
A. Production Group No. 1 (includes all mines in Pope County, all mines in the "Spadra Field" of Johnson County, Ark.):				
1. Egg—Size Group No. 8. All double screened coal with a top size larger than 4" and a bottom size 2½" and smaller; also all double screened coal with a top size larger than 3" but not larger than 4" and a bottom size larger than 2" but not larger than 4"	14.60	7.80	13.60	
2. Nut—Size Group No. 11. All double screened coals with a top size larger than 1½" but not larger than 2½" and a bottom size larger than ⅞" but not larger than 1½"	14.80	7.90	13.80	
3. Chestnut—Size Group No. 13. All double screened coals with a top size larger than 1¼" but not larger than 1½" and a bottom size ⅞" and smaller; also all double screened coals with a top size not over 1¼" and a bottom size larger than ⅜" but not larger than 1¼"	14.30	7.65	13.30	
B. Production Group No. 3 (includes all mines in the "Paris Field" of Logan County, Ark., and mines in Franklin County located in Paris Basin):				
1. Lump and Grate—Size Group Nos. 4 & 6 (Machine cut lump coal, screened over perforated plates with round holes 2½" and larger; also all double screened coals with a bottom size larger than 4")	14.50	7.75	13.50	
2. Egg—Size Group No. 8 (for description see IV A1 above)	14.45	7.75	13.45	
3. Pea—Size Group No. 17. All double screened coals with the top size not larger than 1¼" and a bottom size not larger than ⅜"	10.00	5.50	9.00	$3.75
C. Production Group No. 5 (includes all mines in Sebastian County, Ark.):				
1. Lump—Machine cut; Size Group No. 4 (All lump coal screened over perforated plates with round holes 2½" and larger	14.50	7.75	13.50	
2. Egg—Size Group No. 8 (for dimensions see IV A1 above)	13.50	7.40	12.50	
3. Nut run—Size Group No. 14 (includes all sizes of coal having a maximum top size of 2½" with no coal removed)	8.50	4.75	7.50	7.25
D. Production Group No. 6 (includes all mines in the Panama field of Leflore County, Oklahoma):				
1. Lump (Machine cut)—Size Group No. 4 (for dimensions see IV C1 above) from mine index No. 128 only.	14.00	7.80	13.00	
E. Production Group No. 7 (includes mines in the "Bokoshe" and "Milton" field of Leflore County, Okla., mines in the McCurtain field of Haskell County and all mines in Sequoyah County, Okla.):				
1. Lump—(Machine cut); Size Group No. 4 (for dimensions see IV C1 above)	13.80	7.40	12.80	
2. Grate—Size Group No. 6. All double screened coals with a bottom size larger than 4"	13.35	7.20	12.35	

PRICE SCHEDULE—Continued

Description	Domestic delivered 1 ton	Domestic delivered ½ ton	Domestic at yard 1 ton	Commercial delivered per ton
V. High Volatile Bituminous Coal from District No. 15 (Kansas, Missouri and part of Oklahoma):				
A. Production Group No. 1 (All mines located in Cherokee, Crawford, Bourbon Neosho, Labette and Wilson Counties, Kan.; and Barton, Jasper, Dade Cedar and that portion of Vernon County lying south of an east and west line drawn through the town of Nevada, Missouri):				
1. Lump—Size Groups Nos. 1 and 2. All lump coal with a bottom size 3" and smaller, and all double screened coal with a top size larger than 10"	$9.45	$5.25	$8.45	
2. Fancy nut—Size Group No. 5; (double screened coals with a top size not larger than 3" but larger than 2" and and a bottom size larger than 1¼")	9.40	5.20	8.40	
3. Standard nut—Size Group No. 6 (washed); double screened coals with a top size not larger than 3" but larger than 2" and a bottom size 1¼" and smaller	9.05	5.05	8.05	
4. No. 2 nut (washed)—Size Group No. 7. Double screened coal with a top size not larger than 2" but larger than 1¼"	8.00	4.95	7.00	$4.00
5. Stoker—Size Group No. 11; Double screened coals with a top size 1¼" and smaller and a bottom size larger than ¼" but not larger than ⅜"	8.40	4.70	7.40	6.40
6. Washed screenings—Size Group No. 13. Washed coal passing through a screen with openings not over 1¼" from which no coal has been removed	7.50	4.25	6.50	5.70
7. Raw screenings—Size Group No. 14. Raw coal passing through a screen with openings not over 1¼" from which no coal has been removed (commercial only)				5.40
B. Production Group No. 2 (all mines located in Linn County, Kans; and Bates, Henry, St. Clair, Miller Morgan, Pettis and Johnson Counties; and that portion of Vernon County lying north of an east and west line drawn through the town of Nevada, Missouri):				
1. Furnace or egg—Size Group No. 3 (Double screened coals with a top size not larger than 10" but larger than 3" and a bottom size larger than 1¼")	8.60	4.90	7.60	
2. No. 2 Nut—Size Group No. 7 (double screened coal with a top size not larger than 2" but larger than 1¼")	8.30	4.65	7.30	
C. Production Group No. 3 (all mines located in Boone, Callaway, Audrain, Randolph, Clark, Macon, Monitcau, Linn, Grundy, Harrison, Adair, Chariton, Schuyler, Putnam, Cole, Howard, Monroe, Warren, Lincoln, Sullivan, and Ralls Counties in Missouri):				
1. Furnace or egg—Size Group No. 3 (for dimensions see VB1 above)	8.70	4.85	7.70	
2. Standard nut—Size Group No. 6 (for dimensions see VA3 above)	8.15	4.60	7.15	
3. No. 2 nut—Size Group No. 7 (for dimensions see VB2 above)	8.10	4.55	7.10	6.60
4. Stoker—Size Group No. 11 (for dimensions see VA5 above)	8.00	4.50	7.00	5.85
5. Washed Screenings—Size Group No. 13 (for dimensions see VA6 above)	7.50	4.25	6.50	5.25
D. Production Group No. 10 (all mines located in McIntosh and in Okmulgee Counties, Okla.):				
1. Lump—Size Group Nos. 1 and 2 (for dimensions see VA1 above) from deep shaft mines only	11.70	6.35	10.70	
2. Stoker—Size Group No. 11 (for dimensions see VA5 above) from deep shaft mines only	9.40	5.20	8.40	
E. Production Group No. 11 (all mines located in Tulsa, Wagoner, Roger, Craig and Nowata Counties, Oklahoma, and all of that part of Muskogee County, Okla., north of a line drawn straight east and west across Muskogee County, along the southern limits of the town of Porum, Okla.):				
1. Lump—Size Group 1 and 2; furnace or egg—Size Group No. 3 (all lump coal; also all double screened coals with a top size not larger than 10" but larger than 3" and a bottom size larger than 1¼")	10.40	5.70	9.40	
2. Standard nut—Size Group No. 6 (for dimensions see VA3 above)	10.10	5.55	9.10	8.25
3. Special stoker—Size Group No. 11 (for dimensions see VA5 above)	9.05	5.05	8.05	7.45

PRICE SCHEDULE—Continued

Description	Domestic delivered 1 ton	Domestic delivered ½ ton	Domestic at yard 1 ton	Commercial delivered per ton
VI. High Volatile Bituminous Coal from District No. 19 (Wyoming):				
A. Subdistrict No. 2 (Sweetwater and Sublette Counties):				
1. Nut—Size Group No. 8 (including 3" x 1⅝")	$12.15	$6.60	$11.15	
2. Slack and stoker screenings—Size Group Nos. 15 and 16 (including 1⅝" x 0 and 1" x 0)	10.35	5.70	9.35	$8.45
VII. Briquettes:				
1. Standard	14.25	7.65	13.25	
2. White City	13.50	7.25	12.50	

(c) *Service charges.* Immediately below and as a part of this section (c) is a schedule of charges that sets forth charges which a dealer may make for the special services described when rendered in connection with sales of solid fuels covered by this Appendix. These charges may be made only if the buyer requests the service and the dealer renders it pursuant to the request. The charges must be separately stated in the dealer's invoice.

SCHEDULE OF SERVICE CHARGES

Trimming	50¢ per hour.
Carrying from curb	50¢ per ton.
Carrying up or down stairs	30¢ per ton for each flight.

(d) *Charge for treatment of coal.* Whenever a dealer has been charged by his supplier for the chemical or oil treatment of coal at the mine he may add such treatment charge to the applicable maximum price set by this Appendix No. 9, provided that the treated coal is kept separate and is not mixed with untreated coal. When a treatment charge is made pursuant to this section the dealer need not separately state the amount of such service charge if he clearly indicates on the invoice that such coal is so treated.

(e) *Discount for domestic sales.* The maximum price for domestic sales shall be the prices set forth in section (b) less a discount of 50¢ per ton if paid for on delivery or within 10 days. There shall be no discounts on commercial or steam sales.

(f) *Definitions.* When used in this appendix the following terms shall have the meanings set forth below:

1. "Commercial or steam" sales refers to sales in truckload lots of 2 tons or more delivered to office buildings, apartment houses, industrial plants, commercial establishments, institutions or public buildings.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

This Appendix No. 9 to Order No. G-16 shall be effective December 1, 1944.

Issued this 21st day of November 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-19094; Filed, Dec. 16, 1944; 11:52 a. m.]

[Region VI Order G-16 Under RMPR 122, Appendix 10]

SOLID FUELS IN PEORIA, ILL., AREA

(a) *Applicability.* This Appendix No. 10 applies to sales of solid fuels in the Peoria Area. The term "Peoria Area" refers to the area within the city limits of Peoria and East Peoria and the village limits of Bartonville and Peoria Heights, Illinois. Section (b) of this appendix establishes prices, charges and discounts for sales by equipped rail dealers. Section (c) establishes prices for truckers and mines selling directly to consumers.

(b) *Provisions applicable to equipped rail dealers.* The following subsections shall be applicable to sales by equipped rail dealers:

(1) *Price schedule.* Immediately below, and as a part of this subsection (b) (1) is a price schedule that sets maximum prices for domestic delivered sales of specified kinds and sizes of solid fuels in lots of two tons or more. Discounts for pickups at yard are set forth in subsection (b) (4).

SCHEDULE OF PRICES FOR EQUIPPED RAIL DEALERS

[Domestic delivered cash price, 2 ton lots, per ton]

I. Low volatile bituminous coal from District No. 7 (Southern West Virginia and Virginia):	
1. Egg—price classification A	$10.75
2. Stove—(top size larger than 1¼" not exceeding 3"; bottom size smaller than 3") price classification A	10.65
3. Pea—(double screened; top size not exceeding ¾"; bottom size less than ¾") price classification A	9.50
II. High volatile bituminous coal from District No. 8 (Eastern Kentucky, northern Tennessee, parts of Virginia and West Virginia):	
1. Lump—Size groups Nos. 1 and 2 (4" and larger) in price classification D-F, and egg, size group No. 5 (including 6" x 3") in price classification B-E:	
a. From mines in Subdistrict No. 6 (southern Appalachian)	10.00
b. From all other mines in above classifications	9.75
2. Lump—Size group Nos. 1 and 2, in price classifications K-S, and egg, size group No. 5, in price classifications G-N	9.50
3. Stoker—Size group No. 10 (double screened, top size not exceeding 1¼") price classifications B-E	9.40
III. High volatile bituminous coal from District No. 10 (Illinois):	
A. Southern subdistrict:	
1. Egg—Size group Nos. 2 and 3 (minimum top size 3"; minimum bottom size larger than 2")	8.00
2. Prepared stoker, size group Nos. 22 and 28 (including ¾" x 10 mesh and 5/16" x 10 mesh)	7.30
3. Screenings, size group Nos. 24 and 27—washed or dedusted (screenings including 1¼" top size)	6.80
B. Central subdistrict—Price group No. 12:	
1. Egg, size group No. 2 (including 6" x 4", 7" x 4")	5.80
2. Stoker nut, size group No. 20 (including ¾" x 5/16")	6.15
C. Fulton-Peoria subdistrict:	
1. No. 5 seam, lump and egg, size group Nos. 1, 2, and 3 (bottom size larger than 2"), washed or raw; pricegroup Nos. 24, 25, and 26	5.00
2. No. 6 seam, lump, size group No. 1 (larger than 4") price group Nos. 27 and 28	5.80
3. No. 6 seam, egg, size group No. 5 (including 4" x 2") price group Nos. 27 and 28	5.55
4. No. 6 seam, stoker nut, size group Nos. 18, 19, and 20 (maximum top size 1½", minimum bottom size larger than 10 mesh or 3/32") price group Nos. 27 and 28	6.15
5. No. 5 seam, stoker nut, size group Nos. 18, 19, and 20, for dimensions see III-C-4 above) price group No. 24	5.10
6. No. 5 seam, washed screenings, size group No. 24 (including 1¼" x 0) price group No. 24	4.50
IV. High volatile bituminous coal from District No. 11 (Indiana):	
A. Linton Sullivan subdistrict:	
1. Block or lump—size group No. 1 (larger than 4") price group No. 16	7.70
V. Coke byproduct	14.85

(2) *Service and other charges.* Immediately below and as a part of this section (2) is a schedule of charges that sets forth prices which an equipped rail dealer may charge for the special services or conveniences described, when rendered in connection with sales of solid fuel covered by this appendix. These charges may be made only if the buyer requests the service or convenience and the equipped rail dealer renders it pursuant to the request. The charges shall be separately stated in the equipped rail dealer's invoice.

SCHEDULE OF CHARGES AND CONVENIENCES

1—Wheel or carry from curb	$0.50 per ton.
2—Trimming	$0.75 per 4-ton load
3—Carry up or down stairs	$1 per ton
4—For any credit sale, that is, a sale where the purchase price is not paid within ten days after delivery:	
Coal and coke selling for less than $7 per ton	$0.50 per ton.

SCHEDULE OF CHARGES AND CONVENIENCES—Continued

4—For any credit sale, etc.—Continued.	
Coal and coke selling for $7 or more per ton	$0.75 per ton
5—For any delivered sale of solid fuels less than 2 tons	$0.50 per ton.

(3) *Charge for treatment of coal.* Whenever any equipped rail dealer has been charged by his supplier for the chemical or oil treatment of coal at the mine he may add to the applicable maximum price set by this Appendix No. 10 a treatment charge not in excess of 10¢ per ton. When a treatment charge is made pursuant to this section, the dealer's invoice shall clearly indicate that the fuel that is the subject of the sale has been dust treated and that a charge is being made therefor.

(4) *Discounts for pickup at yard.* The maximum prices provided for in the schedule contained in section (b) (1) shall be subject to a discount of not less than 50¢ per ton if physical delivery of the coal or coke is made at the yard of the equipped rail dealer.

(c) *Price schedule for certain truckers and mines.* The following shall be the maximum price for the named coals when delivered by truck by persons other than equipped rail dealers from mines located in the counties of Tazewell, Peoria, and Fulton, Illinois:

	Domestic delivered cash price, 2-ton lots—per ton
I. District No. 10—Fulton & Peoria Counties (Section.4):	
1. No. 5 Seam, Lump and Egg—Size Group Nos. 1, 2 and 3 (bottom size larger than 2"); in Truck Price Group No. 6-A	$5.00

With respect to all other types of coal and all services the maximum prices shall be those established under Revised Maximum Price Regulation No. 122.

(d) *Revocation of Order No. G-1 on sales by equipped rail dealers in the Peoria, Illinois, area.* (1) Order No. G-1 under Revised Maximum Price Regulation No. 122 (formerly designated as Regional Order No. 5, issued December 12, 1942) is hereby revoked.

(2) The maximum prices established for equipped dealers operating establishments located within the city of Peoria, Illinois by Order No. G-1 for all sales not specifically covered by this Appendix No. 10 to Order No. G-16 shall continue to be the maximum prices established under Revised Maximum Price Regulation No. 122, plus 25¢ per ton.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Laws 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 2d day of December 1944.

This Appendix No. 10 to Order No. G-16 shall be effective December 7, 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-19095; Filed, Dec. 16, 1944; 11:51 a. m.]

[Region VI Order G-48 Under MPR 329]

FLUID MILK IN WEYAUWEGA, WIS.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1351.408 (a) of Maximum Price Regulation No. 329, it is ordered:

(a) *Maximum producer prices.* The maximum price which distributors in Weyauwega, Wisconsin, may pay to producers for milk sold for human consumption in fluid form shall be $2.80 per cwt. f. o. b. purchaser's plant for milk having a butterfat content of 3.5%, plus not more than 5¢ for each 1/10 of a pound of butterfat in excess of 3.5% and minus not less than 5¢ for each 1/10 of a pound of butterfat below 3.5%.

(b) *Applicability of producer prices.* Paragraph (a) of this order shall apply to all purchases of milk from producers for resale for human consumption in fluid form by distributors whose bottling plants are located within Weyauwega, Wisconsin, or who sell within that city 50% or more of the milk sold by them.

(c) *Addition of transportation charges.* (1) The maximum price established in paragraph (a) is the maximum price for milk f. o. b. purchaser's plant. Where the transportation charge or any part thereof is paid by the purchaser, the total amount paid for transportation plus the amount received by the producer shall not be in excess of the maximum price set forth in paragraph (a).

(2) Where the purchaser hauls the milk to his plant in a conveyance owned, leased or operated by him, he shall deduct from the maximum price set forth in paragraph (a) of this order the cost of such transportation. The "cost of such transportation" shall be the maximum price which may be charged by milk haulers or other transportation companies for the hauling of milk to the purchaser's plant.

(d) *Relations of this order to Office of Price Administration regulations.* Except as modified by this order, the provisions of the Maximum Price Regulation No. 329 shall remain in full force and effect and shall not be evaded by any change in business or trade practices in effect during that month.

(e) *Definitions.* Unless the context otherwise requires, the definitions set forth in Maximum Price Regulation No. 329, and the Emergency Price Control Act of 1942, as amended, shall be applicable to the terms used herein.

(f) *Revocability.* This order may be revoked, amended or corrected at any time.

This order has been approved by the Midwest Field Representative, Dairy & Poultry Branch, Office of Distribution of the War Food Administration.

This order shall be effective the 16th day of December 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 11th day of December 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-19096; Filed, Dec. 16, 1944; 11:51 a. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register December 15, 1944.

REGION I

Boston Order G-2, Amendment 7, covering community ceiling prices in Boston, Massachusetts, filed 3:51 p. m.

REGION II

Baltimore Order 5-F, Amendment 4, covering fresh fruits and vegetables in entire eastern shore of Maryland, filed 3:54 p. m.

Baltimore Order 23, covering dry groceries in the Baltimore, Md., area, filed 3:54 p. m.

Baltimore Order 29, covering dry groceries in certain areas in Maryand and Delaware, filed 3:54 p. m.

Baltimore Order 30, covering dry groceries in certain counties in the State of Maryland, filed 3:45 p. m.

Baltimore Order 31, covering dry groceries in certain areas in the State of Maryland, filed 3:54 p. m.

Buffalo Order 13, covering dry groceries in the Buffalo, New York area, filed 3:45 p. m.

Buffalo Order 14, covering dry groceries in the Buffalo, New York area, filed 3:45 p. m.

Buffalo Order 15, covering dry groceries in Monroe and Livingston Counties, N. Y., filed 3:45 p. m.

Buffalo Order 16, covering dry groceries in Monroe and Livington Counties, N. Y., filed 3:46 p. m.

Camden Order 3-F, Amendment 9, covering fresh fruits and vegetables in certain counties in the State of New Jersey, filed 3:49 p. m.

Camden Order 3-F, Amendment 10, covering fresh fruits and vegetables in certain counties in the State of New Jersey, filed 3:56 p. m.

Camden Order 4-F, Amendment 9, covering fresh fruits and vegetables in the Atlantic and Cape May Counties, N. J., filed 3:49 p. m.

Camden Order 4-F, Amendment 10, covering fresh fruits and vegetables in the Atlantic and Cape May Counties in New Jersey, filed 3:56 p. m.

Camden Order 17, covering dry groceries in certain areas in the State of New Jersey, filed 3:49 p. m.

Camden Order 18, covering dry groceries in certain counties in the State of New Jersey, filed 3:49 p. m.

Camden Order 19, covering dry groceries in certain counties in the State of New Jersey, filed 3:49 p. m.

Philadelphia Order 28, covering dry groceries in Berks County in the State of Pennsylvania, filed 3:50 p. m.

Philadelphia Order 29, covering dry groceries in Northampton and Lehigh Counties in the State of Pennsylvania, filed 3:50 p. m.

Scranton Order 4-F, Amendment 7, covering fresh fruits and vegetables in certain counties in the State of Pennsylvania, filed 3:48 p. m.

Syracuse Order 3-F, Amendment 13, covering fresh fruits and vegetables in certain counties in the State of New York, filed 3:47 p. m.

Syracuse Order 4-F, Amendment 8, covering fresh fruits and vegetables in certain counties in the State of New York, filed 3:46 p. m.

Williamsport Order 16, covering dry groceries in certain counties in State of Pennsylvania, filed 3:53 p. m.

Williamsport Order 17, covering dry groceries in certain counties in the State of Pennsylvania, filed 3:52 p. m.

REGION III

Detroit Order 11, Amendment 12, covering fresh foods items in the designated counties in the State of Michigan, filed 3:52 p. m.

Escanaba Order 18-3B, Amendment 5, covering fresh fruits and vegetables in certain counties in Michigan and Wisconsin, filed 3:58 p. m.

Escanaba Order 19-3B, Amendment 5, covering fresh fruits and vegetables in certain counties in Michigan and Wisconsin, filed 3:58 p. m.

Escanaba Order 35, Amendment 3, covering certain food items in certain areas in the State of Michigan, filed 3:59 p. m.

Escanaba Order 37, Amendment 3, covering certain food items in certain areas in the State of Michigan, filed 3:59 p. m.

Escanaba Order 39, Amendment 3, covering certain food items in certain areas in the State of Michigan, filed 3:58 p. m.

Escanaba Order 40, Amendment 3, covering certain food items in certain areas in the State of Michigan, filed 3:51 p. m.

Escanaba Order 41, Amendment 3, covering certain food items in Schoolcraft County, Mich., filed 3:50 p. m.

Louisville Order 1-F under 3-B, Amendment 24, covering fresh fruits and vegetables in certain counties in Kentucky and Indiana, filed 3:55 p. m.

Louisville Order 3-F under 3-B, Amendment 24, covering fresh fruits and vegetables in certain counties in the State of Kentucky, filed 3:55 p. m.

REGION IV

Montgomery Order 20-F, Amendment 6, covering fresh fruits and vegetables in Mobile County, Ala., filed 3:58 p. m.

Montgomery Order 21-F, Amendment 9, covering fresh fruits and vegetables in Montgomery County, Ala., filed 3:57 p. m.

Montgomery Order 22-F, Amendment 10, covering fresh fruits and vegetables in Houston County, Ala., filed 3:57 p. m.

Montgomery Order 24-F, Amendment 7, covering fresh fruits and vegetables in Dallas County, Ala., filed 3:56 p. m.

REGION V

New Orleans Order 2-F, Amendment 50, covering fresh fruits and vegetables in certain areas in the State of Louisiana, filed 3:47 p. m.

San Antonio Order 4-W, covering dry groceries in certain counties in the State of Texas, filed 3:48 p. m.

San Antonio Order 15, covering dry groceries in the designated counties in the State of Texas, filed 3:48 p. m.

Shreveport Order 2-F, Amendment 43, covering fresh fruits and vegetables in Shreveport, La., filed 3:47 p. m.

Shreveport Order 3-F, Amendment 32, covering fresh fruits and vegetables in Shreveport, La., filed 3:47 p. m.

REGION VI

Duluth-Superior Order 1-F, Amendment 48, covering fresh fruits and vegetables in certain areas in the State of Minnesota, filed 3:51 p. m.

Duluth-Superior Order 8, Amendment 4, covering community ceiling prices in certain areas in Wisconsin and Minnesota, filed 3:51 p. m.

Milwaukee Order 12, covering dry groceries in certain counties in the State of Wisconsin, filed 3:35 p. m.

Sioux City Order 2-F, Amendment 48, covering fresh fruits and vegetables in certain areas in Iowa and Nebraska, filed 3:35 p. m.

REGION VIII

Fresno Order 1-F, Amendment 48, covering fresh fruits and vegetables in Fresno, California, filed 3:43 p. m.

Fresno Order 1-O, Amendment 1, covering eggs in certain counties in the State of California, filed 3:44 p. m.

Fresno Order 2-F, Amendment 36, covering fresh fruits and vegetables in Modesto, Calif., filed 3:43 p. m.

Fresno Order 3-F, Amendment 33, covering fresh fruits and vegetables in certain cities in the State of California, filed 3:43 p. m.

Fresno Order 5-F, Amendment 10, covering fresh fruits and vegetables in certain counties in the State of California, filed 3:44 p. m.

Fresno Order 6-F, Amendment 19, covering fresh fruits and vegetables in Bakersfield and Kern County Calif., filed 3:44 p. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44-19108; Filed, Dec. 16, 1944; 5:13 p. m.]

[Region I Order G-19 Under SR 15, MPR 280 and MPR 329, Amdt. 10]

FLUID MILK IN NEW HAMPSHIRE

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation 15 to the General Maximum Price Regulation, as amended, by § 1351.807 of Maximum price Regulation 280, as amended, and by § 1351.408 of Maximum Price Regulation 329, as amended, Order No. G-19 is hereby amended in the following respects:

1. The word "seven" is deleted from the introductory paragraph in paragraph (b), and the word "six" is substituted therefor.

2. All references to and prices for "Zone 7" are deleted from paragraph (b) (1).

3. All references to and prices for "Zone 7" are deleted from paragraph (b) (2).

4. That portion of paragraph (b) (2) which is entitled "Zone 6" is amended to read as follows:

Zone 6

For the following milk marketing areas:	
(43)-Henniker; (14-Greenfield (70)-New Boston	$3.72
(21)-Colebrook and Columbia; (56)-Campton; (85)-Lyme; and the following localities not subject to New Hampshire Milk Control Board orders: Atkinson and Gilman Academy Grant, Cambridge, Carlisle, Clarksville, Dartmouth College Grant, Dix's Grant, Dixville, Dummer, Errol, Erving's Grant, Hubbard, Millsfield, Odell, Pittsburg, Stewartstown, Stratford, Webster and Wentworth's Location	8.49
For the following localities not subject to New Hampshire Milk Control Board orders: Jefferson, Kilkenny, Milan, Randolph, Shelburne, Stark and Success	3.37

5. The provision in paragraph (b) (2) under the heading "Zone 5" which reads "(52)-Milton, Wakefield, Brookfield, Middleton: $3.49" is deleted.

6. The second paragraph under the heading "Zone 3" in paragraph (b) (2), which paragraph establishes a maximum price of $3.95 for designated Milk Marketing Areas, is amended by placing a semi-colon after the words "New Durham", and adding "(52) Brookfield, Middletown, Milton and Wakefield."

7. In paragraph (d), "#52—the Towns of Milton, Wakefield, Brookfield and Middleton" is deleted from subparagraph (5), which defines Zone 5, and is inserted in subparagraph (3), which defines Zone 3.

8. Subparagraph (7) of paragraph (d) is revoked.

9. Subparagraph (6) of paragraph (d) is amended to read as follows:

(6) Zone 6 shall include:
#14—The Town of Greenfield.
#21—The Towns of Colebrook and Columbia.
#43—The Town of Henniker.
#56—The Town of Campton.
#70—The Town of New Boston.
#85—The Town of Lyme; and the following localities not subject to New Hampshire Milk Control Board Orders: Atkinson and Gilman Academy Grant, Cambridge, Carlisle, Clarksville, Dartmouth College Grant, Dix's Grant, Dixville, Dummer, Errol, Erving's Grant, Hubbard, Jefferson, Kilkenny, Milan, Millsfield, Odell, Pittsburg, Randolph, Shelburne, Stark, Stewartstown, Stratford, Success, Webster and Wentworth's Location.

10. Subparagraph (10) is added to paragraph (1), to read as follows:

(10) Amendment No. 10 shall become effective as of 12:01 A. M., on November 3, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 6th day of November 1944.

FREDERICK A. MCDERMOTT,
Acting Regional Administrator.

Approved:

FRANCIS D. CRONIN,
Regional Director,
War Food Administration.

[F. R. Doc. 44-19173; Filed, Dec. 18, 1944; 11:45 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-907]

EL PASO ELECTRIC CO. AND ENGINEERS PUBLIC SERVICE CO.

ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 13th day of December, A. D. 1944.

El Paso Electric Company, a Delaware corporation, a subholding company of Engineers Public Service Company and a registered holding company, and Engineers Public Service Company, a registered holding company, having filed a

joint application-declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 regarding the liquidation and dissolution of El Paso Electric Company, a Delaware corporation, and the acquisition by Engineers Public Service Company of the assets of said company;

A public hearing having been held after appropriate notice; and the Commission having considered the record and having made and filed its findings and opinion herein:

It is ordered, That said joint application-declaration be and hereby is granted and permitted to become effective, subject, however, to the terms and conditions prescribed by Rule U-24.

It is further ordered, That the proposed method of recordation by Engineers Public Service Company of its resulting investment in El Paso Electric Company, the Texas corporation, pursuant to Instruction 8C to the Commission's Uniform System of Accounts for Public Utility Holding Companies, be and the same hereby is approved.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 44-19057; Filed, Dec. 15, 1944; 3:38 p. m.]

[File No. 1-1824]

PENN TRAFFIC CO.

ORDER GRANTING APPLICATION TO WITHDRAW FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 14th day of December, A. D. 1944.

The Penn Traffic Company, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to withdraw its Common Stock, $2.50 Par Value, from listing and registration on the Philadelphia Stock Exchange;

After appropriate notice, a hearing having been held in this matter; and

The Commission having considered said application together with the evidence introduced at said hearing, and having due regard for the public interest and the protection of investors;

It is ordered, That said application be and the same is hereby granted, effective at the close of the trading session on December 26, 1944.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 44-19058; Filed, Dec. 15, 1944; 3:38 p. m.]

[File Nos. 54-78, 54-40, 59-40, 54-43, 59-49]

CONSOLIDATED ELECTRIC AND GAS CO., ET AL.

ORDER POSTPONING HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 13th day of December, A. D. 1944.

In the matters of Consolidated Electric and Gas Company, File No. 54-78; Consolidated Electric and Gas Company, Applicant, File No. 54-40; Central Public Utility Corporation, Consolidated Electric and Gas Company, Respondents, File No. 59-40; Christopher H. Coughlin, W. T. Crawford, and Rawleigh Warner, voting trustees under Voting Trust Agreement dated August 1, 1932, relating to common stock of Central Public Utility Corporation, Applicants, File No. 54-43; Christopher H. Coughlin, W. T. Crawford, and Rawleigh Warner, voting trustees under Voting Trust Agreement dated August 1, 1932, relating to common stock of Central Public Utility Corporation, Respondents, File No. 59-49.

Consolidated Electric and Gas Company, a registered holding company, having filed an application, pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935, for approval of a plan for certain action designed to enable that company and certain of its subsidiary companies to comply with the provisions of section 11 (b) of said act; the Commission having by order dated July 19, 1943 consolidated the proceedings upon said application (1) with certain proceedings theretofore instituted by the Commission pursuant to section 11 (b) of said act with respect to said Consolidated Electric and Gas Company and Central Public Utility Corporation, also a registered holding company, (2) with certain other proceedings instituted by the Commission pursuant to said section 11 (b) with respect to Christopher H. Coughlin, W. T. Crawford, and Rawleight Warner, Voting Trustees under a certain voting trust agreement dated August 1, 1932, relating to the common stock of said Central Public Utility Corporation (said Trustees also being a registered holding company), (3) with proceedings upon an earlier application of said Consolidated Electric and Gas Company for approval of certain other action also designed to enable said Consolidated Electric and Gas Company to comply with said section 11 (b), and (4) with proceedings upon an application and declaration by said Trustees, above named, regarding the disposition of the common stock by Central Public Utility Corporation held by said Trustees; and the Commission having by said order of July 19, 1943, directed a hearing on said consolidated proceedings to be held at 10:00 a. m., e. w. t., on August 3, 1943, at the offices of the Commission in Philadelphia, Pennsylvania; and said hearing having been postponed by subsequent orders of the Commission until December 18, 1944;

Consolidated Electric and Gas Company having requested that the hearing so directed to be held in said consolidated proceedings be further postponed to a date not earlier than April 18, 1945, stating in such request, among other things, that during the period since the last postponement of these proceedings, the company has reduced its holdings of domestic public utility subsidiaries to eleven in number; that presently there is pending with this Commission proceedings concerned with the disposition of three additional domestic public utility subsidiaries, and that the company reasonably expects to dispose of its interests in or the assets of a number of the remaining eight domestic public utility subsidiaries by April 18, 1945; that the company since June 23, 1943, the date of the filing of its application for approval of the plan above first mentioned, has disposed of its interests in or the assets of nineteen domestic public utility subsidiary companies; that since December 31, 1943, Consolidated Electric and Gas Company, has reduced the principal amount of its outstanding debt securities from $31,435,500 to $21,782,500; that Consolidated Electric and Gas Company, as of November 30, 1944 had $1,733,277.80 on deposit in cash with indenture trustees available to retire outstanding debt issued or assumed by Consolidated Electric and Gas Company; that there is now pending with this Commission a proceeding concerned with the retirement of $5,082,000 principal amount of First Lien and Collateral Trust Bonds, Series A, due April 1, 1958 of Southern Cities Utilities Company which have been assumed by Consolidated Electric and Gas Company (as at November 30, 1944, these bonds had been reduced to $4,774,000 principal amount); that it is necessary that the said proposed sales and additional debt retirements be effected before Consolidated Electric and Gas Company can formulate and file a definitive plan and that it is advisable that such plan be filed before hearings be held in the above entitled matters; and

The Commission deeming it appropriate under the circumstances that the hearing directed to be held herein on December 18, 1944 be further postponed;

It is ordered, That the hearing in this matter previously scheduled for December 18, 1944 at 10:00 a. m., e. w. t., at the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania, be and hereby is postponed to April 18, 1945, at the same hour and place and before the same trial examiner as heretofore designated.

It is further ordered, That the time within which any person, other than parties to said proceedings, desiring to be heard or otherwise wishing to participate in said proceedings shall file his request or application therefor with the Secretary of the Commission as provided by Rule XVII of the Commission's rules of practice be, and the same hereby is, extended to April 10, 1945.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 44-19059; Filed, Dec. 15, 1944; 3:38 p. m.]

[File No. 43-160]

COLUMBIA GAS & ELECTRIC CORP.

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Penn-

sylvania, on the 13th day of December 1944.

Notice is hereby given that a declaration or application (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935, by Columbia Gas & Electric Corporation ("Columbia Gas"), a registered holding company and a subsidiary of The United Corporation, also a registered holding company.

Notice is further given that any interested person may, not later than December 22, 1944 at 5:30 p. m., e. w. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter, said declaration or application, as filed, or as amended, may be granted or become effective, as provided in Rule U-23 of the rules and regulations promulgated pursuant to said act, or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania.

All interested persons are referred to said declaration or application, which is on file in the office of said Commission, for a statement of the transactions therein proposed, which are summarized below:

Columbia Gas requests an extension to December 31, 1945, of the date, heretofore extended by orders of this Commission from December 31, 1942 to December 31, 1943, and subsequently to December 31, 1944 (Holding Company Act Releases Nos. 4036 and 4795), on which the balances remaining in its accounts designated "Special Capital Surplus" and "Surplus Prior to January 1, 1938" must be restored to the common capital stock account of the corporation.

The initial findings, opinion and order of this Commission (dated January 25, 1939) issued in respect of the above matter permitted Columbia Gas to reduce the capital represented by the shares of its common stock from $194,349,005.62 to $12,304,282 so as to make provisions for adjustments in its investment accounts, and provided for the manner of treating surplus created thereby, as well as existing surpluses; and contained, among other things, a condition that balances remaining in "Special Capital Surplus" and "Surplus Prior to January 1, 1938" on December 31, 1942, shall be restored to common capital stock account as of the date last mentioned, "unless the time be extended by application to this Commission and order thereon" (Holding Company Act Release No. 1417).

Columbia Gas represents that (1) it has made various adjustments and deductions to the surplus accounts, and that as of October 31, 1944 the balance remaining in Special Capital Surplus is $89,145,175.30 and no amount remains in its Surplus Prior to January 31, 1938; (2) original cost studies covering approximately 65% of the total recorded property of its subsidiaries have been completed and filed with regulatory commissions which have made determinations with respect to the disposition of the larger part of the remaining original cost-adjustments of the Columbia system; and (3) it proposes to file a plan with respect to the disposition of certain of its investments, changes in its capital structure, and other matters related thereto which will necessitate a determination of the amount of Special Capital Surplus that is to be returned to the common capital stock account.

Accordingly, Columbia Gas requests the one-year extension mentioned above.

By the Commission.

[SEAL] NELLYE A. THORSEN, *Assistant to the Secretary.*

[F. R. Doc. 44-19060; Filed, Dec. 15, 1944; 3:38 p. m.]

[File No. 70-1007]

CENTRAL NEW YORK POWER CORP.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 14th day of December 1944.

Notice is hereby given that a declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Central New York Power Corporation ("Central New York"), a subsidiary of Niagara Hudson Power Corporation, in turn a subsidiary of The United Corporation, a registered holding company.

All interested persons are referred to said declaration, which is on file in the offices of the Commission, for a statement of the transactions therein proposed, which may be summarized as follows:

Central New York proposes to reduce the stated value of its outstanding 1,331,358 shares of no par value common stock from $33,283,950 to $15,244,049.10 without reducing the number of shares, and to credit the amount of the reduction ($18,039,900.90) to a new account to be designated "Unearned Surplus—Special" which will be available for adjustment of book cost and depreciation of utility plant. The proposed transaction is for the stated purpose of enabling Central New York to comply with the latter of alternative conditions contained in an order of the Public Service Commission of the State of New York, dated November 15, 1944, authorizing the issuance and sale of $48,000,000 principal amount of General Mortgage Bonds, said alternative conditions being (1) that so long as any of the bonds remain outstanding the company, beginning February 1945, set aside each month from income before payment of dividends not less than $65,000 to be applied to debt retirement, additions to utility plant or acquisition of outstanding bonds; or (2) that, in the alternative, the company reduce the stated value of its outstanding common stock by at least $18,000,000 and credit the amount of the reduction to an account designated "Unearned Surplus—Special" which will be available for adjustment of book cost and depreciation of utility plant, any charges or credits to said account being subject to prior approval of the New York Public Service Commission, and that so long as any portion of the $18,000,000 remains in the account, no common stock dividends be declared or paid out of earned surplus which will reduce the amount of earned surplus below $4,000,000 unless first approved by the said Commission.

It appearing to the Commission that it is appropriate in the public interest and the interests of investors and consumers that a hearing be held with respect to said matter, and that said declaration shall not be permitted to become effective except pursuant to further order of this Commission;

It is ordered, That a hearing on such matter, under the applicable provisions of said act and the rules promulgated thereunder, be held on December 27, 1944, at 11:00 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, in such room as the hearing room clerk in Room 318 will at that time designate. All persons desiring to be heard or otherwise wishing to participate in the proceedings shall file with the Commission on or before December 22, 1944, a written request relative thereto, as provided by Rule XVII of the Rules of Practice of the Commission.

It is further ordered, That Charles S. Lobingier or any other officer or officers of the Commission designated by it for that purpose shall preside at such hearing. The officer so designated is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That, without limiting the scope of the issues presented by the said declaration, particular attention will be directed at the hearing to the following matters and questions:

(1) Generally, whether the proposed transactions comply with the applicable provisions of the Public Utility Holding Company Act of 1935 and all rules and regulations promulgated thereunder and particularly whether the proposed reduction of stated capital with respect to the presently outstanding common stock is detrimental to the public interest or the interests of investors or consumers, or will result in an unfair or inequitable distribution of voting power among holders of the securities of Central New York.

(2) What terms and conditions, if any, are necessary or appropriate in the public interest or the interests of investors or consumers to ensure compliance with the requirements of the Holding Company Act or any rules, regulations or order promulgated thereunder.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-19061; Filed, Dec. 15, 1944; 3:39 p. m.]

[File No. 70-964]

OWENSORO GAS CO. AND ASSOCIATED ELECTRIC CO.

ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 15th day of December 1944.

Associated Electric Company, a registered holding company, and its wholly-owned subsidiary, Owensboro Gas Company, having filed an application-declaration and an amendment thereto, pursuant to the Public Utility Holding Company Act of 1935, and particularly sections 9 (a), 10, 12 (d), and 12 (f) thereof and Rules U-43 and U-44 promulgated thereunder; said application-declaration, as amended, being concerned with (1) the proposed sale by Associated Electric Company of its entire interest consisting (as at July 31, 1944) of 2,900 shares of common stock and $515,807.74 principal amount of open account indebtedness of Owensboro Gas Company; (2) the proposed acquisition by Associated Gas and Electric Company of a five-year 5% purchase money note for all but $50,000 of the base sale price, said purchase money note to be secured by a pledge of the securities and indebtedness of Owensboro Gas Company proposed to be sold; and (3) the proposed transfer by the latter company to Associated Electric Company of certain shares of stock of Atlantic Utility Service Corporation; and

A public hearing having been held after appropriate notice, the Commission having considered the record in this matter and having made and filed its findings and opinion herein;

It is hereby ordered, Pursuant to the applicable provisions of said act, that the aforesaid application-declaration, as amended, be and hereby is, granted and permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24 of the general rules and regulations.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-19150; Filed, Dec. 18, 1944; 10:19 a. m.]

WAR MANPOWER COMMISSION.

OKLAHOMA CITY, OKLA., AREA

EMPLOYMENT STABILIZATION PROGRAM

The following employment stabilization program for the Oklahoma City War Manpower Commission Area is hereby prescribed, pursuant to § 907.3 (g) of War Manpower Commission Regulation No. 7, "Governing Employment Stabilization Programs," effective August 16, 1943 (8 F.R. 11338).

Sec.
1. Purpose of the program.
2. Definitions.
3. Authority and responsibility of area management-labor committee.
4. Encouragement of local initiative and use of existing hiring channels.
5. Collective bargaining agreements.
6. Control of hiring and solicitation of workers.
7. Exclusions.
8. Appeals.
9. Conflict with Federal or State law.
10. Effective date and termination of program.

SECTION 1. *Purpose of the program.* The purpose of this employment stabilization program is to assist the War Manpower Commission in bringing about, by measures equitable to labor and management, and necessary for the effective prosecution of the war: (a) the elimination of wasteful labor turnover in essential activities; (b) the reduction of unnecessary labor migration; (c) the direction of the flow of scarce labor where most needed in the war program; (d) the maximum utilization of manpower resources; and (e) the preservation of the necessary civilian economy.

SEC. 2. *Definitions.* As used in this employment stabilization program:

(a) The "Oklahoma City area" means the area comprising the following counties: Canadian, Cleveland, Lincoln, Logan, McClain, Oklahoma, Payne and Pottawatomie.

(b) The "Regional Manpower Director" means the Regional Manpower Director of the War Manpower Commission for Region IX, comprising the States of Arkansas, Kansas, Missouri and Oklahoma.

(c) The "Area Manpower Director" means the Area Manpower Director of the War Manpower Commission for the Oklahoma City Area.

(d) The "Area Management-Labor War Manpower Committee" means the Management-Labor Committee appointed by the Regional Manpower Director for the Oklahoma City Area.

(e) "Essential activity" means any activity included in the War Manpower Commission List of Essential Activities (9 F.R. 3439).

A list of essential employers will be maintained in the local United States Employment Service office of the War Manpower Commission.

(f) An "essential employer" means an employer whose establishment is engaged in an essential activity. In addition to the requirement that the activities of an establishment must be included in the War Manpower Commission List of Essential Activities, it must meet one or more of the following criteria: The establishment must be:

(1) Fulfilling a contract of the Army, Navy, Maritime Commission, or other Government agency directly engaged in the war effort;

(2) Performing governmental services directly concerned with promoting or facilitating war production;

(3) Performing a service, governmental or private, directly concerned with the maintenance of indispensable civilian activities, health, safety, welfare or security;

(4) Supplying material under subcontracts for contracts included in (1) (2), or (3) above;

(5) Producing raw materials, manufacturing materials, supplies or equipment or performing services necessary for the fulfillment of contracts (including necessary clothing and other supplies required by workers employed on these contracts) included in (1), (2), (3), or (4) above.

(g) "Critical occupation" means any occupation designated as a critical occupation by the Chairman of the War Manpower Commission. (A list of critical occupations so designated on the date of the approval of this program is attached hereto as Appendix A.[1])

(h) "Locally controlled occupation" means any local shortage occupation designated by the Area Director after consultation with the Area Committee and approved by the Regional Director. (A list of locally controlled occupations for the Oklahoma City area is attached hereto as Appendix B.[1])

(i) "Locally needed activity" means any activity approved by the Regional Manpower Director as a locally needed activity. (A list of establishments declared locally needed will be maintained in the local United States Employment Service office of the War Manpower Commission.)

(j) "New employee" means any individual who has not been in the employment of the hiring employer at any time during the preceding 30-day period. For the purpose of this definition, employment of less than seven days' duration and employment which is supplemental to the employee's principal work shall be disregarded.

(k) The terms "employment" and "work" as applied to an individual engaged in principal and supplementary employments mean his principal employment.

(l) *"Agriculture"* means those farm activities carried on by farm owners or tenants on farms in connection with the cultivation of the soil, the harvesting of crops, or the raising, feeding, or management of livestock, bees, and poultry, and shall not include any packing, canning, processing, transportation or marketing of articles produced on farms unless performed or carried on as an incident to ordinary farming operations as distinguished from manufacturing or commercial operations.

(m) The term "locality" as used in section 6 (e) (3) of this program means an area the boundaries of which are defined as extending to a reasonable commuting distance from the major center of industrial activity.

(n) "State" includes Alaska, Hawaii, and the District of Columbia.

(o) The term "employer" includes all employers regardless of whether or not they are engaged in an essential activity.

(p) "Solicit" means any activity including any written or oral communications or publication designed or intended to induce any individual or individuals to accept employment.

(q) A "statement of availability" is a form issued to an individual by his last employer or by the United States Employment Service stating that he is avail-

[1] Filed as part of the original document.

able for work in an essential or locally needed activity in accordance with the terms of this program. (Appendix C.[1])

SEC. 3. *Authority and responsibility of Area Management-Labor Committee.* The Area Management-Labor War Manpower Committee is authorized to consider questions of policy, standards, and safeguards in connection with the administration of this employment stabilization program, and to make recommendations to the Area Manpower Director.

SEC. 4. *Encouragement of local initiative and use of existing hiring channels.* To the maximum degree consistent with this employment stabilization program and with its objectives, local initiative and cooperative efforts shall be encouraged and utilized and maximum use made of existing hiring channels such as private employers, labor organizations, professional organizations, schools, colleges, technical institutions and government agencies.

(a) *Federal employment.* All employment within the Oklahoma City area by departments and agencies of the Federal Government which are subject to the rules and regulations of the United States Civil Service Commission shall be made only with the approval of the United States Civil Service Commission which shall conduct its recruiting activities and make referrals in accordance with applicable War Manpower Commission policies, procedures and standards. Prior clearance of the United States Employment Service must be obtained before critical or locally controlled workers so recruited can be referred to the appointing agencies.

(b) *Railroad employment.* All hiring within the Oklahoma City area by employers covered by the Railroad Unemployment Insurance Act shall be made only with the approval of the Railroad Retirement Board's Employment Service. That agency shall conduct its recruiting of railroad labor in accordance with applicable War Manpower Commission policies, procedures, and standards.

(c) *Inland waterway employment.* All hiring within the Oklahoma City area for inland waterway transportation shall be made only with the approval of the Recruitment and Manning Organization of the War Shipping Administration. That agency shall conduct its recruiting of inland waterway personnel in accordance with applicable War Manpower Commission policies, procedures and standards.

SEC. 5. *Collective bargaining agreements.* Nothing in this employment stabilization program shall be construed to prejudice existing rights of an employee or an employer under a collective bargaining agreement, or to restrict any individual from seeking the advice and aid of, or from being represented by, the labor organization of which he is a member or any other representative freely chosen by him at any step in the operation of this program.

SEC. 6. *Control of hiring and solicitation of workers.* All hiring and solicitation of workers in, or for work in, the Oklahoma City area shall be conducted in accordance with the provisions of this section.

(a) *General.* A new employee, who during the preceding 60-day period was engaged in an essential or locally needed activity, may be hired only if such hiring would aid in the effective prosecution of the war. Such hiring shall be deemed to aid in the effective prosecution of the war only if:

(1) Such individual is hired for work in an essential or locally needed activity or for work to which he has been referred by the United States Employment Service, and

(2) Such individual presents a statement of availability from his last employment in an essential or locally needed activity, or is referred by the United States Employment Service of the War Manpower Commission, or is hired with its consent, as provided herein.

(b) *Issuance of statements of availability by employers.* An individual whose last employment is or was in an essential or locally needed atcivity shall receive promptly a statement of availability from his employer if:

(1) He has been discharged, or his employment has been otherwise terminated by his employer, or

(2) He has been laid off for an indefinite period, or for a period of seven or more days, or

(3) Continuance of his employment would involve undue personal hardship, or

(4) Such employment is or was at a wage or salary or under working conditions below standards established by State or Federal laws or regulations, or

(5) Such employment is or was at a wage or salary below a level established or approved by the National War Labor Board (or other agency authorized to adjust wages or approve adjustments thereof) as warranting adjustments, and the employer has failed to adjust the wage in accordance with such level or to apply to the appropriate agency for such adjustment or approval thereof.

Individuals who receive statements of availability for any of the above reasons, whose employment was in a critical or locally controlled occupation, shall register immediately with the United States Employment Service for referral in accordance with section 6 (e) (1) and 6 (e) (2).

(c) *Issuance of statements of availability by United States Employment Service.* (1) A statement of availability shall be issued promptly to an individual when any of the circumstances set forth in section 6 (b) is found to exist in his case. If the employer fails or refuses to issue a statement, the United States Employment Service of the War Manpower Commission, upon finding that the individual is entitled thereto, shall issue a statement of availability to the individual.

(2) A statement of availability shall be issued by the United States Employment Service to any individual in the employ of an employer whom the War Manpower Commission finds, after notice, hearing, and final decision, has not complied with this program, or any War Manpower Commission regulation or policy, and for so long as such employer continues his non-compliance after such finding.

(d) *Referral in case of under-utilization.* If an individual is employed at less than full time or at a job which does not utilize his highest recognized skill for which there is a need in the war effort, the United States Employment Service may, upon his request, refer him to other available employment in which it finds that the individual will be more fully utilized in the war effort.

(e) *Workers who may be hired only upon referral by the United States Employment Service.* Under the circumstances set forth below, a new employee may not be hired solely upon presentation of a statement of availability, but may be hired only upon referral by, or with the consent of, the United States Employment Service when:

(1) The new employee is to be hired for work in a critical occupation, or his statement of availability indicates that his last employment was in a critical occupation.

(2) The new employee is to be hired for work in a locally controlled occupation as listed in Appendix B, or his statement of availability indicates that his last employment was in such an occupation.

(3) The new employee has not lived or worked in the locality of the new employment throughout the preceding 30-day period.

(4) The new employee's last regular employment was in agriculture and he is to be hired for non-agricultural work provided that no such individual shall be referred to non-agricultural work except after consultation with a designated representative of the War Food Administration and provided that such an individual may be hired for non-agricultural work for a period not to exceed six weeks without referral or presentation of a statement of availability.

(f) *Pending action on statements of availability or referral.* Workers shall remain in their current position pending decisions on requests for statements of availability or referrals.

(g) *Solicitation of workers.* No employer shall advertise or otherwise solicit for the purpose of hiring any individual if the hiring of such an individual would be subject to restrictions under this employment stabilization program, except in a manner consistent with such restrictions. Soliciting individuals for work in a critical or locally controlled occupation without prior approval of the United States Employment Service is prohibited. All advertisements for individuals whose last employment was or is in an essential or locally needed activity shall indicate that individuals will not be considered for employment unless they present a statement of availability.

(h) *Discriminatory hiring.* The decision to hire or refer a worker shall be based on qualifications essential for performance of, or suitability for, the job, and shall be made without discrimination as to race, color, creed, sex, national

[1] Filed as part of the original document.

origin, or except as required by law, citizenship.

(i) *Hiring or leaving employment contrary to this program.* Any employer shall, upon written request of the United States Employment Service release from employment:

(1) Any worker who has been hired (after the effective date of this program) contrary to the provisions of this program.

(2) Any worker who has been hired upon referral of such worker by the United States Employment Service, if such referral was made as a result of misrepresentation by such worker as to his previous employment or by the employer as to his present employment, and if such referral would not have been made except for such misrepresentation.

(j) *General referral policies.* No provision in the program shall limit the authority of the United States Employment Service to make referrals in accordance with approved policies and instructions of the War Manpower Commission.

(k) *Content of statements of availability.* A statement of availability issued to an individual pursuant to the program shall contain only the individual's name and address of the issuing employer or War Manpower Commission officer and office, the date of issuance, a statement as to whether or not the individual's last employment was in a critical or locally controlled occupation, and such other information not prejudicial to the employee in seeking new employment as may be authorized or required by the War Manpower Commission. Statements of availability shall conform to the form attached hereto as Appendix C.

(l) *Retention of statements of availability by employers.* Any employer after having hired a new employee upon his presentation of a statement of availability, shall retain and file it and shall make it available for inspection upon request of authorized representatives of the War Manpower Commission.

SEC. 7. *Exclusions.* No provision of the employment stabilization program shall be applicable to:

(a) The hiring of a new employee for agricultural employment;

(b) The hiring of a new employee for work of less than seven days' duration, or for work which is supplementary to the employee's principal work; but such work shall not constitute the individual's last employment for the purposes of this program, unless the employee is customarily engaged in work of less than seven days' duration;

(c) The hiring of an employee in any Territory or possession of the United States; except Alaska and Hawaii;

(d) The hiring by a foreign, State, county, or municipal government, or their political subdivisions, or their agencies and instrumentalities or to the hiring of any of their employees, unless such foreign, State, county, or municipal government, or political subdivision or agency or instrumentality has indicated its willingness to conform to the maximum extent practicable under the Constitution and laws applicable to it, with this program;

(e) The hiring of a new employee for domestic service, or to the hiring of a new employee whose last regular employment was in domestic service;

(f) The hiring of employees of public and private educational institutions and such other employees as may be specified by the War Manpower Commission for off-season employment or the rehiring of such employees at the termination of the off-season period.

SEC. 8. *Appeals.* Any worker or employer or group of workers or employers dissatisfied with any act or failure to act in accordance with this program will be given a fair opportunity to appeal his or their case in accordance with regulations and procedures of the War Manpower Commission.

SEC. 9. *Conflict with Federal or State law.* If any provision of this plan is in conflict with the requirements of Regulation No. 7 of the War Manpower Commission or any Federal or State Law, that provision will be deemed void.

SEC. 10. *Effective date and termination of program.* This program shall become effective immediately upon the publication of notice of its approval by the Regional Manpower Director and may be amended from time to time or terminated in accordance with regulations and procedures of the War Manpower Commission. This program when declared effective will supersede the Oklahoma City Area Stabilization Program which became effective July 1, 1943.

Approved by the Regional Manpower Director, effective September 20, 1943.

Dated: September 20, 1943.

M. G. YOUNG,
Area Director.

Approved: September 20, 1943.

ED. MCDONALD,
Regional Director.

[F. R. Doc. 44-19030; Filed, Dec. 15, 1944; 12:18 p. m.]

[Amdt. 1]

OKLAHOMA CITY, OKLA., AREA

EMPLOYMENT STABILIZATION PROGRAM

The Employment Stabilization Program for the Oklahoma City War Manpower Commission Area, dated September 20, 1943, (*supra*), is hereby amended as follows:

1. Section 2 (a), as amended, reads:

(a) The "Oklahoma City area" means the area comprising the following counties: Oklahoma, Cleveland, Logan, Canadian, Pottawatomie.

2. Section 2 (m), as amended, reads:

(m) The term "locality" as used in section 6 (e) (4) of this program means an area the boundaries of which are defined as extending to a reasonable commuting distance from the major center of industrial activity.

3. Section 4 (a), as amended, reads:

(a) *Federal employment.* All employment within the Oklahoma City Area by department and agencies of the Federal Government which are subject to the rules and regulations of the United States Civil Service Commission shall be made only with the approval of the United States Civil Service Commission which shall conduct its recruiting activities and make referrals in accordance with applicable War Manpower Commission policies, procedures and standards.

4. Section 6 (b), last paragraph, as amended, reads:

(b) Individuals who receive statements of availability for any of the above reasons, who is a male, or whose employment was in a critical or locally controlled occupation, shall register immediately with the United States Employment Service for referral in accordance with Section 6 (c) (1), 6 (e) (2), and 6 (e) (3).

5. Section 6 (e), as amended, includes the following as item number (1):

(1) The new employee is male.

6. Subparagraphs (1), (2), (3), (4) of section 6 (e) in the original program are renumbered accordingly as (2), (3), (4), (5).

7. Section 6, as amended, includes an additional provision as (f) which is as follows:

(f) *Provision for employment ceilings.* The Area Manpower Director may fix for all or any establishments in the Oklahoma City area, fair and reasonable employment ceilings and allowances, limiting the number of employees or other specified type of employees which such establishments employ during specified periods. Such ceilings and allowances will be determined on the basis of the establishment's actual labor needs, the available labor supply, and/or the relative urgency of the establishment's products or services to the war effort. Except as authorized by the Area Manpower Director, no employer shall hire any new employee for work in such establishment if the hiring of such employee would result in such establishment's exceeding the employment ceiling or allowance currently applicable to it.

8. Provisions (f), (g), (h), (i), (j), (k), (l) under section 6 of the original program are renumbered accordingly as (g), (h), (i), (j), (k), (l), (m).

9. Section 10, as amended, reads:

SEC. 10. *Effective date and termination of program.* This program shall become effective immediately upon the publication of notice of its approval by the Regional Manpower Director and may be amended from to time or terminated in accordance with regulations and procedures of the War Manpower Commission. This program when declared effective will supersede the Employment Stabilization Program for the Oklahoma City War Manpower Commission Area which became effective September 20, 1943.

Approved by the Regional Manpower Director, effective July 1, 1944.

10. Appendix A[1] was amended. Instructions on the reverse side of Appendix C,[1] Statement of Availability, were amended.

Dated: June 29, 1944.

M. G. YOUNG,
Area Director.

Approved: July 1, 1944.

ED MCDONALD,
Regional Director.

[F. R. Doc. 44-19037; Filed, Dec. 15, 1944; 12:18 p. m.]

[Amdt. 2]

OKLAHOMA CITY, OKLA., AREA

EMPLOYMENT STABILIZATION PROGRAM

The Employment Stabilization Program for the Oklahoma City War Manpower Commission Area, dated September 20, 1943 (*supra*), is hereby amended as follows:

1. Section 2 (f), as amended, reads:

(f) An "essential employer" means an employer whose establishment is engaged in an essential activity.

2. Paragraphs (g) and (h) of section 2 have been deleted and paragraphs (i), (j), (k), (l), (m), (n), (o), (p), and (q) have been renumbered accordingly as (g), (h), (i), (j), (k), (l), (m), (n), and (o).

3. Section 2 (k), as amended, reads:

(k) The term "locality" as used in section 6 (e) (2) of this program means an area the boundaries of which are defined as extending to a reasonable commuting distance from the major center of industrial activity.

4. Section 4 (c) has been deleted.

5. Section 6 (b), last paragraph, as amended reads:

Male workers who receive statements of availability for any of the above reasons shall register immediately with the United States Employment Service for referral in accordance with section 6 (e) (1).

6. Subparagraphs (2) and (3) of section 6 (e) have been deleted and subparagraphs (3) and (4) have been renumbered accordingly as subparagraphs (2) and (3).

7. Section 6 (g), as amended, reads:

(g) *Pending action on statements of availability or referral.* Workers are requested to remain in their current position pending decisions on requests for statements of availability or referrals.

8. Section 6 (h), as amended, reads;

(h) *Solicitation of workers.* No employer shall advertise or otherwise solicit for the purpose of hiring any individual if the hiring of such individual would be subject to restrictions under this employment stabilization program, except in a manner consistent with such restrictions. Soliciting male workers without prior approval of the United States Employment Service is prohibited. All advertisements for female workers whose last employment was or is an essential or locally needed activity shall indicate that such individuals will not be considered for employment unless they present a statement of availability. All advertisements for male workers shall indicate that such workers will not be considered for employmen unless they present a referral card.

9. Section 6 (j) (2) as amended, reads:

(2) Any worker who has been hired upon referral of such worker by the United States Employment Service, if such referral was made as a result of misrepresentation by such worker as to his previous employment and if such referral would not have been made except for such misrepresentation.

10. Section 6 (l), as amended, reads:

(l) *Content of statements of availability.* A statement of availability issued to an individual pursuant to the program shall contain only the individual's name, address, social security account number, if any, the name and address of the issuing employer or War Manpower Commission officer and office, the date of issuance, and such other information not prejudicial to the employee in seeking new employment as may be authorized or required by the War Manpower Commission. Statements of Availability shall conform to the form attached hereto as Appendix A.

11. Section 10, as amended, reads:

SEC. 10. *Effective date and termination of program.* This program shall become effective immediately upon the publication of notice of its approval by the Regional Manpower Director and may be amended from time to time or terminated in accordance with regulations and procedures of the War Manpower Commission. This program when declared effective will supersede the Employment Stabilization Program for the Oklahoma City War Manpower Commission Area which became effective on July 1, 1944.

Approved by the Regional Director, effective December 1, 1944.

12. Appendices A[1] and B[1] have been deleted. Appendix C[1] has been renumbered accordingly as Appendix A. Instructions on the reverse side of Appendix A, Statement of Availability, were amended.

Dated: December 4, 1944.

M. G. YOUNG,
Area Director.

Approved: December 5, 1944.

ED MCDONALD,
Regional Director.

[F. R. Doc. 44-19038; Filed, Dec. 15, 1944; 12:19 p. m.]

TULSA, OKLA., AREA

EMPLOYMENT STABILIZATION PROGRAM

The following employment stabilization program for the Tulsa War Manpower Commission Area is hereby prescribed, pursuant to § 907.3 (g) of War Manpower Commission Regulation No. 7, "Governing Employment Stabilization Programs" effective August 16, 1943 (8 F.R. 11338).

Sec.
1. Purpose of the program.
2. Definitions.
3. Authority and responsibility of Area Management-Labor Committee.
4. Encouragement of local initiative and use of existing hiring channels.
5. Collective bargaining agreements.
6. Control of hiring and solicitation of workers.
7. Exclusions.
8. Appeals.
9. Conflict with Federal or State law.
10. Effective date and termination of program.

SEC. 1. *Purpose of the program.* The purpose of this employment stabilization program is to assist the War Manpower Commission in bringing about, by measures equitable to labor and management, and necessary for the effective prosecution of the war: (a) the elimination of wasteful labor turnover in essential activities; (b) the reduction of unnecessary labor migration; (c) the direction of the flow of scarce labor where most needed in the war program; (d) the maximum utilization of manpower resources; and (e) the preservation of the necessary civilian economy.

SEC. 2. *Definitions.* As used in this employment stabilization program:

(a) The "Tulsa area" means the area comprising the following counties: Craig, Creek, Delaware, Mayes, Muskogee, Nowata, Okmulgee, Osage, Pawnee, Rogers, Tulsa, Wagoner and Washington.

(b) The "Regional Manpower Director" means the Regional Manpower Director of the War Manpower Commission for Region IX, comprising the States of Arkansas, Kansas, Missouri and Oklahoma.

(c) The "Area Manpower Director" means the Area Manpower Director of the War Manpower Commission for the Tulsa Area.

(d) The "Area Management-Labor War Manpower Committee" means the Management-Labor Committee appointed by the Regional Manpower Director for the Tulsa Area.

(e) "Essential activity" means any activity included in the War Manpower Commission List of Essential Activities (9 F.R. 3439.) (A list of essential employers will be maintained in the local United States Employment Service office of the War Manpower Commission.)

(f) An "essential employer" means an employer whose establishment is engaged in an essential activity. In addition to the requirement that the activities of an establishment must be included in the War Manpower Commission List of Essential Activities, it must meet one or more of the following criteria: The establishment must be:

(1) Fulfilling a contract of the Army, Navy, Maritime Commission, or other Government agency directly engaged in the war effort;

(2) Performing governmental services directly concerned with promoting or facilitating war production;

(3) Performing a service, governmental or private, directly concerned with the

[1] Not published in the FEDERAL REGISTER.

maintenance of indispensable civilian activities, health, safety, welfare, or security;

(4) Supplying material under subcontracts for contracts included in (1), (2), or (3) above;

(5) Producing raw materials, manufacturing materials, supplies or equipment or performing services necessary for the fulfillment of contracts (including necessary clothing and other supplies required by workers employed on these contracts) included in (1), (2), (3), or (4) above.

(g) "Critical occupation" means any occupation designated as a critical occupation by the Chairman of the War Manpower Commission. (A list of critical occupations so designated on the date of the approval of this program is attached hereto as Appendix A.[1])

(h) "Locally controlled occupation" means any local shortage occupation designated by the Area Director after consultation with the Area Committee and approved by the Regional Director. (A list of locally controlled occupations for the Tulsa area is attached hereto as Appendix B.[2])

(i) "Locally needed activity" means any activity approved by the Regional Manpower Director as a locally needed activity. (A list of establishments declared locally needed will be maintained in the local United States Employment Service office of the War Manpower Commission.)

(j) "New employee" means any individual who has not been in the employment of the hiring employer at any time during the preceding 30-day period. For the purpose of this definition, employment of less than seven days' duration and employment which is supplemental to the employee's principal work shall be disregarded.

(k) The terms "employment" and "work" as applied to an individual engaged in principal and supplementary employments mean his principal employment.

(l) "Agriculture" means those farm activities carried on by farm owners or tenants on farms in connection with the cultivation of the soil, the harvesting of crops, or the raising, feeding, or management of livestock, bees, and poultry, and shall not include any packing, canning, processing, transportation or marketing of articles produced on farms unless performed or carried on as an incident to ordinary farming operations as distinguished from manufacturing or commercial operations.

(m) The term "locality" as used in section 6 (e) (3) of this program means an area the boundaries of which are defined as extending to a reasonable commuting distance from the major center of industrial activity.

(n) "State" includes Alaska, Hawaii, and the District of Columbia.

(o) The term "employer" includes all employers regardless of whether or not they are engaged in an essential activity.

(p) "Solicit" means any activity including any written or oral communications or publication designed or intended to induce any individual or individuals to accept employment.

(q) A "statement of availability" is a form issued to an individual by his last employer or by the United States Employment Service stating that he is available for work in an essential or locally needed activity in accordance with the terms of this program. (Appendix C.[1])

SEC. 3. *Authority and responsibility of Area Management-Labor Committee.* The Area Management-Labor War Manpower Committee is authorized to consider questions of policy, standards, and safeguards in connection with the administration of this employment stabilization program, and to make recommendations to the Area Manpower Director.

SEC. 4. *Encouragement of local initiative and use of existing hiring channels.* To the maximum degree consistent with this employment stabilization program and with its objectives, local initiative and cooperative efforts shall be encouraged and utilized and maximum use made of existing hiring channels such as private employers, labor organizations, professional organizations, schools, colleges, technical institutions and government agencies.

(a) *Federal employment.* All employment within the Tulsa area by departments and agencies of the Federal Government which are subject to the rules and regulations of the United States Civil Service Commission shall be made only with the approval of the United States Civil Service Commission which shall conduct its recruiting activities and make referrals in accordance with applicable War Manpower Commission policies, procedures and standards. Prior clearance of the United States Employment Service must be obtained before critical or locally controlled workers so recruited can be referred to the appointing agencies.

(b) *Railroad employment.* All hiring within the Tulsa area by employers covered by the Railroad Unemployment Insurance Act shall be made only with the approval of the Railroad Retirement Board's Employment Service. That agency shall conduct its recruiting of railroad labor in accordance with applicable War Manpower Commission policies, procedures, and standards.

(c) *Inland waterway employment.* All hiring within the Tulsa area for inland waterway transportation shall be made only with the approval of the Recruitment and Manning Organization of the Water Shipping Administration. That agency shall conduct its recruiting of inland waterway personnel in accordance with applicable War Manpower Commission policies, procedures and standards.

SEC. 5. *Collective bargaining agreements.* Nothing in this employment stabilization program shall be construed to prejudice existing rights to an employee or an employer under a collective bargaining agreement, or to restrict any individual from seeking the advice and aid of, or from being represented by, the labor organization of which he is a member or any other representative freely chosen by him at any step in the operation of this program.

SEC. 6 *Control of hiring and solicitation of workers.* All hiring and solicitation of workers, or for work in, the Tulsa area shall be conducted in accordance with the provisions of this section.

(a) *General.* A new employee, who during the preceding 60-day period was engaged in an essential or locally needed activity, may be hired only if such hiring would aid in the effective prosecution of the war. Such hiring shall be deemed to aid in the effective prosecution of the war only if:

(1) Such individual is hired for work in an essential or locally needed activity or for work to which he has been referred by the United States Employment Service, and

(2) Such individual presents a statement of availability from his last employment in an essential or locally needed activity, or is referred by the United States Employment Service of the War Manpower Commission; or is hired with its consent, as provided herein.

(b) *Issuance of statements of availability by employers.* An individual whose last employment is or was in an essential or locally needed activity shall receive promptly a statement of availability from his employer if:

(1) He has been discharged, or his employment has been otherwise terminated by his employer, or

(2) He has been laid off for an indefinite period, or for a period of seven or more days, or

(3) Continuance of his employment would involve undue personal hardship, or

(4) Such employment is or was at a wage or salary or under working conditions below standards established by State or Federal laws or regulations, or

(5) Such employment is or was at a wage or salary below a level established or approved by the National War Labor Board (or other agency authorized to adjust wages or approve adjustments thereof) as warranting adjustments, and the employer has failed to adjust the wage in accordance with such level or to apply to the appropriate agency for such adjustment or approval thereof.

Individuals who receive statements of availability for any of the above reasons, whose employment was in a critical or locally controlled occupation, shall register immediately with the United States Employment Service for referral in accordance with section 6 (e) (1) and 6 (e) (2).

(c) *Issuance of statements of availability by United States Employment Service.* (1) A statement of availability shall be issued promptly to an individual when any of the circumstances set forth in section 6 (b) is found to exist in his case. If the employer fails or refuses to issue a statement, the United States Employment Service of the War Manpower Commission, upon finding that the individual is entitled thereto, shall issue a statement of availability to the individual.

[1] Filed as part of the original document.

[2] Not filed with the Division of the Federal Register.

(2) A statement of availability shall be issued by the United States Employment Service to any individual in the employ of an employer whom the War Manpower Commission finds, after notice, hearing, and final decision, has not complied with this program, or any War Manpower Commission regulation or policy, and for so long as such employer continues his noncompliance after such finding.

(d) *Referral in case of under-utilization.* If an individual is employed at less than full time or at a job which does not utilize his highest recognized skill for which there is a need in the war effort, the United States Employment Service may, upon his request, refer him to other available employment in which it finds that the individual will be more fully utilized in the war effort.

Where referral is granted for reasons set forth in this section, the United States Employment Service may grant, as a condition of transfer maintenance of seniority rights with the original employer; it being understood that the employee shall not accumulate such seniority during the period of his absence from his original employment except where existing agreements provide for such special types of leave of absence.

(e) *Workers who may be hired only upon referral by the United States Employment Service.* Under the circumstances set forth below, a new employee may not be hired solely upon presentation of a statement of availability, but may be hired only upon referral by, or with the consent of, the United States Employment Service when;

(1) The new employee is to be hired for work in a critical occupation, or his statement of availability indicates that his last employment was in a critical occupation.

(2) The new employee is to be hired for work in a locally controlled occupation as listed in Appendix B or his statement of availability indicates that his last employment was in such an occupation.

(3) The new employee has not lived or worked in the locality of the new employment throughout the preceding 30-day period.

(4) The new employee's last regular employment was in agriculture and he is to be hired for non-agricultural work provided that no such individual shall be referred to non-agricultural work except after consulation with a designated representative of the War Food Administration and provided that such an individual may be hired for non-agricultural work for a period not to exceed six weeks without referral or presentation of a statement of availability.

(f) *Pending action on statements of availability or referral.* Workers shall remain in their current position pending decisions on requests for statements of availability or referrals.

(g) *Solicitation of workers.* No employer shall advertise or otherwise solicit for the purpose of hiring any individual if the hiring of such an individual would be subject to restrictions under this employment stabilization program, except in a manner consistent with such restrictions. Soliciting individuals for work in a critical or locally controlled occupation without prior approval of the United States Employment Service is prohibited. All advertisements for individuals whose last employment was or is in an essential or locally needed activity shall indicate that individuals will not be considered for employment unless they present a statement of availability.

(h) *Discriminatory hiring.* The decision to hire or refer a worker shall be based on qualifications essential for performance of, or suitability for, the job, and shall be made without discrimination as to race, color, creed, sex, national origin, or except as required by law, citizenship.

(i) *Hiring or leaving employment contrary to this program.* Any employer shall, upon written request of the United States Employment Service release from employment:

(1) Any worker who has been hired (after the effective date of this program) contrary to the provisions of this program.

(2) Any worker who has been hired upon referral of such worker by the United States Employment Service, if such referral was made as a result of a misrepresentation by such worker as to his previous employment or by the employer as to his present employment, and if such referral would not have been made except for such misrepresentation.

(j) *General referral policies.* No provision in the program shall limit the authority of the United States Employment Service to make referrals in accordance with approved policies and instructions of the War Manpower Commission.

(k) *Content of statements of availability.* A statement of availability issued to an individual pursuant to the program shall contain only the individual's name and address, social security account number, if any, the name and address of the issuing employer or War Manpower Commission officer and office, the date of issuance, a statement as to whether or not the individual's last employment was in a critical or locally controlled occupation, and such other information not prejudicial to the employee in seeking new employment as may be authorized or required by the War Manpower Commission. Statements of Availability shall conform to the form attached hereto as Appendix C.[1]

(l) *Retention of statements of availability by employers.* Any employer after having hired a new employee upon his presentation of a statement of availability, shall retain and file it and shall make it available for inspection upon request of authorized representatives of the War Manpower Commission.

SEC. 7. *Exclusions.* No provision of the employment stabilization program shall be applicable to:

(a) The hiring of a new employee for agricultural employment;

(b) The hiring of a new employee for work of less than seven days' duration, or for work which is supplementary to the employee's principal work; but such work shall not constitute the individual's last employment for the purposes of this program, unless the employee is customarily engaged in work of less than seven days' duration:

(c) The hiring of an employee in any Territory or possession of the United States; except Alaska and Hawaii;

(d) The hiring by a foreign, State, county, or municipal government, or their political subdivisions, or their agencies and instrumentalities or to the hiring of any of their employees, unless such foreign, State, county, or municipal government, or political subdivision or agency or instrumentality has indicated its willingness to conform to the maximum extent practicable under the constitution and laws applicable to it, with this program;

(e) The hiring of a new employee for domestic service, or to the hiring of a new employee whose last regular employment was in domestic service;

(f) The hiring of employees of public and private educational institutions and such other employees as may be specified by the War Manpower Commission for off-season employment or the rehiring of such employees at the termination of the off-season period.

SEC. 8. *Appeals.* Any worker or employer or group of workers or employers dissatisfied with any act or failure to act in accordance with this program will be given a fair opportunity to appeal his or their case in accordance with regulations and procedures of the War Manpower Commission.

SEC. 9. *Conflict with Federal or State law.* If any provision of this plan is in conflict with the requirements of Regulation No. 7 of the War Manpower Commission or any Federal or State law, that provision will be deemed void.

SEC. 10. *Effective date and termination of program.* This program shall become effective immediately upon the publication of notice of its approval by the Regional Manpower Director and may be amended from time to time or terminated in accordance with regulations and procedures of the War Manpower Commission. This program when declared effective will supersede the Tulsa Area Stabilization Program which became effective July 1, 1943.

Approved by the Regional Manpower Director, effective September 20, 1943.

Dated: September 20, 1943.

DAN C. KENAN,
Area Director.

Approved: September 20, 1943.

ED MCDONALD,
Regional Director.

[F. R. Doc. 44-19039; Filed, Dec. 15, 1944; 12:19 p. m.]

[1] Filed as part of the original document.

[Amdt. 1]

TULSA, OKLA., AREA

EMPLOYMENT STABILIZATION PROGRAM

The Employment Stabilization Program for the Tulsa War Manpower Commission Area, dated September 20, 1943, (*supra*), is hereby amended as follows:

1. Section 2 (a), as amended, reads:

(a) The "Tulsa area" means the area comprising the following counties: Tulsa, Creek (City of Sapulpa and Sapulpa Township only), Osage (Black Dog Township only), Mayes, and Rogers.

2. Section 2 (m), as amended, reads:

(m) The term "locality" as used in section 6 (e) (4) of this program means an area the boundaries of which are defined as extending to a reasonable commuting distance from the major center of industrial activity.

3. Section 4 (a), as amended, reads:

(a) *Federal employment.* All employment within the Tulsa area by departments and agencies of the Federal Government which are subject to the rules and regulations of the United States Civil Service Commission shall be made only with the approval of the United States Civil Service Commission which shall conduct its recruiting activities and make referrals in accordance with applicable War Manpower Commission policies, procedures and standards.

4. Section 6 (b), last paragraph, as amended, reads:

Individuals who receive statements of availability for any of the above reasons, who is a male, or whose employment was in a critical or locally controlled occupation, shall register immediately with the United States Employment Service for referral in accordance with section 6 (e) (1), 6 (e) (2), and 6 (e) (3).

5. Section 6 (e), as amended, includes the following as item number (1):

(1) The new employee is male.

6. Subparagraphs (1), (2), (3), (4) of section 6 (e) in the original program are renumbered accordingly as (2), (3), (4), (5).

7. Section 6, as amended, includes an additional provision as (f) which is as follows:

(f) *Provision for employment ceilings.* The Area Manpower Director may fix for all or any establishments in the Tulsa area, fair and reasonable employment ceilings and allowances, limiting the number of employees or other specified types of employees which such establishments may employ during specified periods. Such ceilings and allowances will be determined on the basis of the establishment's actual labor needs, the available labor supply, and/or the relative urgency of the establishment's products or services to the war effort. Except as authorized by the Area Manpower Director, no employer shall hire any new employee for work in such establishment if the hiring of such employee would result in such establishment's exceeding the employment ceiling or allowance currently applicable to it.

8. Provisions (f), (g), (h), (i), (j), (k), (l) under section 6 of the original program are renumbered accordingly (g), (h), (i), (j), (k), (l), (m).

9. Section 10, as amended, reads:

SEC. 10. *Effective date and termination of program.* This program shall become effective immediately upon the publication of notice of its approval by the Regional Manpower Director and may be amended from time to time or terminated in accordance with regulations and procedures of the War Manpower Commission. This program when declared effective will supersede the Employment Stabilization Program for the Tulsa War Manpower Commission Area which became effective September 20, 1943.

Approved by the Regional Manpower Director, effective July 1, 1944.

10. Appendix A[1] was amended. Instructions on the reverse side of Appendix C,[1] Statement of Availability, were amended.

Dated: June 30, 1944.

DAN C. KEHAN,
Area Director.

Approved: July 1, 1944.

ED MCDONALD,
Regional Director.

[F. R. Doc. 44-19040; Filed, Dec. 15, 1944; 12:19 p. m.]

[Amdt. 2]

TULSA, OKLA., AREA

EMPLOYMENT STABILIZATION PROGRAM

The Employment Stabilization Program for the Tulsa War Manpower Commission Area, dated September 20, 1943, (*Supra*), is hereby amended as follows:

1. Section 2 (f), as amended, reads:

(f) An "essential employer" means an employer whose establishment is engaged in an essential activity.

2. Paragraph (g) and (h) of section 2 have been deleted and paragraph (i), (j), (k), (l), (m), (n), (o), (p), and (q) have been renumbered accordingly as (g), (h), (i), (j), (k), (l), (m), (n) and (o).

3. Section 2 (k), as amended, reads:

(k) The term "locality" as used in section 6 (e) (2) of this program means an area the boundaries of which are defined as extending to a reasonable commuting distance from the major center of industrial activity.

4. Section 4 (c) has been deleted.

5. Section 6 (b), last paragraph, as amended reads:

Male workers who receive statements of availability for any of the above reasons shall register immediately with the United States Employment Service for referral in accordance with section 6 (e) (1).

6. Subparagraphs (2) and (3) of section 6 (e) have been deleted. Subparagraphs (3) and (4) have been renumbered accordingly as (2) and (3).

7. Section 6 (g), as amended, reads:

[1] Not published in the FEDERAL REGISTER.

(g) *Pending action on statements of availability or referral.* Workers are requested to remain in their current position pending decisions on requests for statements of availability or referrals.

8. Section 6 (h), as amended, reads:

(h) *Solicitation of workers.* No employer shall advertise or otherwise solicit for the purpose of hiring any individual if the hiring of such individual would be subject to restrictions under this employment stabilization program, except in a manner consistent with such restrictions. Soliciting male workers without prior approval of the United States Employment Service is prohibited. All advertisements for female workers whose last employment was or is in an essential or locally needed activity shall indicate that such individuals will not be considered for employment unless they present a statement of availability. All advertisements for male workers shall indicate that such workers will not be considered for employment unless they present a referral card.

9. Section 6 (j) (2) as amended, reads:

(2) Any worker who has been hired upon referral of such worker by the United States Employment Service, if such referral was made as a result of misrepresentation by such worker as to his previous employment and if such referral would not have been made except for such misrepresentation.

10. Section 6 (l) as amended, reads:

(l) *Content of statements of availability.* A statement of availability issued to an individual pursuant to the program shall contain only the individual's name, address, social security account number, if any, the name and address of the issuing employer or War Manpower Commission officer and office, the date of issuance, and such other information not prejudicial to the employee in seeking new employment as may be authorized or required by the War Manpower Commission. Statements of availability shall conform to the form attached hereto as Appendix A.

11. Section 10, as amended, reads:

SEC. 10. *Effective date and termination of program.* This program shall become effective immediately upon the publication of notice of its approval by the Regional Manpower Director and may be amended from time to time or terminated in accordance with regulations and procedures of the War Manpower Commission. This program when declared effective will supersede the Employment Stabilization Program for the Tulsa War Manpower Commission Area which became effective on July 1, 1944.

Approved by the Regional Director, effective December 1, 1944.

12. Appendices A[1] and B[2] have been deleted. Appendix C[1] has been renum-

[1] Not filed with the Division of the Federal Register.

bered accordingly as Appendix A. Instructions on the reverse side of Appendix A, Statement of Availability, were amended.

Dated: November 22, 1944.

DAN C. KENAN,
Area Director.

Approved: December 5, 1944.

ED MCDONALD,
Regional Director.

[F. R. Doc. 44-19041; Filed, Dec. 15, 1944; 12:19 p. m.]

KANSAS CITY, MO.-KANS., AREA

EMPLOYMENT STABILIZATION PROGRAM

The following employment stabilization program for the Kansas City War Manpower Commission Area is hereby prescribed, pursuant to § 907.3 (g) of War Manpower Commission Regulation No. 7, "Governing Employment Stabilization Programs," effective August 16, 1943 (8 F.R. 11338).

Sec.
1. Purpose of the program.
2. Definitions.
3. Authority and responsibility of Area Management-Labor Committee.
4. Encouragement of local initiative and use of existing hiring channels.
5. Collective bargaining agreements.
6. Control of hiring and solicitation of workers.
7. Exclusions.
8. Appeals.
9. Conflict with Federal or State law.
10. Effective date and termination of program.

SECTION 1. *Purpose of the program.* The purpose of this employment stabilization program is to assist the War Manpower Commission in bringing about, by measures equitable to labor and management, and necessary for the effective prosecution of the war: (a) the elimination of wasteful labor turnover in essential activities; (b) the reduction of unnecessary labor migration; (c) the direction of the flow of scarce labor where most needed in the war program; (d) the maximum utilization of manpower resources; and (e) the preservation of the necessary civilian economy.

SEC. 2. *Definitions.* As used in this employment stabilization program:

(a) The "Kansas City Area" means the area comprising the following counties in the States of Missouri and Kansas:

Missouri—Clay, Platte, Ray, Jackson, LaFayette, and Cass.
Kansas—Wyandotte and Johnson.

(b) The "Regional Manpower Director" means the Regional Manpower Director of the War Manpower Commission for Region IX, comprising the States of Arkansas, Kansas, Missouri and Oklahoma.

(c) The "Area Manpower Director" means the Area Manpower Director of the War Manpower Commission for the Kansas City area.

(d) The "Area Management-Labor War Manpower Committee" means the Management-Labor Committee appointed by the Regional Manpower Director for the Kansas City area.

(e) "Essential activity" means any activity included in the War Manpower Commission List of Essential Activities (9 F.R. 3439). (A list of essential employers will be maintained in the local United States Employment Service office of the War Manpower Commission.)

(f) An "essential employer" means an employer whose establishment is engaged in an essential activity. In addition to the requirement that the activities of an establishment must be included in the War Manpower Commission List of Essential Activities, it must meet one or more of the following criteria: The establishment must be

(1) Fulfilling a contract of the Army, Navy, Maritime Commission, or other Government agency directly engaged in the war effort;

(2) Performing governmental services directly concerned with promoting or facilitating war production;

(3) Performing a service, governmental or private, directly concerned with the maintenance of indispensable civilian activities, health, safety, welfare, or security;

(4) Supplying material under subcontracts included in (1), (2), or (3) above;

(5) Producing raw materials, manufacturing materials, supplies or equipment or performing services necessary for the fulfillment of contracts (including necessary clothing and other supplies required by workers employed on these contracts) included in (1), (2), (3), or (4) above.

(g) "Critical occupation" means any occupation designated as a critical occupation by the Chairman of the War Manpower Commission. (A list of critical occupations so designated on the date of the approval of this program is attached hereto as Appendix A.)[1]

(h) "Locally controlled occupation" means any local shortage occupation designated by the Area Director after consultation with the Area Committee and approved by the Regional Director. (A list of locally controlled occupations for the Kansas City area is attached hereto as Appendix B.)[1]

(i) "Locally needed activity" means any activity approved by the Regional Manpower Director as a locally needed activity. (A list of establishments declared locally needed will be maintained in the local United States Employment Service office of the War Manpower Commission.)

(j) "New employee" means any individual who has not been in the employment of the hiring employer at any time during the preceding 30-day period. For the purpose of this definition, employment of less than seven days' duration and employment which is supplemental to the employee's principal work shall be disregarded.

(k) The terms "employment" and "work" as applied to an individual engaged in principal and supplementary employments means his principal employment.

(l) "Agriculture" means those farm activities carried on by farm owners or tenants on farms in connection with the cultivation of the soil, the harvesting of crops, or the raising, feeding, or management of livestock, bees, and poultry, and shall not include any packing, canning, processing, transportation or marketing of articles produced on farms unless performed or carried on as an incident to ordinary farming operations as distinguished from manufacturing or commercial operations.

(m) The term "locally" as used in section 6 (e) (3) of this program means an area the boundaries of which are defined as extending to a reasonable commuting distance from the major center of industrial activity.

(n) "State" includes Alaska, Hawaii, and the District of Columbia.

(o) The term "employer" includes all employers regardless of whether or not they are engaged in an essential activity.

(p) "Solicit" means any activity including any written or oral communication or publication designed or intended to induce any individual or idividuals to accept employment.

(q) A "statement of availability" is a form issued to an individual by his last employer or by the United States Employment Service stating that he is available for work in an essential or locally needed activity in accordance with the terms of this program. (Appendix C.)[1]

SEC. 3. *Authority and responsibility of Area Management-Labor Committee.* The Area Management-Labor War Manpower Committee is authorized to consider questions of policy, standards, and safeguards in connection with the administration of this employment stabilization program, and to make recommendations to the Area Manpower Director.

SEC. 4. *Encouragement of local initiative and use of existing hiring channels.* To the maximum degree consistent with this employment stabilization program and with its objectives, local initiative and cooperative efforts shall be encouraged and utilized and maximum use made of existing hiring channels such as private employers, labor organizations, professional organizations, schools, colleges, technical institutions and government agencies.

(a) *Federal employment.* All employment within the Kansas City area by departments and agencies of the Federal Government which are subject to the rules and regulations of the United States Civil Service Commission shall be made only with the approval of the United States Civil Service Commission which shall conduct its recruiting activities and make referrals in accordance with applicable War Manpower Commission policies, procedures and standards. Prior clearance of the United States Employment Service must be obtained before critical or locally controlled workers so recruited can be referred to the appointing agencies.

(b) *Railroad employment.* All hiring within the Kansas City area by employers covered by the Railroad Unemployment Insurance Act shall be made

[1] Filed as part of the original document.

only with the approval of the Railroad Retirement Board's Employment Service. That agency shall conduct its recruiting of railroad labor in accordance with applicable War Manpower Commission policies, procedures, and standards.

(c) *Inland waterway employment.* All hiring within the Kansas City area for inland waterway transportation shall be made only with the approval of the Recruitment and Manning Organization of the War Shipping Administration. That Agency shall conduct its recruiting of inland waterway personnel in accordance with applicable War Manpower Commission policies, procedures and standards.

SEC. 5. *Collective bargaining agreements.* Nothing in this employment stabilization program shall be construed to prejudice existing rights of an employee or an employer under a collective bargaining agreement, or to restrict any individual from seeking the advice and aid of, or from being represented by, the labor organization of which he is a member or any other representative freely chosen by him at any step in the operation of this program.

SEC. 6. *Control of hiring and solicitation of workers.* All hiring and solicitation of workers in, or for work in, the Kansas City area shall be conducted in accordance with the provisions of this section.

(a) *General.* A new employee, who during the preceding 60-day period was engaged in an essential or locally needed activity, may be hired only if such hiring would aid in the effective prosecution of the war. Such hiring shall be deemed to aid in the effective prosecution of the war only if:

(1) Such individual is hired for work in an essential or locally needed activity or for work to which he has been referred by the United States Employment Service, and

(2) Such individual presents a statement of availability from his last employment in an essential or locally needed activity, or is referred by the United States Employment Service of the War Manpower Commission, or is hired with its consent, as provided herein.

(b) *Issuance of statements of availability by employers.* An individual whose last employment is or was in an essential or locally needed activity shall receive promptly a statement of availability from his employer if:

(1) He has been discharged, or his employment has been otherwise terminated by his employer, or

(2) He has been laid off for an indefinite period, or for a period of seven or more days, or

(3) Continuance of his employment would involve undue personal hardship, or

(4) Such employment is or was at a wage or salary or under working conditions below standards established by State or Federal laws or regulations, or

(5) Such employment is or was at a wage or salary below a level established or approved by the National War Labor Board (or other agency authorized to adjust wages or approve adjustments thereof) as warranting adjustment, and the employer has failed to adjust the wage in accordance with such level or to apply to the appropriate agency for such adjustment or approval thereof.

Individuals who receive statements of availability for any of the above reasons, whose employment was in a critical or locally controlled occupation, shall register immediately with the United States Employment Service for referral in accordance with section 6 (e) (1) and 6 (e) (2).

(c) *Issuance of statements of availability by United States Employment Service.* (1) A statement of availability shall be issued promptly to an individual when any of the circumstances set forth in section 6 (b) is found to exist in his case. If the employer fails or refuses to issue a statement, the United States Employment Service of the War Manpower Commission, upon finding that the individual is entitled thereto, shall issue a statement of availability to the individual.

(2) A statement of availability shall be issued by the United States Employment Service to any individual in the employ of an employer whom the War Manpower Commission finds, after notice, hearing, and final decision, has not complied with this program, or any War Manpower Commission regulation or policy, and for so long as such employer continues his noncompliance after such finding.

(d) *Referral in case of under-utilization.* If an individual is employed at less than full time or at a job which does not utilize his highest recognized skill for which there is a need in the war effort, the United States Employment Service may, upon his request, refer him to other available employment in which it finds that the individual will be more fully utilized in the war effort.

Where referral is granted for reasons set forth in this section, the United States Employment Service may grant, as a condition of transfer, maintenance of seniority rights with the original employer; it being understood that the employee shall not accumulate such seniority during the period of his absence from his original employment except where existing agreements provide for such special types of leave of absence.

(e) *Workers who may be hired only upon referral by the United States Employment Service.* Under the circumstances set forth below, a new employee may not be hired solely upon presentation of a statement of availability, but may be hired only upon referral by, or with the consent of, the United States Employment Service when:

(1) The new employee is to be hired for work in a critical occupation, or his statement of availability indicates that his last employment was in a critical occupation.

(2) The new employee is to be hired for work in a locally controlled occupation as listed in Appendix B[1] or his statement of availability indicates that his last employment was in such an occupation.

(3) The new employee has not lived or worked in the locality of the new employment throughout the preceding 30-day period.

(4) The new employee's last regular employment was in agriculture and he is to be hired for non-agricultural work: *Provided,* That no such individual shall be referred to non-agricultural work except after consultation with a designated representative of the War Food Administration. *And provided,* That such an individual may be hired for non-agricultural work for a period not to exceed six weeks without referral or presentation of a statement of availability.

(f) *Pending action on statements of availability or referral.* Workers shall remain in their current position pending decisions on requests for statements of availability or referrals.

(g) *Solicitation of workers.* No employer shall advertise or otherwise solicit for the purpose of hiring any individual if the hiring of such an individual would be subject to restrictions under this employment stabilization program, except in a manner consistent with such restrictions. Soliciting individuals for work in a critical or locally controlled occupation without prior approval of the United States Employment Service is prohibited. All advertisements for individuals whose last employment was or is in an essential or locally needed activity shall indicate that individuals will not be considered for employment unless they present a statement of availability.

(h) *Discriminatory hiring.* The decision to hire or refer a worker shall be based on qualifications essential for performance of, or suitability for, the job, and shall be made without discrimination as to race, color, creed, sex, national origin, or except as required by law, citizenship.

(i) *Hiring or leaving employment contrary to this program.* Any employer shall, upon written request of the United States Employment Service release from employment:

(1) Any worker who has been hired (after the effective date of this program) contrary to the provisions of this program.

(2) Any worker who has been hired upon referral of such worker by the United States Employment Service, if such referral was made as a result of misrepresentation by such worker as to his previous employment or by the employer as to his present employment, and if such referral would not have been made except for such misrepresentation.

(j) *General referral policies.* No provision in the program shall limit the authority of the United States Employment Service to make referrals in accordance with approved policies and instructions of the War Manpower Commission.

(k) *Content of statements of availability.* A statement of availability issued to an individual pursuant to the program shall contain only the individual's name, address, social security number, if any, the name and address of the issuing employer or War Manpower Commission officer and office, the date of issuance, a statement as to whether or not the individual's last employment was

[1] Filed as part of the original document.

in a critical or locally controlled occupation, and such other information not prejudicial to the employee in seeking new employment as may be authorized or required by the War Manpower Commission. Statements of availability shall conform to the form attached hereto as Appendix C.[1]

(l) *Retention of statements of availability by employers.* Any employer after having hired a new employee upon his presentation of a statement of availability, shall retain and file it and shall make it available for inspection upon request of authorized representatives of the War Manpower Commission.

(m) *Arbitrary discharge.* Where collective bargaining agreements do not exist or where such agreements do not provide for settlement of disputes arising out of dismissal of employees, any employee who has been arbitrarily or capriciously dismissed by his or her employer shall have the right to appeal in accordance with regulations and procedures of the War Manpower Commission for the purpose of being re-instated.

SEC. 7. *Exclusions.* No provision of the employment stabilization program shall be applicable to:

(a) The hiring of a new employee for agricultural employment;

(b) The hiring of a new employee for work of less than seven days' duration, or for work which is supplementary to the employee's principal work; but such work shall not constitute the individual's last employment for the purposes of this program, unless the employee is customarily engaged in work of less than seven days' duration;

(c) The hiring of an employee in any Territory or possession of the United States; except Alaska and Hawaii;

(d) The hiring by a foreign, State, county, or municipal government, or their political subdivisions, or their agencies and instrumentalities, or to the hiring of any of their employees, unless such foreign, State, county, or municipal government, or political subdivision or agency or instrumentality has indicated its willingness to conform to the maximum extent practicable under the Constitution and laws applicable to it, with this program;

(e) The hiring of a new employee for domestic service, or to the hiring of a new employee whose last regular employment was in domestic service;

(f) The hiring of employees of public and private educational institutions and such other employees as may be specified by the War Manpower Commission for off-season employment or the rehiring of such employees at the termination of the off-season period.

SEC. 8. *Appeals.* Any worker or employer or group of workers or employers dissatisfied with any act or failure to act in accordance with this program will be given a fair opportunity to appeal his or their case in accordance with regulations and procedures of the War Manpower Commission.

SEC. 9. *Conflict with Federal or State law.* If any provision of this plan is in conflict with the requirement of Regulation No. 7 of the War Manpower Commission or any Federal or State law, that provision will be deemed void.

SEC. 10. *Effective date and termination of program.* This program shall become effective immediately upon the publication of notice of its approval by the Regional Manpower Director and may be amended from time to time or terminated in accordance with regulations and procedures of the War Manpower Commission. This program when declared effective will supersede the Kansas City Area Stabilization Program which became effective on March 22, 1943.

Approved by the Regional Manpower Director, Effective August 30, 1943.

Dated: August 30, 1943.

WILL S. DENHAM,
Area Director.

Approved: August 30, 1944.

ED MCDONALD,
Regional Director.

[F. R. Doc. 44-19042; Filed, Dec. 15, 1944; 12:20 p. m.]

[1] Filed as part of the original document.

[Amdt. 1]

KANSAS CITY, MO.-KANS., AREA

EMPLOYMENT STABILIZATION PROGRAM

The Employment Stabilization Program for the Kansas City War Manpower Commission Area, dated August 30, 1943 (*supra*), is hereby amended as follows:

1. Section 2 (m), as amended, reads:

(m) The term "locality" as used in section 6 (e) (4) of this program means an area the boundaries of which are defined as extending to a reasonable commuting distance from the major center of industrial activity.

2. Section 4 (a), as amended, reads:

(a) *Federal employment.* All employment within the Kansas City area by departments and agencies of the Federal Government which are subject to the rules and regulations of the United States Civil Service Commission shall be made only with the approval of the United States Civil Service Commission which shall conduct its recruiting activities and make referrals in accordance with applicable War Manpower Commission policies, procedures and standards.

3. Section 6 (b), last paragraph, as amended, reads:

Individuals who receive statements of availability for any of the above reasons, who is a male, or whose employment was in a critical or locally controlled occupation, shall register immediately with the United States Employment Service for referral in accordance with section 6 (e) (1), 6 (e) (2), and 6 (e) (3).

4. Section 6 (e), as amended, includes the following as item number (1):

(1) The new employee is male.

5. Subparagraphs (1), (2), (3), (4) of section 6 (e) in the original program are renumbered accordingly as (2), (3), (4), (5).

6. Section 6, as amended, includes an additional provision as (f) which is as follows:

(f) *Provision for employment ceilings.* The Area Manpower Director may fix for all or any establishments in the Kansas City area, fair and reasonable employment ceilings and allowances, limiting the number of employees or other specified types of employees which such establishments may employ during specified periods. Such ceilings and allowances will be determined on the basis of the establishment's actual labor needs, the available labor supply, and/or the relative urgency of the establishment's products or services to the war effort. Except as authorized by the Area Manpower Director, no employer shall hire any new employee for work in such establishment if the hiring of such employee would result in such establishment's exceeding the employment ceiling or allowance currently applicable to it.

7. Provisions (f), (g), (h), (i), (j), (k), (l), (m) under section 6 of the original program are renumbered accordingly (g), (h), (i), (j), (k), (l), (m), (n).

8. Section 10, as amended, reads:

SEC. 10. *Effective date and termination of program.* This program shall become effective immediately upon the publication of notice of its approval by the Regional Manpower Director and may be amended from time to time or terminated in accordance with regulations and procedures of the War Manpower Commission. This program when declared effective will supersede the Employment Stabilization Program for the Kansas City War Manpower Commission Area which became effective on August 30, 1943.

Approved by the Regional Manpower Director, effective July 1, 1944.

9. Appendix A[1] was amended. Instructions on the reverse side of Appendix C,[1] Statement of Availability, were amended.

Dated: June 30, 1944.

WILL S. DENHAM,
Area Director.

Approved: July 1, 1944.

ED MCDONALD,
Regional Director.

[F. R. Doc. 44-19043; Filed, Dec. 15, 1944; 12:20 p. m.]

[1] Not published in the FEDERAL REGISTER.

[Amdt. 2]

KANSAS CITY, MO.-KANS., AREA

EMPLOYMENT STABILIZATION PROGRAM

The Employment Stabilization Program for the Kansas City War Manpower Commission Area, dated August 30, 1943, (*supra*), is hereby amended as follows:

1. Section 2 (f), as amended, reads:

(f) An "essential employer" means an employer whose establishment is engaged in an essential activity.

2. Paragraphs (g) and (h) of section 2 have been deleted and paragraphs (i), (j), (k), (l), (m), (n), (o), (p), and (q) have been renumbered accordingly as (g), (h), (i), (j), (k), (l), (m), (n), and (o).

3. Section 2 (k), as amended, reads:

(k) The term "locality" as used in section 6 (e) (2) of this program means an area the boundaries of which are defined as extending to a reasonable commuting distance from the major center of industrial activity.

4. Section 4 (c) has been deleted.

5. Section 6 (b), last paragraph, as amended reads:

Male workers who receive statements of availability for any of the above reasons shall register immediately with the United States Employment Service for referral in accordance with section 6 (e) (1).

6. Subparagraphs (2) and (3) of section 6 (e) have been deleted; subparagraphs (3) and (4) have been renumbered accordingly as (2) and (3).

7. Section 6 (g), as amended, reads:

(g) *Pending action on statements of availability or referral.* Workers are requested to remain in their current position pending decisions on requests for statements of availability or referrals.

8. Section 6 (h), as amended, reads:

(h) *Solicitation of workers.* No employer shall advertise or otherwise solicit for the purpose of hiring any individual if the hiring of such individual would be subject to restrictions under this employment stabilization program, except in a manner consistent with such restrictions. Soliciting male workers without prior approval of the United States Employment Service is prohibited. All advertisements for female workers whose last employment was or is in an essential or locally needed activity shall indicate that such individuals will not be considered for employment unless they present a statement of availability. All advertisements for male workers shall indicate that such workers will not be considered for employment unless they present a referral card.

9. Section 6 (j) (2), as amended, reads:

(2) Any worker who has been hired upon referral of such worker by the United States Employment Service, if such referral was made as a result of misrepresentation by such worker as to his previous employment and if such referral would not have been made except for such misrepresentation.

10. Section 6 (l), as amended, reads:

(l) *Content of statements of availability.* A statement of availability issued to an individual pursuant to the program shall contain only the individual's name, address, social security account number, if any, the name and address of the issuing employer or War Manpower Commission officer and office, the date of issuance, and such other information not prejudicial to the employee in seeking new employment as may be authorized or required by the War Manpower Commission. Statements of Availability shall conform to the form attached hereto as Appendix A.[1]

11. Section 10, as amended, reads:

SEC. 10. *Effective date and termination of program.* This program shall become effective immediately upon the publication of notice of its approval by the Regional Manpower Director and may be amended from time to time or terminated in accordance with regulations and procedures of the War Manpower Commission. This program when declared effective will supersede the Kansas City Area Stabilization Program which became effective on July 1, 1944.

Approved by the Regional Director, effective December 1, 1944.

12. Appendices A[1] and B[1] have been deleted. Appendix C[1] has been renumbered accordingly as Appendix A. Instructions on the reverse side of Appendix A, Statement of Availability, were amended.

Dated: December 4, 1944.

WILL S. DENHAM,
Area Director.

Approved: December 5, 1944.

ED MCDONALD,
Regional Director.

[F. R. Doc. 44-19044; Filed, Dec. 15, 1944; 12:20 p. m.]

[1] Not published in the FEDERAL REGISTER.