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Washington, Tuesday, August 21, 1945

The President

EXECUTIVE ORDER 9599

PROVIDING FOR ASSISTANCE TO EXPANDED PRODUCTION AND CONTINUED STABILIZATION OF THE NATIONAL ECONOMY DURING THE TRANSITION FROM WAR TO PEACE, AND FOR THE ORDERLY MODIFICATION OF WARTIME CONTROLS OVER PRICES, WAGES, MATERIALS AND FACILITIES

By virtue of the authority vested in me by the Constitution and the statutes of the United States, and particularly the War Mobilization and Reconversion Act of 1944, the First War Powers Act of 1941, the Second War Powers Act of 1942, as amended, and the Stabilization Act of 1942, as amended, and for the purpose of fully mobilizing the resources of the Government in this final stage of the war emergency, in order to promote a swift and orderly transition to a peacetime economy of free independent private enterprise with full employment and maximum production in industry and agriculture and to assure the general stability of prices and costs and the maintenance of purchasing power which are indispensable to the shift of business enterprises from wartime to peacetime production and of individuals from wartime to peacetime employment, it is hereby ordered as follows:

I

1. The guiding policies of all departments and agencies of the Government concerned with the problems arising out of the transition from war to peace shall be:

A. To assist in the maximum production of goods and services required to meet domestic and foreign needs, (1) by assuring assistance in making available materials and supplies required for the production of such goods and services; (2) by providing assistance to the conversion and utilization of war plants and facilities, both privately and publicly owned; and (3) by providing effective job placement assistance to war workers and returning service men and women.

B. To continue the stabilization of the economy as authorized and directed by the Emergency Price Control Act of 1942, as amended, and the Stabilization Act of 1942, as amended, (1) by using all powers conferred therein and all other lawful means to prevent either inflation or deflation; and (2) while so doing, by making whatever modifications in controls over prices, wages, materials and facilities are necessary for an orderly transition from war to peace; and

C. To move as rapidly as possible without endangering the stability of the economy toward the removal of price, wage, production and other controls and toward the restoration of collective bargaining and the free market.

2. The departments and agencies of the Government shall take vigorous, concerted and uniform action toward these ends and pursuant to this Order, under the guidance and direction of the Director of War Mobilization and Reconversion.

II

During the transition to a free economy, the Secretary of Agriculture, the Federal Loan Administrator, and the Director of Economic Stabilization shall not only take all measures required by law to support prices but shall take such further measures authorized by law as may be necessary to prevent any collapse of values or discouragement of the full and effective use of productive resources.

III

The Price Administrator, and in the exercise of his price responsibilities under the law the Secretary of Agriculture, shall, subject to such directives provided for by law as may be issued by the Economic Stabilization Director, take all necessary steps to assure that the cost of living and the general level of prices shall not rise. Subject to such authority, the Price Administrator and, in the exercise of his price responsibilities under the law, the Secretary of Agriculture, are authorized to make such adjustments in existing price controls as are necessary to remove gross inequities or to correct maladjustments or inequities which would interfere with the effective transition to a peacetime economy. In order that any price increases found necessary for these purposes will not result in an increase in the cost of living or in the general level of prices, the Price

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NOTICE

1944 Supplement

Book 1 of the 1944 Supplement to the Code of Federal Regulations, containing Titles 1-10, including Presidential documents in full text, is now available from the Superintendent of Documents, Government Printing Office, at $3.00 per copy.

A limited sales stock of the Cumulative Supplement and the 1943 Supplement is still available as previously announced.

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Administrator and the Secretary of Agriculture respectively shall (1) so far as is reasonable, practicable and necessary for this purpose, see that such price increases do not cause price increases at later levels of production or distribution, and (2) improve and tighten price controls in those fields which are important in relation to production costs or the cost of living in which in their judgment the controls have heretofore been insufficiently effective.

IV

1. The National War Labor Board, and such other agencies as may be designated by the Director of Economic Stabilization with the approval of the Director of War Mobilization and Reconversion, are authorized to provide that employers may, through collective bargaining with duly certified or recognized representatives of the employees involved or, if there is no such representative, by voluntary action, make wage or salary increases without the necessity of obtaining approval therefor, upon the condition that such increases will not be used in whole or in part as the basis for seeking an increase in price ceilings, or for resisting otherwise justifiable reductions in price ceilings, or, in the case of products or services being furnished under contract with a federal procurement agency, will not increase the costs to the United States.

2. In addition to the authority to approve increases to correct gross inequities and for other specified purposes, conferred by Section 2 of Title II of Executive Order 9250, the National War Labor Board or other designated agency is hereby authorized to approve, without regard to the limitations contained in any other orders or directives, such increases as may be necessary to correct maladjustments or inequities which would interfere with the effective transition to a peacetime economy; provided, however, that in dispute cases this additional authority shall not be used to direct increases to be effective as of a date prior to the date of this order.

Where the National War Labor Board or other designated agency, or the Price Administrator, shall have reason to believe that a proposed wage or salary increase will require a change in the price ceiling of the commodity or services involved, such proposed increase, if approved by the National War Labor Board or such other designated agency under the authority of this section shall become effective only if also approved by the Director of Economic Stabilization.

3. Officials charged with the settlement of labor disputes in accordance with the terms of Executive Order 9017 and Section 7 of the War Labor Disputes Act shall consider that labor disputes which would interrupt work contributing to the production of military supplies or interfere with effective transition to a peacetime economy are disputes which interrupt work contributing to the effective prosecution of the war.

V

The War Production Board shall move as rapidly as feasible without endangering orderly reconversion and the stabilization of the economy to free business from its controls. During the transition it shall use all of its authorized powers to expand the production of materials which are in short supply; limit the manufacture of products for which materials or facilities are insufficient; control the accumulation of inventories so as to avoid speculative hoarding and unbalanced distribution which would curtail total production; grant priority assistance to break bottlenecks which would impede the reconversion process; facilitate the fulfillment of relief and other essential export programs; and allocate scarce materials or facilities necessary for the production of low-priced items essential to the continued success of the stabilization program.

HARRY S. TRUMAN

THE WHITE HOUSE,
August 18, 1945.

[F. R. Doc. 45-15380; Filed, Aug. 20, 1945; 11:43 a. m.]

EXECUTIVE ORDER 9598

MODIFYING THE CONDITIONS UPON WHICH A CLASSIFIED STATUS MAY BE GRANTED

By virtue of the authority vested in me by section 1753 of the Revised Statutes of the United States and by section 2 of the Civil Service Act (22 Stat. 403), it is hereby ordered as follows:

Hereafter no person shall be accorded a classified civil-service status on the basis of his name having been reached on a civil-service register unless he shall have been regularly selected for appointment from a certificate issued by the Civil Service Commission for probational appointment and shall have entered on duty pursuant to selection from such certificate, or unless (a) he shall have been appointed to a classified (competitive) position for other than temporary-job employment lasting for one year or less, (b) his appointment shall have been prior to March 16, 1942, with respect to positions generally or prior to October 23, 1943, with respect to positions in the field service of the Post Office Department, and (c) the records of the Civil Service Commission clearly show that he stood higher on an appropriate civil-service list of eligibles than another eligible who received an original probational appointment from such list.

This order supersedes Executive Order No. 9506 of December 12, 1944[1]; but does not supersede or modify Executive Order No. 9538 of April 13, 1945.[2]

HARRY S. TRUMAN

THE WHITE HOUSE,
August 17, 1945.

[F. R. Doc. 45-15277; Filed, Aug. 18, 1945; 11:47 a. m.]

EXECUTIVE ORDER 9600

AMENDING EXECUTIVE ORDER NO. 9240 ENTITLED "REGULATIONS RELATING TO OVERTIME WAGE COMPENSATION"

By virtue of the authority vested in me by the Constitution and the statutes, it is ordered that Section IB of Executive Order No. 9240 of September 9, 1942, en-

[1] 9 F.R. 14637.
[2] 10 F.R. 4057.

titled "Regulations Relating to Overtime Wage Compensation", be, and it is hereby, amended to read as follows:

"No premium wage or extra compensation shall be paid for work on customary holidays except that time and one-half wage compensation shall be paid for work performed on any of the following holidays only:

New Year's Day	Thanksgiving Day
Fourth of July	Christmas Day
Labor Day	August 15, 1945

August 16, 1945

and either Memorial Day or one other such holiday of greater local importance."

HARRY S. TRUMAN

THE WHITE HOUSE,
August 18, 1945.

[F. R. Doc. 45-15379; Filed, Aug. 20, 1945; 11:43 a. m.]

Regulations

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 22—REGULATIONS GOVERNING APPEALS OF PREFERENCE ELIGIBLES UNDER THE VETERANS' PREFERENCE ACT OF 1944

ADVERSE DECISIONS OF ADMINISTRATIVE OFFICERS OF AGENCIES

Section 22.3 (9 F.R. 13190) is amended as follows:

§ 22.3 *Adverse decisions of administrative officers of agencies.* Adverse decisions by administrative officers following notifications of proposed adverse actions, charges and answers of employees, shall be in writing, dated and submitted to the employee promptly after such decisions have been made. The employee should at the same time be advised of his right to appeal the decision to the Civil Service Commission. If delay in submitting an appeal to the Commission occurs because the employee has not been so advised this fact shall be considered good cause shown for failure to file the appeal within the prescribed period of thirty (30) days after receipt of notice of the adverse decision as provided in § 22.4, but shall not otherwise affect the adjudication of the appeal.

By the United States Civil Service Commission.

[SEAL] H. B. MITCHELL,
President.

AUGUST 17, 1945.

[F. R. Doc. 45-15359; Filed, Aug. 20, 1945; 11:03 a. m.]

TITLE 7—AGRICULTURE

Chapter IV—Federal Crop Insurance Corporation

PART 415—FLAX CROP INSURANCE

SUBPART—1946 REGULATIONS

The Federal Crop Insurance Program is part of the general program of the United States Department of Agriculture administered for the benefit of agriculture.

By virtue of the authority vested in the Federal Crop Insurance Corporation by the Federal Crop Insurance Act, as amended, these regulations are hereby published and prescribed to be in force and effect, with respect to the 1946 flax crop insurance program, until amended or superseded by regulations hereafter made.

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AUTHORITY: §§ 415.51 to 415.94, inclusive, issued under the Federal Crop Insurance Act, as amended, 52 Stat. 72, 52 Stat. 835, 55 Stat. 237, 58 Stat 910.

MANNER OF OBTAINING INSURANCE

§ 415.51 *Availability of flax crop insurance.* (a) Flax crop insurance will be offered on the flax crop planted for harvest in 1946 in accordance with this subpart. Flax crop insurance against loss in yields will be offered only in States or counties where the Corporation determines that sufficient data are available to enable the Corporation to establish flax yields and premium rates. The coverage per acre of flax crop insurance will be 50 or 75 percent of the average yield of flax for the farm.

(b) Insurance will not be provided in any county unless written applications for insurance on crops authorized to be insured are filed covering at least fifty farms, or one-third of the farms normally producing these crops, except that insurance may be provided for producers on farms situated in a local producing area bordering on a county with a crop insurance program.

§ 415.52 *Application for insurance.* Application for insurance, on Form FCI-612-F "Application for Flax Crop Insurance for 1946," may be made by any person to cover his interest as landlord, owner, tenant or sharecropper, in a flax crop. An application shall cover the applicant's interest in the flax crop on all insurance units located, or considered for crop insurance purposes to be located, in the county or, where applicable, on all insurance units in the local producing area, in which the applicant has an interest at the time of the seeding of the flax crop to be harvested in 1946. Applications shall be submitted to the office of the county association on or before the applicable closing date shown in § 415.93.

§ 415.53 *Acceptance of applications by the Corporation.* (a) Upon acceptance of an application by a duly authorized representative of the Corporation the insurance contract shall be in effect, provided such application is submitted in accordance with the provisions of the application and of this subpart, including any amendments thereto. The applicant's copy of the accepted application shall be mailed to him.

(b) The Corporation reserves the right to reject any application for insurance with respect to any one or more of the insurance units covered by the application, or to limit the insurance on the applicant's interest in any insurance unit covered by the application to 50 percent of the average yield for such unit.

(c) Insurance contracts covering farms situated in a local producing area shall be handled in the office of the

county association of an adjoining county with a crop insurance program.

INSURANCE COVERAGE

§ 415.54 *Insurable and non-insurable farms.* Any farm or part thereof which is designated on the crop insurance listing sheet as "non-insurable", because of the insurance risk involved, shall not be considered in any manner whatsoever under the insurance contract, except as provided in § 415.66 (b) hereof. The Corporation may determine that a farm or part thereof is non-insurable and so designate it on the listing sheet at any time before the applicable closing date for the filing of applications for insurance. Any farm or part thereof not so designated shall be insurable.

§ 415.55 *Determination of insured acreage.* Insurance shall not attach with respect to (a) any acreage seeded to flax which is put to another use before it is too late to reseed flax, as determined by the Corporation, or (b) any acreage seeded to flax which is destroyed or substantially dstroyed before it is too late to reseed flax, as determined by the Corporation, and the acreage is left idle or is fallowed until it is too late to reseed flax. The insured acreage with respect to each insurance unit shall be either the acreage of flax seeded for harvest as seed as reported by the insured or the acreage determined by the Corporation as seeded thereon for harvest as seed, whichever the Corporation shall elect: *Provided, however,* That the Corporation reserves the right to limit the acreage to be insured. Promptly after seeding a flax crop, the insured shall submit to the Corporation, on Form FCI-619-F "Flax Acreage Report for 1946", a separate report of the acreage seeded to flax on each insurance unit in which he has an interest at the time of seeding and his interest at the time of seeding in the flax seeded for harvest as seed.

§ 415.56 *Insurance period.* Insurance with respect to any insured acreage shall attach at the time the flax is seeded. Insurance shall cease with respect to any portion of the flax crop covered by the insurance contract upon threshing or removal from the farm, but in no event shall the insurance remain in effect later than October 31, 1946, unless such time is extended in writing by the Corporation.

§ 415.57 *Insured production.* The insured production for each insurance unit under the contract shall be the number of bushels of flax determined by multiplying the insured acreage by the average yield per acre, by the insured percentage (50 or 75 percent), and by the insured interest in the crop at the time of seeding. If more than one average yield has been established for the insurance unit, the insured production shall be computed separately, using the applicable acreage for each yield, and the total of such computed amounts shall be the insured production for the insurance unit.

§ 415.58 *Causes of loss insured against.* The insurance contract shall cover loss in yield of flax due to unavoidable causes including drought, flood, hail, wind, frost, winter-kill, lightning, fire, excessive rain, snow, wildlife, hurricane, tornado, insect infestation, plant disease, and such other unavoidable causes as may be determined by the Board of Directors of the Corporation.

§ 415.59 *Causes of loss not insured against.* The contract shall not cover damage to quality in any case, or loss in yield caused by the neglect or malfeasance of the insured or of any person in his household or employment or connected with the farm as tenant, sharecropper, or wage hand, nor shall it cover losses caused by theft, domestic animals (including poultry), use of defective or unadapted seed, overseeding or seeding on land of poorer average quality for the production of flax than the average quality of the land considered in establishing the average yield for the insurance unit, failure properly to prepare the land for seeding, or properly to seed, care for, or harvest and thresh the insured crop, including any loss due to breakdown of machinery or equipment, failure to follow established good farming practices, or by following different fertilizer or farming practices than those considered in establishing the average yield, planting flax under conditions of immediate hazard without adjustment of the average yield or premium rate, or by failure to reseed the flax in areas and under circumstances where the Corporation determines it is practicable to reseed. In addition, where insurance is written on an irrigated basis, the contract shall not cover losses caused by failure properly to apply irrigation water to flax in proportion to the amount of water available for all irrigated crops, failure of irrigation equipment due to mechanical defects, failure to provide adequate casing or properly to adjust the pumping equipment in the event of a lowering of the water level in pump wells when such adjustment can be made without deepening the well, or any other such loss not due entirely to unavoidable causes. Likewise, the contract shall not cover loss in yield caused by inability to obtain labor, fertilizer, machinery, repairs, or insect poisons, as a result of war or other conditions.

PREMIUM FOR INSURANCE CONTRACT

§ 415.60 *Amount of premium.* The premium for each insurance unit under the contract shall be the number of bushels of flax determined by multiplying the insured acreage of flax for the insurance unit by the premium rate per acre and by the insured interest in the crop at the time of seeding. If more than one premium rate has been established for the insurance unit, a premium shall be computed separately using the applicable acreage for each rate, and the total of the amounts so computed shall be the premium for the insurance unit. The premium for the insurance contract shall be the total of the premiums computed for the insured for all insurance units covered by the contract. The premium with respect to any insured acreage shall be regarded as earned when the flax crop on such acreage is seeded. The minimum premium payable by the insured with respect to any insurance contract shall be two bushels of flax.

§ 415.61 *Manner of payment of premium.* (a) By executing a Form FCI-612-F, "Application for Flax Crop Insurance for 1946", the applicant executes a premium note. This note represents a promise to pay to the Corporation, on or before the maturity date specified in § 415.94 hereof, the total premium for all insurance units covered by the insurance contract. Such note or unpaid portion thereof shall bear interest after maturity at the rate of one-half of one percent for each calendar month or fraction thereof, except that no interest shall be charged on any amount paid within two calendar months after maturity.

(b) Payment on any such note may be made in whole or in part before maturity either in flax or cash, or both. After maturity, payment may be made only in cash. In connection with any payment before maturity, there shall be credited on the note the number of bushels of flax computed by dividing the payment made (the proceeds of the sale of flax if flax is paid) by the cash equivalent price per bushel for the date of payment. The amount of any such note due at maturity shall be the cash equivalent thereof based on the cash equivalent price per bushel applicable for such maturity date.

(c) Any unpaid amount of any such note (either before or after the date of maturity) may be deducted from any indemnity payable under the contract, from the proceeds of any commodity loan to the insured, and from any payments made to the insured under the Soil Conservation and Domestic Allotment Act, as amended, or any other act of Congress or program administered by the United States Department of Agriculture. Where any such deduction is made before the date of maturity, the cash equivalent of the deduction will be based on the cash equivalent price used in computing the indemnity payment or the cash equivalent price determined by the Corporation to be in effect on the day the county committee approves such loan or other payment, whichever is applicable. Such price shall also be used in determining the number of bushels of flax to be credited on the note.

(d) Payments in cash shall be made by means of cash or by check, money order, or bank draft payable to the order of the Treasurer of the United States. All checks and drafts will be accepted subject to collection, and payments tendered shall not be regarded as paid unless collection is made. When a payment is made in flax, it shall be by means of a negotiable warehouse receipt or other instrument acceptable to the Corporation representing salable flax.

LOSS

§ 415.62 *Notice of loss or damage of flax crop.* Unless otherwise provided by the Corporation, if a loss is probable, notice in writing shall be given the Corporation at the office of the county association immediately after any mate-

rial damage to the insured crop and before the crop is harvested, removed, or any other use is made of it. Any such notice shall be given in time to allow the Corporation to make appropriate inspection.

§ 415.63 *Released acreage.* Any insured acreage on which the flax crop has been destroyed or substantially destroyed may be released by the Corporation for planting a substitute crop or to be put to another use. The flax crop shall be deemed to have been substantially destroyed if the Corporation determines that it has been so badly damaged that farmers generally in the area where the farm is located and on whose farms similar damage occurred would not further care for the crop or harvest any portion thereof.

Before any acreage is released it shall be inspected and an appraisal made of the yield that would be realized if the crop on such acreage remained for harvest. Any such appraisal shall be subject to the minimum set forth in § 415.66 (a) hereof. For the purpose of determining this minimum, any such acreage which, after harvest of flax has started in the area in which the farm is located, is released for the planting of a crop shall be regarded as acreage not harvested and not as acreage released for the planting of a substitute crop. No insured acreage seeded to flax shall be considered as put to another use as long as any flax on such acreage remains for harvest.

On any acreage where the flax has been partially destroyed but not released by the Corporation, proper measures shall be taken to protect the crop from further damage. There shall be no abandonment of any crop or portion thereof to the Corporation.

§ 415.64 *Time of loss.* Loss, if any, shall be deemed to have occurred at the completion of threshing of the crop or October 31, 1946 (unless such time is extended by the Corporation), whichever occurs first, unless the Corporation determines that the flax crop was destroyed or substantially destroyed earlier, in which event the loss shall be deemed to have occurred on the date so determined by the Corporation.

§ 415.65 *Proof of loss.* If a loss is claimed, the insured shall submit to the Corporation a form entitled "Statement in Proof of Loss", containing such information regarding the manner and extent of the loss as may be required by the Corporation. The statement in proof of loss shall be submitted not later than 60 days after the time of loss, unless the time is extended in writing by the Corporation. It shall be a condition precedent to any liability under the insurance contract that the insured establish that any loss for which claim is made has been directly caused by one or more of the hazards insured against by the insurance contract during the term of the contract, and that the insured further establish that the loss has not arisen from or been caused by, either directly or indirectly, any of the hazards not insured against by the insurance contract.

§ 415.66 *Amount of loss.* (a) The amount of loss for which indemnity will be payable with respect to any insurance unit will be the amount of the insured production under the contract for such insurance unit, less the product of the insured interest and the total production for such unit: *Provided, however,* That, if the seeded acreage on the insurance unit exceeds the insured acreage on such unit, as determined by the Corporation, the loss for which indemnity will be payable shall be computed by apportioning the production on the seeded acreage to determine the production applicable to the insured acreage: *Provided, further,* That, if separate yields and rates are established for parts of the insurance unit or if the insured has different shares in parts of the flax on the insurance unit, such apportionment may, if the Corporation so elects, be made on the basis of the ratio of the premium computed for the reported acreage to the premium computed for the seeded acreage. Such total production shall include:

(1) Flax produced from any acreage of the flax crop which was threshed;

(2) The appraised production for any acreage of the flax crop which is released by the Corporation before harvest of flax has started in the area and seeded to a substitute crop, or 50 percent of the product of (i) such acreage, (ii) the average yield and (iii) the insured percentage, whichever is the larger;

(3) The appraised production for any acreage of flax that is not harvested (except the acreage covered in paragraph (2) of this paragraph), or 20 percent of the product of (i) such acreage, (ii) the average yield and (iii) the insured percentage, whichever is the larger;

(4) The appraised production for any portion of the insured flax acreage that is planted to a substitute crop or put to another use without the consent of the Corporation, or the product of (i) such acreage, (ii) the average yield and (iii) the insured percentage, whichever is the larger;

(5) The appraised number of bushels by which production on any acreage has been reduced solely because of any cause not insured against, which number of bushels shall not be less than the product of (i) such acreage, (ii) the average yield and (iii) the insured percentage, minus any quantity of flax harvested from such acreage; and

(6) The appraised number of bushels by which production on any acreage has been reduced because of any cause not insured against, where damage on such acreage has resulted from a cause insured against and a cause not insured against.

Any damage to the flax crop, caused by the seeding of perennial grasses or legumes with the flax, or in the growing flax crop, shall be subject to an appraisal as a damage resulting from a cause not insured against. This appraisal shall be included under subparagraphs (5) or (6) of this paragraph whichever is applicable.

(b) Where the insured fails to establish and maintain separate records of acreage or production for the component parts of a combination of two or more insurance units or portions thereof, the insurance with respect to such units under the contract may be voided by the Corporation and the premium forfeited by the insured: *Provided, however,* That, if all the component parts of the combination are insured, the total of the insured production for the component parts shall be considered as the insured production for the combination, and any loss for such combination shall be determined as outlined in paragraph (a) of this section. Where the insured fails to establish and maintain separate records of acreage or production for non-insurable acreage and for one or more insurance units or portions thereof, any production from the non-insurable acreage which is commingled with the production from the insured acreage shall be considered to have been produced on the insured acreage, or the insurance with respect to such unit(s) under the contract may be voided by the Corporation and the premium forfeited by the insured.

PAYMENT OF INDEMNITY

§ 415.67 *When indemnity payable.* The amount of loss for which the Corporation may be liable with respect to any insurance unit covered by the insurance contract shall be payable within 30 days after satisfactory proof of loss is approved by the Corporation. However, if payment of any indemnity is delayed for any reason beyond the time specified, the Corporation shall not be liable for interest or damages on account of such delay.

§ 415.68 *Indemnity payment.* (a) Any indemnity due under the insurance contract will be paid by the issuance of a certificate of indemnity which shall bear an expiration date. Settlement under such certificate will be made in cash or flax in accordance with this subpart. Such certificate may also be used to obtain a loan from the Commodity Credit Corporation, if loans on certificates of indemnity are available, in accordance with instructions issued by the Commodity Credit Corporation.

(b) In case of a cash settlement under a certificate of indemnity, the cash equivalent of the indemnity shall be the number of bushels of flax specified in the certificate of indemnity multiplied by the cash equivalent price per bushel for the day the certificate of indemnity or other request of the insured for cash settlement or for determining the cash equivalent is received in the branch office of the Corporation, or the expiration date of the certificate, whichever occurs first. A cash settlement under a certificate of indemnity made more than 14 days after the issuance of the certificate shall be subject to a deduction for a reasonable charge for storage and handling and the schedule of such charges shall be shown on the certificate of indemnity.

(c) Any indemnity payable under an insurance contract shall be paid to, and settlement under the certificate of indemnity made with, the insured or such other person as may be entitled to the benefits of the insurance contract under the provisions of this subpart, notwithstanding any attachment, garnishment,

receivership, trustee process, judgment, levy, equity or bankruptcy directed against the insured or such other person, or against any indenmnity alleged to be due to such person; nor shall the Corporation or any officer, employee, or representative thereof be a proper party to any suit or action with reference to such indemnity or the proceeds thereof nor be bound by any judgment, order, or decree rendered or entered therein. No officer, agent, or employee of the Corporation shall, because of any such process, order, or decree, pay or cause to be paid, to any person other than the insured or other person entitled to the benefits of the insurance contract, any indemnity payable, or any amount due in settlement of any certificate of indemnity in accordance with the provisions of the insurance contract. Nothing herein contained shall excuse any person entitled to the benefits of the insurance contract from full compliance with, or performance of, any lawful judgment, order, or decree with respect to the disposition of any sums paid thereunder as an indemnity.

(d) The Corporation shall provide for the posting annually in each county at the county courthouse of a list of indemnities paid for losses on farms in such county.

§ 415.69 *Adjustment in connection with indemnity payments.* Where an adjustment is made in the amount of an indemnity, settlement for such adjustment may be made on the basis of a cash equivalent price per bushel other than that used in making settlement under the certificate of indemnity originally issued.

§ 415.70 *Other insurance.* If the insured has or acquires any other insurance against substantially all the risks that are insured against by the Corporation under the insurance contract on the crop or portion thereof covered in whole or in part by such insurance contract, regardless of whether such other insurance is valid or collectible, the liability of the Corporation shall not be greater than its share would be if the amount of its obligations were divided equally between the Corporation and such other insurer. In any case where an indemnity is paid to the insured by another Government agency because of damage to the flax crop, the Corporation reserves the right to determine its liability under the insurance contract taking into consideration the amount paid by such other agency.

§ 415.71 *Subrogation.* The Corporation may require from the insured an assignment of all rights of recovery against any person(s) for loss or damage to the extent that payment therefor is made by the Corporation, and the insured shall execute all papers required and shall do everything that may be necessary to secure such rights.

§ 415.72 *Creditors.* An interest existing by virtue of a debt, lien, mortgage, garnishment, levy, execution, bankruptcy, or any other process shall not be considered an interest in an insured crop within the meaning of this subpart.

PAYMENT OF INDEMNITY TO PERSONS OTHER THAN ORIGINAL INSURED

§ 415.73 *Indemnities subject to all provisions of insurance contract.* Any indemnity payable to any person shall be subject to all provisions of the insurance contract, including the right of the Corporation to deduct from any such indemnity the unpaid amount of the note of the original insured for the payment of the earned premium or any other obligation of the insured to the Corporation: *Provided, however,* That in case of a transfer of an interest in an insured crop, such deduction to be made from an indemnity payable to the transferee shall not exceed the premium due on the insurance unit or units involved in the transfer, plus the unpaid amount of any other obligation of the transferee to the Corporation. Any indemnity payable to any person other than the original insured as a result of a transfer, or otherwise, shall be subject to any collateral assignment of the insurance contract by the original insured.

§ 415.74 *Collateral assignment of right under insurance contract.* The right to an indemnity under an insurance contract may be assigned by the original insured as collateral security for a loan or other obligation of such insured. Such assignment shall be made by the execution of Form FCI-20 "Collateral Assignment," and, upon approval thereof by the Corporation, the interests of the assignee will be recognized if an indemnity is payable under the insurance contract, to the extent of the amount determined to be the unpaid balance of the amount (including interest and other charges) for which such assignment was made as collateral security: *Provided, however,* That (a) payment of any indemnity will be subject to all conditions and provisions of the insurance contract and to any deductions authorized under § 415.73 and (b) payment of the indemnity may be made by check payable jointly to all persons entitled thereto and such payment shall constitute a complete discharge of the Corporation's obligation with respect to any loss under the insurance contract. The Corporation's approval of an assignment shall not create in the assignee any right other than that derived from the assignor. The Corporation shall in no case be bound to accept notice of any assignment of the insurance contract, and nothing contained in any assignment shall give any right against the Corporation to any person other than the insured, except to an assignee approved by the Corporation. Only one such assignment will be recognized in connection with the insurance contract, but if an assignment is released, a new assignment of the right to an indemnity under the insurance contract may be made.

§ 415.75 *Payment to transferee.* In the event of a transfer of all or a part of the insured interest in a flax crop before the beginning of harvest or the time of loss, whichever occurs first, the transferor shall immediately notify the Corporation thereof in writing at the office of the county association. The transferee under such a transfer shall be entitled to the benefits of the insurance contract with respect to the interest so transferred, subject to any assignment made by the original insured in accordance with § 415.74 hereof: *Provided, however,* That an involuntary transfer of an insured interest in a flax crop solely because of the existence of a debt, lien, mortgage, garnishment, levy, execution, bankruptcy, or other process shall not entitle any holder of any such interest to any benefits under the insurance contract: *Provided, further,* That the Corporation shall not be liable for a greater amount of indemnity in connection with the insured crop than would have been paid if the transfer had not taken place. If as a result of any such transfer, diverse interests appear with respect to any insurance unit, the indemnity, if any, payable with respect to such unit may be paid jointly to all persons having the insured interest in the crop at the time harvest is commenced or the time of loss, whichever occurs first, or to one of such persons on behalf of all such persons, and payment in any such manner shall constitute a complete discharge of the Corporation's liability with respect to such unit under the insurance contract.

§ 415.76 *Death, incompetence, or disappearance of insured.* (a) If the insured dies, is judicially declared incompetent, or disappears, before the time of loss, and his insured interest in a flax crop is a part of his estate at such time, or if the insured dies, is judicially declared incompetent, or disappears, subsequent to such time, the indemnity, if any, shall be paid to the legal representative of his estate, if one is appointed or is duly qualified. If no such representative is or will be so qualified, the indemnity shall be paid to the persons beneficially entitled to share in the insured's interest in the crop or to any one or more of such persons on behalf of all such persons; *Provided, however,* That if the indemnity represents a number of bushels of flax, the cash equivalent of which exceeds $500, the Corporation may withhold the payment of the indemnity until a legal representative of the insured's estate is duly qualified to receive such payment.

(b) If the insured dies, is judicially declared incompetent, or disappears before the time of loss, and his interest in the crop is not a part of his estate at such time, the indemnity, if any, shall be paid to the person(s) who succeeded to his interest in the crop in the manner provided for in § 415.75.

(c) If an applicant for insurance dies or is judicially declared incompetent before any flax crop intended to be covered by insurance is seeded, whoever succeeds him on the farm with the right to seed the flax crop as his heir or heirs, administrator, executor, guardian, committee, or conservator shall be substituted for the original applicant upon filing with the office of the county association, within 15 days (unless such period is extended by the Corporation) after the date of such death or judicial declaration, or before the date of the beginning of seeding, whichever is earlier, a statement in writing, on Form FCI-2 "Agree-

ment", requesting such substitution and agreeing to assume the obligations of the original applicant arising out of such application. If no such statement is filed, as required by this paragraph, the original application shall be void.

(d) The insured shall be deemed to have disappeared within the meaning of the regulations in this part if he fails to file with the county committee written notice of his new mailing address within 180 calendar days after any communication by or on behalf of the Corporation is returned undeliverable at the address given in the statement in proof of loss or after such loss has been established otherwise, whichever is earlier.

§ 415.77 *Fiduciaries.* Any indemnity payable under an insurance contract, entered into in the name of a fiduciary who is no longer acting in such capacity at the time for the payment of indemnity and settlement under the certificate of indemnity, will be made to the succeeding fiduciary upon appropriate application and proof satisfactory to the Corporation of his incumbency. If there is no succeeding fiduciary, payment of the indemnity shall be made to, and settlement under the certificate of indemnity shall be made with, the persons beneficially entitled under the regulations in this part to the insured interest in the crop, to the extent of their respective interests, upon proper application and proof of the facts: *Provided, however,* That the settlement may be made with any one or more of the persons so entitled, and payment may be made to such person or persons in behalf of all the persons so entitled, whether or not the person to whom payment is made has been authorized by the other interested persons to receive such payment.

§ 415.78 *Determination of person to whom indemnity shall be paid.* In any case where the insured has transferred his interest in all or a portion of the flax crop on any insurance unit, or has ceased to act as a fiduciary, or has died, has been judicially declared incompetent or has disappeared, payment in accordance with the provisions of this subpart will be made only after the facts have been established to the satisfaction of the Corporation. The determination of the Corporation as to the existence or nonexistence of a circumstance in the event of which payment may be made and of the person(s) to whom such payment will be made shall be final and conclusive. Payment of any indemnity under this section shall constitute a complete discharge of the Corporation's obligation with respect to the loss for which such indemnity is paid and settled and shall be a bar to recovery by any other person.

REFUNDS OF EXCESS NOTE PAYMENTS

§ 415.79 *Refunds of excess note payments*—(a) *Before maturity of note.* The Corporation shall not be required to make a refund of any excess payment made on a note until the acreage planted to flax on all insurance units covered by the insurance contract has been determined. The cash equivalent of any refund shall be determined on the basis of the number of bushels of flax to be refunded and the cash equivalent price for the appropriate grade of such flax effective for the date such payment was submitted to the Corporation. If more than one payment is made on the note for the crop insurance premium, the payments shall be applied in the order of submittal to the Corporation. In computing the amount of any refund, the payments shall be considered in their inverse order and each such payment or portion thereof shall be regarded as a separate payment in determining the cash equivalent of the refund.

(b) *After maturity of note.* Payments received after the maturity of the note for the payment of the crop insurance premium shall be refunded in the actual amount of money paid to the Corporation in excess of that determined to be necessary to pay such note.

There shall be no refund of an amount less than $1.00, with respect to payments made either before or after the maturity of the note, unless written request for such refund is received by the Corporation within one year after the date of the maturity of the note.

§ 415.80 *Assignment or transfer of claims for refunds not permitted.* No claim for a refund, or any part or share thereof, or any interest therein, shall be assignable or transferable, notwithstanding any assignment of the insurance contract or any transfer of interest in any flax crop covered by the insurance contract. Refund of any excess note payment will be made only to the person who made such payment except as provided in § 415.81.

§ 415.81 *Refund in case of death, incompetence, or disappearance.* In any case where a person who is entitled to a refund of a payment has died, has been judicially declared incompetent, or has disappeared, the provisions of § 415.76 with reference to the payment of indemnities in any such case shall be applicable with respect to the making of any such refund.

ESTABLISHMENT OF AVERAGE YIELDS AND PREMIUM RATES

§ 415.82 *Determination of farm average yields of flax per acre.* The Corporation shall establish average yields of flax for farms on the basis of the recorded or appraised yields for a representative period of years and shall, where necessary, adjust such yields so that the average yields for farms in the same area which are subject to the same conditions shall be fair and just.

§ 415.83 *Determination of premium rates.* The Corporation shall establish premium rates for all farms for which average yields are established and such rates shall be those deemed adequate to cover claims for flax crop losses and to provide a reasonable reserve against unforeseen losses.

§ 415.84 *Average yields and premium rates where farm varies widely in productivity or farming hazards or where tracts of the farm are widely separated.* If the land comprising any farm consists of tracts varying widely in productivity, topography, or farming hazards, or if tracts of the farm are widely separated, separate average yields and premium rates may be established by the Corporation for such tracts on the basis of appraisal, taking into consideration the yield data available.

§ 415.85 *Average yields and premium rates for special farming practices.* In areas where farming practices are followed which are determined by the Corporation to be special practices, yields and premium rates may be established for each special practice for the county or administrative area and for individual insurance units. The yields and premium rates thus established for the insurance unit(s) shall apply to the acreage of flax seeded on the insurance unit in accordance with the special farming practice followed on the insurance unit(s).

GENERAL

§ 415.86 *Meaning of terms.* For the purpose of the 1946 Flax Crop Insurance Program, the term:

(a) "Average yield" means the average yield of flax per acre established by the Corporation for each insurance unit or portion thereof.

(b) "Cash equivalent price per bushel" means the net price per bushel of flax established by the Corporation for the area in which the insurance unit is located on the basis of the price of flax at the basic market designated by the Corporation for the area, with differentials for the location of the area in which the insurance unit is situated.

(c) "Corporation" means the Federal Crop Insurance Corporation.

(d) "County" means the area commonly designated as such, and includes a parish in Louisiana.

(e) "County association" means the County Agricultural Conservation Association in the county.

(f) "County committee" means the County Agricultural Conservation Committee for the county.

(g) "Crop insurance listing sheet" means the form prescribed by the Corporation for the purpose of maintaining a record of insurance units, yields and rates, and any other related information with respect to such insurance units. The crop insurance listing sheet is on file in the office of the county association and is open to inspection by any producer whose farm is listed thereon.

(h) "Crop year" means the period within which the flax crop is seeded and normally harvested, and shall be designated by reference to the calendar year in which the crop is normally harvested.

(i) "Farm" means all adjacent or nearby farm land under the same ownership which is operated by one person, including also: (1) any other adjacent or nearby farm land which the county committee determines is operated by the same person as part of the same unit with respect to the rotation of crops and with workstock, farm machinery, and labor substantially separate from that for any other lands; and (2) any field-rented tract (whether operated by the same or another person) which, together with any other land included in the farm constitutes a unit with respect to the

rotation of crops: *Provided, however,* That, for the purpose of determining the minimum participation for a crop insurance program in any county, the term "farm" means that acreage of land which constitutes an insurance unit.

A farm shall be regarded as located in the county or administrative area, as the case may be, in which the principal dwelling is situated, or, if there is no dwelling thereon, it shall be regarded as located in the county or administrative area, as the case may be, in which the major portion of the farm is located. In addition, a farm shall be considered to be located in a county for crop insurance purposes if it is listed on the crop insurance listing sheets for such county.

(j) "Flax crop" means all flax seeded for harvest as seed, but does not include (1) volunteer or self-seeded flax, (2) flax seeded with any other crop except perennial grasses or legumes other than vetch, and (3) flax seeded for purposes other than for harvest as seed.

(k) "Insurance contract" means the contract of insurance entered into between the applicant and the Corporation by virtue of the application for insurance and the regulations in this part and any amendments thereto.

(l) "Insurance unit" means all or that portion, as the case may be, of the farm (considered for the purpose of establishing the average yield(s) and premium rate(s)) in which the insured has an interest as a flax producer at the time of seeding, except that (1) when a part of such land is regularly irrigated and a part is never irrigated, the portion of the land on the farm which is to be irrigated in the current crop year (as shown on the acreage report of the insured) shall constitute one insurance unit and the remainder shall constitute another insurance unit, and (2) when separate yields and rates have been established for widely separated parts of such land, such portions of the land shall constitute separate insurance units: *Provided, however,* That all or any part of such land which is designated on the crop insurance listing sheet in the office of the county association as "non-insurable", because of the insurance risk involved, shall not constitute an insurance unit or any part thereof and shall not be considered in any manner whatsoever under the insurance contract, except as provided in § 415.66 (b).

(m) "Insured interest" means either the insured's reported interest in the crop at the time of seeding, or the interest which the Corporation determines as the insured's actual interest at the time of seeding, whichever the Corporation shall elect, except that for the purpose of determining loss, the insured interest shall not exceed the insured's actual interest at the time of loss.

(n) "Insured percentage" means the percentage of the average yield of flax per acre for the insurance unit covered by an insurance contract, and shall be either 50 or 75 percent.

(o) "Local producing area" means any area approved by the Corporation for the purposes of § 415.52 (b) hereof.

(p) "Operator" means a person who as landlord or cash tenant, or standing-rent or fixed-rent tenant, is operating a farm, or who as a share tenant is operating a whole farm.

(q) "Person" means an individual, partnership, association, corporation, estate, or trust, or other business enterprise or other legal entity and, wherever applicable, a State, a political subdivision of a State, or any agency thereof.

(r) "Premium rate" means the premium rate per acre established by the Corporation for insurance on flax.

(s) "Sharecropper" means a person who works a farm in whole or in part under the general supervision of the operator and is entitled to receive for his labor a share of the flax crop thereon or of the proceeds therefrom.

(t) "State committee" means the State Agricultural Conservation Committee for the State.

(u) "State Director" means the representative of the Corporation in the operation of the crop insurance program in the State.

(v) "Tenant" means a person other than a sharecropper who rents land from another person (for cash, a fixed commodity payment, or a share of the crop or proceeds therefrom), and is entitled under a written or oral lease or agreement to receive all or a share of the crop or proceeds therefrom produced on such land.

§ 415.87 *Restriction on purchase and sale of flax by the Corporation.* The restriction on the purchase and sale of flax, as provided in section 508 (d) of the Federal Crop Insurance Act, as amended, reads in part as follows:

> Insofar as practicable, the Corporation shall purchase the agricultural commodity only at the rate and to a total amount equal to the payment of premiums in cash by farmers or to replace promptly the agricultural commodity sold to prevent deterioration; and shall sell the agricultural commodity only to the extent necessary to cover payments of indemnities and to prevent deterioration: *Provided, however,* That nothing in this section shall prevent prompt offset purchases and sales of the agricultural commodity for convenience in handling. Nothing in this section shall prevent the Corporation from accepting, for the payment of premiums, notes payable in the commodity insured, or the cash equivalent, upon such security as may be determined pursuant to subsection (b) of this section, and from purchasing the quantity of the commodity represented by any of such notes not paid at maturity.

§ 415.88 *Records and access to farm.* For the purpose of enabling the Corporation to determine the loss, if any, that may have occurred under the insurance contract, the insured shall keep, or cause to be kept, for one year after the time of loss, records of the harvesting, storage, shipment, sale, or other disposition, of all flax produced on each insurance unit covered by the insurance contract. Such records shall be made available for examination by the Corporation, and as often as may reasonably be required, any person or persons designated by the Corporation shall have access to the farm. (See § 415.66 (b).)

§ 415.89 *Review of determinations of State and county committees.* Any determination by a State or county committee shall be subject to review and approval or revision by duly authorized representatives of the Corporation.

§ 415.90 *Applicant's warranties: voidance for fraud.* In applying for insurance the applicant warrants that the information, data, and representations submitted by him in connection with the insurance contract are true and correct, and are made by him, or by his authority, and shall be taken as his act. The insurance contract may be voided and the premium forfeited to the Corporation without the Corporation's waiving any right or remedy, including its right to collect the amount of the note executed by the insured, whether before or after maturity, if at any time the insured has concealed any material fact or made any false or fraudulent statements relating to the insurance contract, the subject thereof, or his interest in the flax crop covered thereby, or if the insured shall neglect to use all reasonable means to produce, care for or save the flax crop covered thereby, whether before or after damage has occurred, or if the insured fails to give any notice, or otherwise fails to comply with the terms of the contract, including the note, at the time and in the manner prescribed.

§ 415.91 *Modification of insurance contract.* No notice to any county committee or representative of the Corporation or knowledge possessed by any such county committee or representative or by any other person shall be held to effect a waiver of or change in any part of the insurance contract or to estop the Corporation from asserting any right or power under such contract; nor shall the terms of such contract be waived or changed except as authorized in writing by a duly authorized officer or representative of the Corporation; nor shall any provision or condition of the insurance contract or any forfeiture be held to be waived by any delay or omission by the Corporation in exercising its rights and powers thereunder or by any requirement, act, or proceeding, on the part of the Corporation or of its representatives, relating to appraisal or to any examination herein provided for.

§ 415.92 *Fractional units in acres and yields.* Fractions of yields per acre and premium rates shall be rounded to the nearest tenth of a bushel. Fraction of acres representing total acres of flax shall be rounded to the nearest tenth of an acre. Computations shall be carried to one digit beyond the digit that is to be rounded. If the extra digit computed is 1, 2, 3, or 4, the rounding shall be downward. If the extra digit computed is 5, the computation shall be carried to another digit. If the two extra digits are 50, the rounding shall be downward, and if the two extra digits are 51 or any higher figure, the rounding shall be upward.

§ 415.93 *Closing dates.* Closing dates for submission of applications to cover the 1946 flax crop shall be the earlier of: (a) the date of the beginning of seeding of the flax crop, or (b) September 20, 1945, for Texas; November 3, 1945, for Arizona and for Fresno, Imperial, Kern,

Kings, Madera, Merced, Riverside, San Joaquin and Tulare Countries in California; February 16, 1946, for Oklahoma; April 13, 1946, for Montana, North Dakota, all counties in Minnesota lying north of Traverse, Grant, Douglas, Todd, Morrison, Mille Lacs, Kanabec and Pine Counties, and Chippewa and Mackinac Counties, Michigan; and March 30, 1946, for all other States and counties.

§ 415.94 *Maturity dates for payment of premium notes.* The maturity dates by States for the payment of premium notes shall be as follows: June 30, 1946, for Arizona, California, Oklahoma and Texas; July 31, 1946, for Iowa and Kansas; August 31, 1946, for all other States.

NOTE: The record-keeping requirements of these regulations have been approved by, and subsequent reporting requirements will be subject to the approval of, the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Adopted by the Board of Directors on July 10, 1945.

[SEAL] E. R. DUKE,
Chairman.

Approved: August 20, 1945.

CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 45-15361; Filed, Aug. 20, 1945; 11:07 a. m.]

Chapter XI—War Food Distribution Orders

[WFO 75-2, Suspension]

PART 1410—LIVESTOCK AND MEATS

BEEF SET ASIDE SUSPENSION

War Food Order No. 75-2, as amended (10 F.R. 6496, 7787, 8805, 9421), is suspended until further order of the Director of Marketing Services.

This order shall become effective at 12:01 a. m., e. w. t., August 19, 1945. With respect to violations, rights accrued, liabilities incurred, or appeals taken, prior to said date, under War Food Order No. 75-2, as amended, all provisions of said order shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9577, 10 F.R. 8087; WFO 75, 10 F.R. 4649)

Issued this 17th day of August 1945.

[SEAL] C. W. KITCHEN,
Director of Marketing Services.

[F. R. Doc. 45-15274; Filed, Aug. 18, 1945; 11:20 a. m.]

[WFO 75-3, Amdt. 22]

PART 1410—LIVESTOCK AND MEATS

PORK SET ASIDE REDUCTION

War Food Order No. 75-3, as amended (10 F.R. 6499, 7789, 8949, 9422), is further amended as follows:

1. By deleting the table at the end of paragraph (b) and substituting in lieu thereof the following:

Percentage of Live Weight of Hogs Purchased for Slaughter

Type of dressed pork cut or pork product:	
Loins	4.5
Shoulders and manufacturing pork	5.5
Lard	4.0

2. By deleting the table which appears in Appendix A and substituting in lieu thereof the following:

Current rate of slaughter (percent of weekly average August 1944)	Percentages of live weight of slaughter		
	Loins	Shoulders and manufacturing pork	Total
Less than 60.1	3.1	3.8	6.9
60.1-65.0	3.5	4.4	7.9
65.1-70.0	3.9	4.8	8.7
70.1-75.0	4.22	5.2	9.4
75.1-80.0	4.5	5.5	10.0
80.1-85.0	4.7	5.8	10.5
85.1-90.0	4.9	6.0	10.9
90.1-95.0	5.0	6.2	11.2
95.1-100.0	5.2	6.3	11.5
Over 100.0	5.3	6.5	11.8
Slaughterers without August 1944 slaughter history	5.8	6.5	11.8

This amendment shall become effective at 12:01 a. m., e. w. t., August 19, 1945. With respect to violations, rights accrued, liabilities incurred, or appeals taken, prior to said date, under War Food Order No. 75-3, all provisions of said order shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9577, 10 F.R. 8087; WFO 75, 10 F.R. 4649)

Issued this 17th day of August 1945.

[SEAL] C. W. KITCHEN,
Director of Marketing Services.

[F. R. Doc. 45-15275; Filed, Aug. 18, 1945; 11:20 a. m.]

[WFO 75-4, Suspension]

PART 1410—LIVESTOCK AND MEATS

VEAL SET ASIDE SUSPENSION

War Food Order No. 75-4, as amended (10 F.R. 4654, 7789), is suspended until further order of the Director of Marketing Services.

This order shall become effective at 12:01 a. m., e. w. t., August 19, 1945. With respect to violations, rights accrued, liabilities incurred, or appeals taken, prior to said date, under War Food Order No. 75-4, as amended, all provisions of said order shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9577, 10 F.R. 8087; WFO 75, 10 F.R. 4649)

Issued this 17th day of August 1945.

[SEAL] C. W. KITCHEN,
Director of Marketing Services.

[F. R. Doc. 45-15276; Filed, Aug. 18, 1945; 11:20 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Civilian Air Regs., Amdt. 61-5]

PART 61—SCHEDULED AIR CARRIER RULES

MISCELLANEOUS AMENDMENTS

At a session of the Civil Aeronautics Board held at its offices in Washington, D. C., on the 14th day of August 1945.

Effective August 14, 1945, Part 61 of the Civil Air Regulations is amended as follows:

1. In § 61.512 strike "§ 20.44" and substitute "§ 20.42."
2. In § 61.741 strike "§ 60.58" and substitute "§ 60.24."
3. In § 61.77200 (a) strike "§ 60.4" and substitute "§ 60.110."

(52 Stat. 984, 1007; 49 U.S.C. 425, 551)

By the Civil Aeronautics Board.

CHARLES P. SOPER,
Acting Secretary.

[F. R. Doc. 45-15253; Filed, Aug. 18, 1945; 10:48 a. m.]

TITLE 24—HOUSING CREDIT

Chapter VII—National Housing Agency

[NHA Reg. 60-15]

PART 702—PRIVATE WAR HOUSING

REMOVAL OF OCCUPANCY RESTRICTIONS GOVERNING PRIVATE WAR HOUSING (H-1)

The purpose of this regulation is to revoke all National Housing Agency controls which restrict occupancy of private war housing (H-1) to eligible war workers or other persons engaged in national defense activities.[1]

All restrictions and controls of the National Housing Agency requiring priority-assisted private war housing to be occupied by eligible war workers, or by other persons engaged in national defense activities, are hereby revoked.

This regulation shall be effective immediately.

(55 Stat. 838; E.O. 9070, 7 F.R. 1529; 54 Stat. 676 as amended by 55 Stat. 236 and 56 Stat. 177; E.O. 9024, 7 F.R. 329 as amended by E.O. 9040, 7 F.R. 527, and E.O. 9125, 7 F.R. 2719)

JOHN B. BLANDFORD, Jr.,
Administrator.

[F. R. Doc. 45-15355; Filed, Aug. 20, 1945; 10:42 a. m.]

[1] 702.1 to 702.33.

TITLE 29—LABOR

Chapter VII—War Manpower Commission

[Regs. 3, 5, 7, Rescission]

PART 903—MINIMUM WARTIME WORKWEEK OF 48 HOURS

PART 906—REGULATION GOVERNING APPEALS

PART 907—GOVERNING EMPLOYMENT STABILIZATION PROGRAMS

Pursuant to the authority vested in me as Chairman of the War Manpower Commission by Executive Orders Nos. 9139, 9279 and 9301 (7 F.R. 2919, 10177, 8 F.R. 1825), the following War Manpower Commission regulations are hereby rescinded:

Part 903, §§ 903.1 to 903.24, inclusive, entitled "Regulation No. 3 (8 F.R. 7225, 7226, 7310, 10 F.R. 5643) Minimum Wartime Workweek of 48 Hours," as amended.

Part 906, §§ 906.1 to 906.9, inclusive, entitled "Regulation No. 5 (8 F.R. 6816, 10107, 9 F.R. 1760) Regulation Governing Appeals," as amended.

Part 907, §§ 907.1 to 907.8, inclusive, effective August 16, 1943, entitled "Regulation No. 7 (8 F.R. 11338, 9 F.R. 5400, 12917, 10 F.R. 235, 9522) Governing Employment Stabilization Programs," as amended, and all employment stabilization programs promulgated pursuant thereto.

PAUL V. MCNUTT,
Chairman.

AUGUST 17, 1945.

[F. R. Doc. 45-15253; Filed, Aug. 18, 1945; 9:56 a. m.]

Chapter IX—Agriculture Department (Agricultural Labor)

[Supp. 67]

PART 1104—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF SOUTH DAKOTA

WORKERS PERFORMING OPERATIONS WITH RESPECT TO HARVESTING AND STORING OF WHEAT AND OTHER SMALL GRAINS IN ALL COUNTIES IN THE STATE OF SOUTH DAKOTA

§ 1104.1 *Workers performing operations with respect to harvesting and storing of wheat and other small grains in all counties of the State of South Dakota.* Pursuant to § 4001.7 of the regulations of the Economic Stabilization Director relating to salaries and wages issued August 28, 1943, as amended (8 F.R. 11960, 12139, 16702, 9 F.R. 6035, 14547, 10 F.R. 9478, 9628) and to the regulations of the War Food Administrator issued March 23, 1945 (10 F.R. 3177) entitled "Specific Wage Ceiling Regulations" and based upon a certification of the South Dakota USDA Wage Board that a majority of the producers of wheat and a majority of the producers of other small grains grown in the area affected participating in hearings conducted for such purpose have requested the intervention of the Secretary of Agriculture, and upon recommendation of the South Dakota USDA Wage Board which recommendation was predicted upon information concerning prevailing wage rates determined by County Wage Boards in South Dakota and concerning factors existing within the State which cause or tend to cause some producers to pay wages in excess of such prevailing wages and on other information at the disposal of the South Dakota USDA Wage Board and based also upon information obtained from sources other than the Board, it is hereby determined that:

(a) *Areas, crops and classes of workers.* Persons performing functions with respect to harvesting and storing operations of wheat and other small grains in all counties of the State of South Dakota are agricultural labor as defined in § 4001.1 (1) of the regulations of the Economic Stabilization Director issued on August 28, 1943, as amended (9 F.R. 11960, 12139, 16702; 9 F.R. 6035, 14547; 10 F.R. 9478, 9628).

(b) *Maximum wage rates for harvesting and storing wheat and other small grains in all counties in the State of South Dakota.* (1) For shocking—80¢ per hour with board or 95¢ per hour without board.

(2) For threshing—80¢ per hour with board or 95¢ per hour without board.

(3) For haying—80¢ per hour with board, or 95¢ per hour without board.

(4) For spike pitching—85¢ per hour with board or $1 per hour without board.

(5) Silo filling—85¢ per hour with board, or $1 per hour without board.

(6) For truck driving—85¢ per hour with board or $1 per hour without board.

(7) For tractor driving—85¢ per hour with board or $1 per hour without board.

(8) For operating grain separators—$1 per hour with board or $1.15 per hour without board.

(9) For operating combines—$1 per hour with board or $1.15 per hour without board.

(c) *Administration.* The South Dakota USDA Wage Board, the address of which shall be South Dakota USDA Wage Board, % the Chairman, Huron, South Dakota, shall have charge of the administration of this section in accordance with the provisions of the specific wage ceiling regulations issued by the War Food Administrator on March 23, 1945 (10 F.R. 3177).

(d) *Applicability of specific wage ceiling regulations.* This section shall be deemed to be a part of the specific wage ceiling regulations issued by the War Food Administrator on March 23, 1945 (10 F.R. 3177) and the provisions of such regulations shall be applicable to this section and any violation of this section shall constitute a violation of such specific wage ceiling regulations.

(e) *Effective date.* This Supplement No. 67 shall become effective at 12:01 a. m., mountain war time, August 17, 1945.

(56 Stat. 765 (1942), 50 U.S.C. App. 961 et seq. (Supp. IV); 57 Stat. 63 (1943); 50 U.S.C. 964 (Supp. IV); 58 Stat. 632 (1944); Pub. Law 108, 79th Cong., E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; E.O. 9577, 10 F.R. 8087; regulations of the Economic Stabilization Director, 8 F.R. 11960, 12139, 16702, 9 F.R. 6035, 14547, 10 F.R. 9478, 9628; regulations of the War Food Administrator, 9 F.R. 655, 12117, 12611, 10 F.R. 7609, 9581; 9 F.R. 831, 12807, 14206, 10 F.R. 3177)

Issued this 17th day of August 1945.

[SEAL] WILSON R. BUIE,
Director of Labor,
U. S. Department of Agriculture.

[F. R. Doc. 45-15360; Filed, Aug. 20, 1945; 11:07 a. m.]

TITLE 31—MONEY AND FINANCE: TREASURY

Chapter II—Fiscal Service

[1945 Dept. Circ. 653, 2d Rev., 2d Supp.]

PART 316—OFFERING OF WAR SAVINGS BONDS, SERIES E

SUPPLEMENTAL ISSUANCE

JULY 2, 1945.

Department Circular No. 653, Second Revision, dated August 31, 1943, as supplemented June 7, 1944, fixing the terms and governing the issue of United States Savings Bonds of Series E, currently designated War Savings Bonds, is hereby further supplemented, as follows:

1. In addition to the denominations previously authorized, bonds of Series E will be issued in the denomination of $200 (maturity value), the issue price of which will be $150. The provisions of said Circular No. 653, Second Revision, and the regulations governing savings bonds shall extend to bonds of Series E in the denomination of $200.

2. The redemption values before maturity of bonds of Series E, in the denomination of $200, conforming to those of other denominations of this series, will be shown on the bonds, and are set forth in the appended table.

[SEAL] HENRY MORGENTHAU, Jr.,
Secretary of the Treasury.

TABLE OF REDEMPTION VALUES

showing how bonds of Series E in the denomination of $200 (maturity value) increase in redemption value during successive half-year periods following issue:

ISSUE PRICE, $150

Period after issue date—	*Redemption value during period*
First ½ year	$150
½ to 1 year	150
1 to 1½ years	151
1½ to 2 years	152
2 to 2½ years	153
2½ to 3 years	154
3 to 3½ years	156
3½ to 4 years	158
4 to 4½ years	160
4½ to 5 years	162
5 to 5½ years	164
5½ to 6 years	166
6 to 6½ years	168
6½ to 7 years	172
7 to 7½ years	176
7½ to 8 years	180
8 to 8½ years	184
8½ to 9 years	188
9 to 9½ years	192
9½ to 10 years	196
At maturity (10 years from issue date)	200

[F. R. Doc. 45-15356; Filed, Aug. 20, 1945; 10:53 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VIII—Foreign Economic Administration

[Amdt. 77]

PART 801—GENERAL REGULATIONS

PROHIBITED EXPORTATIONS; MISCELLANEOUS COMMODITIES

Section 801.2 *Prohibited exportations* is hereby amended in the following particulars:

The group and country designation in the column headed "Gen. Lic. Country Group" and the dollar value limits in the columns headed "GLV Dollar Value Limits" and "G-Post Dollar Value Limits" set opposite each of the commodities listed below are hereby amended to read as follows:

Dept. of Comm. Schedule B No.	Commodity	Gen. license country group	GLV dollar value limits country groups		G-post dollar value limits
			K	G+4	
	OTHER INEDIBLE ANIMALS AND ANIMAL PRODUCTS				
033903	Spermaceti wax, USP	K & M	100	25	25
	NAVAL STORES, GUMS AND RESINS				
218935	Natural gums and resins, refined or modified in condition:				
218935	Carob bean gum, refined or modified	K & M	100	25	1
218935	Copal fossils, Boea, Congo, and Kauri, refined or modified	None	1	1	1
218935	Copal loba and Manila, refined or modified	None	1	1	1
218935	Copal Pontianak, refined or modified	None	1	1	1
218935	Damar gum, refined or modified	None	1	1	1
218935	Lechi caspi gum, refined or modified	None	*1	*1	*1
218935	Mastic gum, refined or modified	None	1	1	1
218935	Sandarac gum, refined or modified	None	1	1	1
218935	Squeegee oil, refined or modified	None	*1	*1	*1
218935	Other natural gums and resins, refined or modified, as defined in paragraph (a) WPB Order M-300 Schedule C3	None	1	1	1
218935	Other	K & M	.....	25	25
218933	Natural gums and resins, crude:				
218933	Acacia gum, crude	K & M	100	25	25
218933	Manna flakes	None	100	25	25
218933	Other natural gums and resins, crude as defined in paragraph (a) WPB OrderM-300, Schedule C3.	None	*1	*1	*1
218933	Other	K & M	100	25	25
	BARKS, HERBS, LEAVES, AND ROOTS, CRUDE				
220100	Cascara bark	None	100	25	25
220900	Ginseng	K & M	100	25	25
220900	Mandrake root (mayapple root or podophyllum)	K & M	100	25	25
220911	Hyoscyamus (henbane)	K & M	100	25	25
220933	Crude drugs, herbs, leaves, and roots, n. e. s.:				
220933	Aconite leaves and root	K & M	100	25	25
220933	Arnica flowers, leaves, or root, whole, granulated, or powdered	None	*100	*25	*25
220933	Belladonna leaves and roots	K & M	100	25	25
220933	Colchicum roots and seeds	None	1	1	1
220933	Cubé, timbo, or barbasco root, root powder and root extract	K & M	100	25	25
220933	Derris or tuba root, root powder, and root extract	None	1	1	1
220933	Digitalis seed	None	None	None	None
220933	Ipecac root	None	*1	*1	*1
220933	Nux vomica	None	*1	*1	*1
220933	Patchouli leaves	K & M	100	25	25
220933	Psyllium seeds	K & M	100	25	25
220933	Red squill	None	1	1	1
220933	Senna leaves	K & M	100	25	25
220933	Stramonium or jimson weed, dried leaves and flowering tops	K & M	100	25	25
220933	Other crude drugs, herbs, leaves and roots	K & M	100	25	25

*An asterisk (*) preceding a value limit or the word "None" means that all forms, conversions and derivatives of the particular commodity are included.

Dept. of Comm. Schedule B No.	Commodity	Gen. license country group	GLV dollar value limits country groups		G-post dollar value limits
			K	G+4	
	MEDICINAL AND PHARMACEUTICAL PREPARATIONS				
811905	Fish oils and fish liver oils and concentrates, medicinal grade:				
811905	Cod liver oil, USP	None	100	25	25
811905	Other	None	1	1	1
811998	Vitamins and vitasterols, n. e. s.:				
811998	Ascorbic acid	None	1	1	1
811998	Carotene	None	100	25	25
811998	Nicotinic acid	None	1	1	1
811998	Nicotinic acid amide	None	1	1	1
811998	Nikethamide	None	*100	*25	*25
811998	Riboflavin	None	1	1	1
811998	Thiamin Hydrochloride	None	1	1	1
811998	Other vitamins and vitasterols, n. e. s., in bulk	None	1	1	1
811998	Other vitamins and vitasterols, n. e. s. in processed forms, preparations, compounds, dosage forms, etc	None	500	25	25
812000	Biologics for animal and veterinary use	K & M	100	25	25
812100	Serums and antitoxins for human use	K & M	100	25	25
812200	Vaccines for human use:				
812200	Typhus vaccine	None	1	1	1
812200	Other vaccines for human use	K & M	100	25	25
812300	Glandular products, organotherapeutics, enzymes, ferments and culture media:				
812300	Agar-agar, powdered or flaked, as a culture media	K & M	100	25	25
812300	Hormones, ovarian extract in bulk	None	100	25	25
812300	Hormones, pituitary extract in bulk	None	100	25	25
812300	Hormones, other	K & M	100	25	25
812300	Insulin	None	1	1	1
812300	Liver extract in bulk	None	100	25	25
812300	Ovarian substance in bulk	None	100	25	25
812300	Pituitary powder in bulk	None	100	25	25
812300	Thyroid	None	*100	*25	*25
812300	Other glandular products, enzymes, ferments, organotherapeutics and culture media.	K & M	100	25	25
812403	Fluid extract of belladonna leaf, N. F. and root, USP; tincture of belladonna, USP; and belladonna liniment, N. F.	K & M	100	25	25
812413	Fluid extract and tincture of hyoscyamus	K & M	100	25	25
812410	Fluid extract and tincture of stramonium	K & M	100	25	25
812453	Elixirs, tinctures, fluid extracts, and similar liquid solutions, nonproprietary, n. e. s.:				
812453	Cascara	None	100	25	1
812453	Colchicum and derivatives	None	1	1	1
812453	Elixirs, etc., containing quinine	None	None	None	None
812453	Other, n. e. s., containing restricted medicinals [1]	None	.....	.....	.....
812453	Other, n. e. s., not containing a restricted medicinal [1]	K & M	100	25	25
812500	Menthol, natural and synthetic	None	500	25	25
812703	Extract of belladonna and belladonna ointment and plaster, USP	K & M	100	25	25
812704	Extract of hyoscyamus (henbane)	K & M	100	25	25
812707	Extract of stramonium and stramonium ointment	K & M	100	25	25
812793	Tablets, pills, capsules, powders, ointments, and similar manufactures, n. e. s.:				
812793	Acetanilide, medicinal	None	100	25	25
812793	Castor oil capsules	K & M	100	25	25
812793	Carbarsone	None	*100	*25	*25
812793	Cascara	K & M	100	25	25
812793	Colchicum and derivative	None	1	1	1
812793	Hexamethylenetetramine tablets	K & M	100	25	25
812793	Tablets, pills, etc., containing quinine (include solid extracts)	None	None	None	None
812793	Other, n. e. s., containing restricted medicinals [1]	None	.....	.....	.....
812793	Other, n. e. s., not containing a restricted medicinal [1]	K & M	100	25	25
812794	Atropine sulfate	K & M	100	25	25
813525	Mengocaine-benzoate, ethocaine, novocaine, P-amino-benzoyl-diethylamino-ethanol, pianocaine, and all forms of procaine:				
813525	Benzocaine	None	1	1	1
813525	Other	K & M	100	25	25
813540	Acetophenetidine	None	100	25	25
813557	Phenolphthalein	K & M	100	25	25
813561	Sulfanilimide	K & M	100	25	25
813569	Sulfarsphenamine	K & M	100	25	25

[1] A restricted medicinal is any medicinal having a specific value limitation preceded by an asterisk as set forth in the column headed "GLV Dollar Value Limits" or any medicinal listed in paragraph (c) of § 802.10. The value limit for commodities in this classification is governed by the value limit of the restricted medicinals included in the preparation or mixtures.

Dept. of Comm. Schedule B No.	Commodity	Gen. license country group	GLV dollar value limits country groups		G-post dollar value limits
			K	G+4	
	MEDICINAL AND PHARMACEUTICAL PREPARATIONS—Con.				
813598	Medicinal chemicals for prescription use, n. e. s.:				
813598	Acetyl choline bromide	K & M	100	25	25
813598	Acetarsone	K & M	100	25	25
813598	Amytal	K & M	100	25	25
813598	Aperitol	K & M	100	25	25
813598	Atropine hydrochloride	K & M	100	25	25
813598	Atropine hydrobromide	K & M	100	25	25
813598	Atropine methyl bromide	K & M	100	25	25
813598	Atropine methyl nitrate	K & M	100	25	25
813598	Atropine nitrate	K & M	100	25	25
813598	Atropine salicylate	K & M	100	25	25
813598	Medicinal chemicals for prescription use, n. e. s.:				
813598	Atropine sulfuric acid	K & M	100	25	25
813598	Atropine valerate	K & M	100	25	25
813598	Barbituric acid	K & M	100	25	25
813598	Bismuth iodides	None	*1	*1	*1
813598	Bismuth salts and compounds, medicinal grade, other	None	*1	*1	*1
813598	Bromoform	K & M	100	25	25
813598	Bromural	K & M	100	25	25
813598	Cacodylic acid	K & M	100	25	25
813598	Calcium carbonate	K & M	100	25	25
813598	Calcium ferrocyanide	K & M	100	25	25
813598	Calcium gluconate	None	*100	*25	*25
813598	Calcium luvulinate	K & M	100	25	25
813598	Calcium molybdate	K & M	100	25	25
813598	Calcium peroxide	K & M	100	25	25
813598	Calcium phosphate, normal	K & M	100	25	25
813598	Calcium sulfate, precipitated	K & M	100	25	25
813598	Calomine zinc oxide, containing a small amount of ferric oxide, used in pharmacy to impart a flesh color to ointments, washes, and powders	K & M	100	25	25
813598	Carbromal	K & M	100	25	25
813598	Chiniofon	None	*100	*25	*25
813598	Chloral	None	25	25	25
813598	Chloramine B and T	None	100	25	25
813598	Colchicum derivatives	None	1	1	1
813598	Creosote, beechwood and creosote, vegetable	K & M	100	25	25
813598	Emetine	None	*None	*None	*None
813598	Ephedrine	None	100	25	25
813598	Ethodin (rivanol)	K & M	100	25	25
813598	Gallic dibromo acid	K & M	100	25	25
813598	Hesperidin	K & M	100	25	25
813598	Ichtharmol	None	100	25	25
813598	Lithium bromide	K & M	100	25	25
813598	Lithium iodide	K & M	100	25	25
813598	Mapharsen	None	*500	*25	*25
813598	Merbromine	K & M	100	25	25
813598	Mercuric bromide	K & M	100	25	25
813598	Mercury binoiddide	K & M	100	25	25
813598	Narcotics	None	*None	*None	*None
813598	Neoarsphenamine	K & M	100	25	25
813598	Novolgin	None	100	25	25
813598	Penicillin	None	*10	*10	*10
813598	Pharmaceutical dextrose and glucose including dextrosemonohydrate	None	100	25	25
813598	Phenobarbital	K & M	100	25	25
813598	Potassium sulfoquayacolate	K & M	100	25	25
813598	Santonine	K & M	100	25	25
813598	Silver salts and compounds	None	*1	*1	*1
813598	Sodium cacodylate	K & M	100	25	25
813598	Strontium bromide	K & M	100	25	25
813598	Strontium iodide	K & M	100	25	25
813598	Tannigen (acetyltannic acid)	K & M	100	25	25
813598	Terpin hydrate drugs	K & M	100	25	25
813598	Thymol and thymol blue	None	1	1	1
813598	Tryparsamide	K	100	25	25
813598	Wood creosote	K & M	100	25	25
813598	Yatren	None	*1	*1	*1
813598	Medicinal chemicals for prescription use, n. e. s., containing restricted medicinals.[1]	None			
813598	Medicinal chemicals for prescription use, n. e. s., not containing restricted medicinals.[1]	K & M	100	25	25

*An asterisk (*) preceding a value limit or the word "None" means that all forms, conversions and derivatives of the particular commodity are included.

Dept. of Comm. Schedule B No.	Commodity	Gen. license country group	GLV dollar value limits country groups		G-post dollar value limits
			K	G+4	
	MEDICINAL AND PHARMACEUTICAL PREPARATIONS—Con.				
	Household medicinal chemicals and pharmaceuticals in small packages:				
814200	Tincture of iodine	K & M	100	25	25
815001	Belladonna plasters, USP	K & M	100	25	25
815100	Belladonna liniment, N. F	K & M	100	25	25
815400	Cold, cough and bronchial preparations containing ephedrine	K & M	100	25	25
815500	Asthma, catarrh and hayfever preparations containing ephedrine (including inhalants, except salves and ointment).	K & M	100	25	25
815700	Malaria, chill and fever remedies:				
815700	Containing quinine	None	*None	*None	*None
815700	Containing atabrine (quinacrine hydrochloride)	None	1	1	1
815700	Containing pamaquine naphthoate (plasmochin)	None	1	1	1
815700	Other containing restricted medicinals [1]	None			
815700	Other, not containing a restricted medicinal [1]	K & M	100	25	25
816000	Tonics, blood purifiers, emulsions and appetizers containing vitamins	None	500	25	25
816100	Laxatives, purgatives and cathartics containing cascara	K & M	100	25	25
816100	Laxatives, purgatives and cathartics containing phenolphthalein	K & M	100	25	25
816700	Headache, neuralgia and pain remedies:				
816700	Containing quinine	None	*None	*None	*None
816700	Other, containing restricted medicinals [1]	None			
816700	Other, not containing a restricted medicinal [1]	K & M	100	25	25
818003	Extract and fluid extract of belladonna leaf and root; tincture of belladonna, USP; belladonna ointment, USP; homatropine or belladonna root	K & M	100	25	25
818013	Extract, fluid extract, and tincture of hyoscyamus	K & M	100	25	25
818014	Extract and fluid extract of stramonium (jimson weed)	K & M	100	25	25
818019	Tincture of stramonium and stramonium ointment	K & M	100	25	25
818098	Proprietary medicinal preparations, n. e. s.:				
818098	Ovaritone	K & M	100	25	25
818098	Preparations, n. e. s. containing quinine	None	*None	*None	*None
818098	Other, n. e. s. containing restricted medicinals [1]	None			
818093	Other, n. e. s. not containing a restricted medicinal [1]	K & M	100	25	25
	INDUSTRIAL CHEMICALS				
832996	Hexamethylene tetramine:				
832996	Hexamethylene diamine	None	1	1	1
832996	Other	None	100	25	25
834402	Potassium bromide	K & M	100	25	25
834403	Sodium bromide	K & M	100	25	25
834610	Potassium iodide	K & M	100	25	25
834630	Iodine crude and resublimed	K & M	100	25	25
834698	Other iodine, iodides and iodates	K & M	100	25	25
839741	Mercurous chloride	K & M	100	25	25
839742	Mercuric chloride (corrosive sublimate)	K & M	100	25	25
839745	Mercuric oxide (red and yellow)	K & M	100	25	25

[1] A restricted medicinal is any medicinal having a specific value limitation preceded by an asterisk as set forth in the column headed "GLV dollar value limits" or any medicinal listed in paragraph (e) of § 802.10. The value limit for commodities in this classification is governed by the value limit of the restricted medicinals included in the preparation or mixtures.

Shipments of any of the above commodities removed from general license or whose GLV dollar value limits have been reduced, which were on dock, on lighter, laden aboard an exporting carrier, or in transit to a port of exit pursuant to an actual order for export prior to the effective date of this amendment may be exported under the previous general license provisions. Shipments of such commodities moving to a vessel subsequent to the effective date of this amendment pursuant to Office of Defense Transportation permits issued prior to such date may also be exported under the previous general license provisions. Shipments of any of the above commodities whose G-Post dollar value limits have been reduced and which were mailed prior to the effective date of this amendment may also be exported under the G-Post general license provisions previously in effect.

This amendment shall become effective immediately upon publication, except that with respect to the commodities "Bismuth salts and compounds, medicinal grade, other" and "Pharmaceutical dextrose and glucose including dextrose-monohydrate" it shall become effective on August 21, 1945.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; Pub. Law 397, 78th Cong.; Pub. Law 99, 79th Cong.; E.O. 8900, 6 F.R. 4795; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: August 11, 1945.

S. H. LEBENSBURGER,
Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 45-15098; Filed, Aug. 17, 1945; 9:53 a. m.]

[Amdt. 78]

PART 801—GENERAL REGULATIONS

PROHIBITED EXPORTATIONS; SURGICAL INSTRUMENTS AND APPLIANCES

Section 801.2 *Prohibited exportations* is hereby amended in the following particulars:

1. The country group designation in the column headed "Gen. Lic. Country Group" set opposite the commodity listed below is hereby amended to read as follows:

Schedule B No.	Commodity	Gen. Lic. Country Group
915700	Surgical and medical instruments:	
915700	Hypodermic and surgeon's needles.	K & M

2. In the Schedule of Commodities the description of the following commodity which now reads as follows:

Schedule B. No.	*Commodity*
915800	Surgical appliances (include artificial limbs, crutches, trusses, invalids' and wheel chairs, and hearing devices)

is amended to read:

915800	Surgical appliances except elastic trusses and hearing devices

This amendment shall become effective immediately upon publication.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; Pub. Law 397, 78th Cong.; Pub. Law 99, 79th Cong.; E.O. 8900, 6 F.R. 4795; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938, E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: August 6, 1945.

S. H. LEBENSBURGER,
Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 45-15239; Filed, Aug. 18, 1945; 9:20 a. m.]

[Amdt. 79]

PART 802—GENERAL LICENSES

GENERAL IN TRANSIT LICENSES

Section 802.9 *General in transit licenses "GIT"* is hereby amended in the following particulars:

Paragraph (f) is amended to read as follows:

(f) No commodity, except cotton yarn classified under Department of Commerce Schedule B numbers 301110 through 301320, and cotton textiles classified under Department of Commerce Schedule B Numbers 302300 through 307900, and 308200 through 308800 may be exported pursuant to general license GIT-V/MS. No such in transit shipment of cotton yarn and textiles, except when consigned to one of the "M Countries" or when consigned to the Armed Forces of the United Nations, shall be cleared for export unless such shipments are accompanied by a British navicert issued pursuant to the directions laid down by the Joint Anglo-American Blockade Committee and such navicert is surrendered to the United States Collector of Customs at the last port of exit from the United Staes.

This amendment shall become effective immediately upon publication.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; Pub. Law 397, 78th Cong.; Pub. Law 99, 79th Cong.; E.O. 8900, 6 F.R. 4795; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: August 11, 1945.

S. H. LEBENSBURGER,
Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 45-15240; Filed, Aug. 18, 1945; 9:02 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, 56 Stat. 177, 58 Stat. 827; 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 1010—SUSPENSION ORDERS

[Suspension Order S-853]

E. E. ANDERSON LUMBER CO.

E. E. Anderson, G. V. Anderson, H. S. Anderson, V. F. Schultz, A. L. Wilson, and B. L. Tungate, individually and as co-partners doing business as E. E. Anderson Lumber Company, with principal offices at 19707 John R. Street, Detroit, Michigan, are engaged in the sale and distribution of lumber at wholesale to distributors. During the period of August 1, 1944, through December 31, 1944, E. E. Anderson Lumber Company delivered lumber to other distributors in the amount of 4,181,049 board feet on orders which bore neither preference ratings nor certifications required by paragraph (p) of Limitation Order L-335. The E. E. Anderson Lumber Company during the said period received from customers, on certified orders only, orders for 689,333 board feet. It extended, on certified orders only, orders for 1,124,932 board feet, thereby creating an overextension, on certified orders only, of 435,599 board feet. E. E. Anderson Lumber Company, during said period, failed to keep and preserve accurate and complete records of transactions and inventories to which the rules, regulations and orders of the War Production Board applied, in violation of Priorities Regulation No. 1, § 944.15. Some of the partners were familiar with the provisions of Limitation Order L-335, and the company's acts therefore constituted wilful violations of the order.

These violations have interfered with the control established by the War Production Board for the assignment of priorities. In view of the foregoing, it is hereby ordered, that:

§ 1010.853 *Suspension Order No. S-853.* (a) E. E. Anderson, G. V. Anderson, H. S. Anderson, V. F. Schultz, A. L. Wilson and R. L. Tungate, individually and as co-partners doing business as E. E. Anderson Lumber Company, shall not, for four months from the effective date of this order, receive or deliver lumber as defined in Limitation Order L-335, except upon orders bearing the appropriate certificate required by Limitation Order L-335, and also bearing preference ratings of AA-3 or higher.

(b) E. E. Anderson, G. V. Anderson, H. S. Anderson, V. F. Schultz, A. L. Wilson and R. L. Tungate, individually and as co-partners doing business as E. E. Anderson Lumber Company, shall delete from their accumulated ratings, ratings to the extent of 435,599 board feet of lumber, and shall not hereafter use, apply or extend said ratings.

(c) The permission of movement of certain low grade lumber and culls and rejects on uncertified orders provided for in Direction 7 to Limitation Order L-335 as amended April 17, 1945 shall not accrue to E. E. Anderson, G. V. Anderson, H. S. Anderson, V. F. Schultz, A. L. Wilson, and B. L. Tungate individually and as co-partners doing business as E. E. Anderson Company.

(d) Nothing contained in this order shall be deemed to relieve E. E. Anderson, G. V. Anderson, H. S. Anderson, V. F. Schultz, A. L. Wilson, and R. L. Tungate, individually and as copartners doing business as E. E. Anderson Lumber Company, their successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

(e) This order shall take effect on August 18, 1945.

Issued this 11th day of August 1945.

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

[F. R. Doc. 45-15324; Filed, Aug. 18, 1945; 12:25 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-867, Stay of Execution]

THE HOUSH CO., INC.

The Housh Company, Inc., Boston, Massachusetts, has appealed from the provisions of Suspension Order No. S-867, issued July 27, 1945, (§ 1010.867) and has requested a stay on the ground that irreparable harm would be done the business if the suspension order were not stayed. The Chief Compliance Commissioner has directed that the provisions of the suspension order be stayed, subject to reinstatement, pending final determination of the appeal or until further order by the Chief Compliance Commissioner.

In view of the foregoing, it is hereby ordered, that: The provisions of § 1010.867, *Suspension Order No. S-867*, issued July 27, 1945, are hereby stayed, subject to reinstatement, pending final determination of the appeal or until further order by the Chief Compliance Commissioner, or his Deputy.

Issued this 17th day of August 1945.

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

[F. R. Doc. 45-15209; Filed, Aug. 17, 1945; 4:31 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-882]

DEKONING CONSTRUCTION CO.

DeKoning Construction Company, a Michigan corporation, with principal offices at 419 East Dutton Street, Kalamazoo, Michigan, is engaged in building construction. During October 1944, without permission of the War Production Board, it carried on the construction of a club house at 491 West Michigan Avenue, Kalamazoo, Michigan, the cost of which was $18,000, which amount exceeded an express authorization permitting the expenditure of only $6,375 for such construction, in violation of Conservation Order L-41. The officers of the corporation were aware of the provisions of Conservation Order L-41 and its actions constituted a grossly negligent violation thereof.

This violation has diverted critical materials to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.882 *Suspension Order No. S-882.* (a) DeKoning Construction Company shall not for four months from the effective date of this order, apply or extend any preference ratings or use any CMP allotment symbols, regardless of the delivery date named in any purchase order to which such ratings may be applied or extended, or on which CMP allotment symbols are used.

(b) DeKoning Construction Company shall cancel immediately all preference ratings which it has applied or extended to orders which have not yet been filled, and shall also cancel immediately all unfilled orders which it has placed for controlled materials bearing a CMP allotment symbol (including the MRO symbol and the symbol SO under the small order procedure of CMP Regulation No. 1).

(c) All preference ratings, allotments and allocations presently outstanding in connection with orders for delivery of materials to DeKoning Construction Company or placed prior to the termination date of this order are void and shall not be given any effect by suppliers of DeKoning Construction Company or by any other person. This does not apply to material already delivered or in transit for delivery to it on the effective date of this order.

(d) Nothing contained in this order shall be deemed to relieve DeKoning Construction Company from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions thereof.

(e) The restrictions and prohibitions contained herein shall apply to DeKoning Construction Company, its successors and assigns, or persons acting on its behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

(f) This order shall take effect on August 18, 1945.

Issued this 11th day of August 1945.

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

[F. R. Doc. 45-15326; Filed, Aug. 18, 1945; 12:25 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-887]

DENNIS REFRIGERATION SUPPLY

C. W. Dennis, Ebba A. Dennis, W. C. White and Ruth White, copartners, doing business as Dennis Refrigeration Supply, are engaged as jobbers in the sale of commercial refrigerating and air conditioning machinery and equipment at 1910 Ingersoll Avenue, Des Moines, Iowa. During the year 1944, they knowingly purported to apply or extend preference ratings of either AA-1, AA-2, AA-2X, or AA-5 which they were not entitled to apply or extend, to 1,681 purchase orders for refrigerating or air conditioning coils and panel coolers. The unauthorized application or extension of such ratings constituted wilful violations of Priorities Regulation No. 3. During the period from August 21, 1944 to December 31, 1944, they delivered, not pursuant to approved orders or to orders bearing a preference rating of AA-5 or higher, 21 refrigerating or air conditioning condensers or condensing units. This constituted a grossly negligent violation of Limitation Order L-38. In addition, they failed to maintain accurate and complete records of their purchases, inventories and sales of the material or materials to which the War Production Board rules, regulations or orders relate, and of the details of their transactions in such materials. This constituted a violation of Priorities Regulation No. 1, and such violation resulted from their gross negligence.

These violations of orders and regulations of the War Production Board have diverted critical material to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.887 *Suspension Order No. S-887.* (a) C. W. Dennis, Ebba A. Dennis, W. C. White and Ruth White shall not for a period of four months from the effective date of this order, apply or extend any preference ratings for the acquisition or purchase of commercial refrigerating and air conditioning equipment and supplies except to fill orders for repair parts for such equipment.

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

(c) The restrictions and prohibitions contained herein shall apply to C. W. Dennis, Ebba A. Dennis, W. C. White and Ruth White, doing business as Dennis Refrigeration Supply or under any other trade name, or as individuals, or their successors, assigns or persons acting in their behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

(d) This order shall take effect on the 19th day of August 1945.

Issued this 9th day of August 1945.

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

[F. R. Doc. 45-15327; Filed, Aug. 18, 1945; 12:25 p. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Limitation Order L-99, Revocation of Direction 2]

CONVERSION OF LOOMS TO PRODUCTION OF TENTAGE FABRICS

Direction 2 to Limitation Order L-99 is hereby revoked. This revocation does not affect any liabilities incurred for violation of the direction or of actions taken by the War Production Board under the direction. The operation of looms producing tentage fabrics remains subject to the provisions of Order L-99, and all other applicable orders and regulations of the War Production Board.

Issued this 18th day of August 1945.

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

[F. R. Doc. 45-15309; Filed, Aug. 18, 1945; 12:24 p. m.]

PART 3290—TEXTILES, CLOTHING AND LEATHER

[Conservation Order M-310, Revocation of General Direction 12]

CUTTING AND USE OF MILITARY QUALITY OUTERSOLES, MIDSOLES AND INNERSOLES

General Direction 12 to Conservation Order M-310 is revoked.

This revocation does not affect any liabilities incurred for violation of the direction or of actions taken by the War Production Board under the direction. The manufacture, sale, delivery and use of cut soles remain subject to all other applicable regulations and orders of the War Production Board.

Issued this 18th day of August 1945.

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

[F. R. Doc. 45-15310; Filed, Aug. 18, 1945; 12:24 p. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-310, Revocation of General Direction 13]

CUTTING OF MANUFACTURERS'-BENDS-FOR-REPAIR

General Direction 13 to Conservation Order M-310 is revoked.

This revocation does not affect any liabilities incurred for violation of the direction or of actions taken by the War Production Board under the direction. The sale, delivery and use of manufacturers'-bends-for-repair remain subject to all other applicable regulations and orders of the War Production Board.

Issued this 18th day of August 1945.

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

[F. R. Doc. 45-15311; Filed, Aug. 18, 1945; 12:24 p. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-310, Revocation of General Direction 15]

DELIVERIES OF CATTLE HIDE ATHLETIC GOODS LEATHER

General Direction 15 to Conservation Order M-310 is revoked.

This revocation does not affect any liabilities incurred for violation of the direction or of actions taken by the War Production Board under the direction. The manufacture, sale, delivery and use of cattle hide athletic goods leather remain subject to all other applicable regulations and orders of the War Production Board.

Issued this 18th day of August 1945.

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

[F. R. Doc. 45-15312; Filed, Aug. 18, 1945; 12:23 p. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-310, Revocation of General Direction 17]

MILITARY QUALITY SOLE LEATHER IN BUTT PIECES

General Direction 17 to Conservation Order M-310 is revoked.

This revocation does not affect any liabilities incurred for violation of the direction or of actions taken by the War Production Board under the direction. The manufacture, sale, delivery and use of military quality sole leather in butt pieces remain subject to all other applicable regulations and orders of the War Production Board.

Issued this 18th day of August 1945.

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

[F. R. Doc. 45-15313; Filed, Aug. 18, 1945; 12:23 p. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-310, Revocation of General Direction 18]

HORSEHIDE FRONTS FOR ATHLETIC GOODS

General Direction 18 to Conservation Order M-310 is revoked.

This revocation does not affect any liabilities incurred for violation of the direction or of actions taken by the War Production Board under the direction. The manufacture, sale, delivery and use of horsehide fronts for athletic goods remain subject to all other applicable regulations and orders of the War Production Board.

Issued this 18th day of August 1945.

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

[F. R. Doc. 45-15314; Filed, Aug. 18, 1945; 12:23 p. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[General Conservation Order M-317,[1] as Amended Aug. 18, 1945]

COTTON TEXTILE DISTRIBUTION AND SALE YARN PRODUCTION

§ 3290.115 *General Conservation Order M-317.* The fulfillment of requirements for the defense of the United States has created a shortage in the supply of cotton textiles and materials for making cotton textiles 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: (a) *Definitions.* In this order (which term includes orders supplementary to this order):

(1) "Cotton textiles" means the following products, containing 50% or more by weight of cotton or cotton waste, or a combination of the two:

(i) Woven and braided fabrics, whether gray, original mill or regular finish, bleached, dyed or printed, and the following cotton products: bedsheets, pillow cases, blankets, towels, diapers, face cloths and table "linens"; and

(ii) Yarns, whether gray, bleached, colored, mercerized, glazed, polished, single, plied, cabled or braided, including thread, twines and cordage (e. g. tying, sail, seine, etc. twine, rope, sash, cord, etc.) and including any of the foregoing which may be spun on roving, ring, mule or converted twister spindles.

"Cotton textiles" does not include:

Cotton duck as defined in Conservation Order M-91;

Blankets or blanketing containing 25 per cent or more by weight of wool;

Fabrics (other than blankets or blanketing) or yarns containing wool produced on the woolen or worsted system.

(2) (i) "Producer" means any manufacturer who makes cotton textiles in the United States.

(ii) "Intermediate processor" means any person engaged in the United States in the business of bleaching, dyeing or otherwise finishing cotton textiles and delivering or using them in the United States for his own account in the bleached or otherwise finished state.

(iii) "Processor" means any person engaged in the United States in the business of manufacturing or having manufactured in the United States for his account, any product in which cotton textiles are incorporated.

(iv) "Merchant" means any person engaged in the United States in the business of purchasing cotton textiles for resale in the United States in the form in which purchased.

(v) "User" means any person other than a producer, intermediate processor or processor, who purchases cotton textiles for his own use in the United States in any business, industry, profession or occupation.

(vi) Any person who performs the functions of more than one of the foregoing—regardless of his customary manner of conducting his business—shall, for the purpose of the following be deemed a separate person with respect to each of those capacities, and he is required to:

(a) Accept rated orders for cotton textiles in preference to any other contracts, orders or uses even though he has not in the past accepted or filled orders for that particular cotton textile, and also to fill them in accordance with the rules of Priorities Regulation No. 1 (In the case of yarn, this requirement applies only to yarn required to be produced and delivered by the provision of par. (d) of Supplementary Order M317-B);

(b) Use the ratings assigned by this order (including Supplementary Orders M-317A and M-317B) and

(c) Apply the inventory restrictions of this order.

(vii) The definitions in subdivisions (i) to (v) above do not include the United States Army, Navy, Maritime Commission or War Shipping Administration.

[1] Limitation Order L-99 relates to cotton textile production.

(3) Trade terms used in this order shall have their usual trade significance unless otherwise specified.

(b) *Assignment of ratings.*[1] The preference ratings specified in the Preference Rating Schedules of Supplementary Orders M-317A and M-317B are assigned to the persons in Column I for the cotton textiles in Column II to be used only as specified in Column III.

(c) [Deleted Aug. 18, 1945.]

(d) *How ratings for cotton textiles are to be applied or extended.* Preference ratings shall be applied and extended as provided in Priorities Regulation 3. The standard certification described in Priorities Regulation 7 may be used in applying or extending the rating, but the provisions of subparagraph (1) or (2) below must also be complied with.

(1) *Cotton textiles for export.* In the case of products which are to be exported (or to replace in inventory the exported products) in the form of cotton textiles, or in the form of clothing manufactured from piece goods purchased with a preference rating assigned (a) in connection with an export license or release certificate issued by the Foreign Economic Administration or a U. S. Treasury Procurement Division contract or requisition placed for Foreign Economic Administration, or (b) on Form WPB-2842 issued in connection with a license, release certificate or contract referred to in (a), the purchaser shall place upon the purchase order an appropriate notation, with the blanks properly filled in, substantially as follows (except where that product or clothing is for direct or ultimate delivery to the U. S. Army, Navy, Maritime Commission, War Shipping Administration or American Red Cross):

These cotton textiles will be exported, or will replace in inventory cotton textiles exported after December 24, 1943.

And also one of the following statements is to be made:

The preference rating was applied by the United States Treasury Procurement Division in connection with contract number ..... [In the case of United States Treasury Procurement for Foreign Economic Administration];

or

The preference rating was applied in connection with Export License number ..... dated ....., or Release Certificate number ..... dated ..... [In the case of export in connection with licenses or release certificates issued by Foreign Economic Administration.];

or

The preference rating was applied in connection with the Canadian Cotton Administrator's serial number ..... [In the case of exports to Canada.]

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

If a preference rating for cotton textiles which is assigned by the Foreign Economic Administration on an export license or release certificate has not been applied or extended to an order accepted by a producer or made the subject of a War Production Board scheduling direction at the end of six months from the date of issuance of the license or release certificate, it shall be deemed revoked. Ratings applied or extended to orders accepted by a producer or made the subject of War Production Board scheduling directions at any time before August 1, 1944, for delivery before October 1, 1944, are excepted, however, from this provision.

(2) *Cotton textiles for domestic use.* In all other cases a person (other than the United States Army, Navy, Maritime Commission or War Shipping Administration on their direct purchase orders), applying or extending a rating for a cotton textile, which was assigned by a Preference Rating Schedule or under a War Production Board form, shall place upon the purchase order an appropriate notation, substantially as follows:

This rating has been assigned by M-317, Group(s) No. ..... [Insert applicable group number or numbers of Preference Rating Schedule.]

or

This rating has been assigned under Form WPB ....., Serial No. ..... [Insert the War Production Board form number and its serial number.]

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

(e) *Restrictions relating to fiber or yarn.* (1) No person shall use any preference rating which was assigned, applied or extended for cotton textiles in order to obtain any synthetic fiber or synthetic yarn, except cotton textiles for direct or ultimate delivery to, or for incorporation into any product for direct or ultimate delivery to, the United States Army, Navy, Maritime Commission or War Shipping Administration.

(2) No person shall use any preference rating which was assigned, applied or extended for knitted or woven fabrics, in order to obtain cotton yarns defined in paragraph (a) (1) (ii). If he does not own or control spinning machinery, he may use the rating to obtain cotton yarns for incorporation into products for direct or ultimate delivery to the United States Army, Navy, Maritime Commission or War Shipping Administration. If he does own or control spinning machinery, upon his showing on Form WPB-2842 the extent to which it is insufficient or unsuitable to produce cotton yarns required for incorporation into products for direct or ultimate delivery to the United States Army, Navy, Maritime Commission or War Shipping Administration, the War Production Board may authorize him to use that rating to obtain a specific quantity of cotton yarns for that purpose.

(3) No person owning or controlling spinning machinery shall use any preference rating which was assigned, applied or extended for yarn, in order to obtain cotton yarns defined in paragraph (a) (1) (ii), except to the extent authorized by the War Production Board, upon his showing, on Form WPB-2842, that his own spinning is insufficient or unsuitable.

(f) *Distribution schedules.* (1) Each producer—even if he is also an intermediate processor, processor, merchant or user—shall, from the production of each calendar quarter, deliver or set aside for later delivery on rated orders those percentages of his total production (in pounds or yards according to his usual method of operation) of each cotton textile as specified in the Distribution Schedules of Supplementary Orders M-317A and M-317B. Exceptions from the requirements of the Distribution Schedules of Supplementary Orders M-317A and M-317B may be granted by the War Production Board pursuant to specific applications in writing when the fulfillment of any Distribution Schedule's requirement would prevent deliveries of cotton textiles for orders rated AA-2X or higher.

(2) The War Production Board may establish other percentages with respect to any of the cotton textiles listed in the Distribution Schedules of Supplementary Orders M-317A and M-317B.

(3) The requirements of the Distribution Schedules of Supplementary Orders M-317A and M-317B supersede all authorizations, issued before May 29, 1944, on appeal from this order, from Limitation Order L-99 or from Supplementary Limitation Order L-99-a.

(4) *Exceptions from distribution schedules.* This paragraph explains how a person who is unable to get purchase orders to meet the requirements of any of the distribution schedules of Orders M-317A or M-317B may obtain relief from those schedules.

(i) He must send three copies of Form WPB-4325 by registered mail to the War Production Board, Textile, Clothing and Leather Bureau, Ref: M-317, Washington 25, D. C., and one copy by registered mail to his War Production Board Regional Office, within the time stated below. These forms must be completely filled out in accordance with its instructions. The form will be available for public inspection both at the War Production Board Regional Office and the Textile, Clothing and Leather Bureau.

(ii) Form WPB-4325 may be filed only during the second month of the quarter it covers, except that it may always be filed within five days of the receipt of notice of termination or modification of a contract or subcontract from the Army, Navy, United States Maritime Commission or War Shipping Administration.

(iii) Seven days after the mailing of Form WPB-4325, in accordance with the above rules, if the War Production Board does not otherwise direct in writing, the person seeking relief may disregard the particular provisions of the distribution schedules specified in his Form WPB-4325 to the extent specified for the balance of the quarter for which the form was filed.

[1] Conservation Order M-328 permits other preference ratings, as well as those assigned by this order, and imposes conditions on the use of all ratings for cotton textiles.

(iv) Any person obtaining relief under this paragraph (f) (4) must accept and fill rated orders in accordance with Priorities Regulation 1, and must comply with all other regulations and orders of the War Production Board.

(g) *Advance orders.* No person shall be required to accept any rated order for cotton textiles calling for delivery more than 90 days after the receipt of the order, except from the United States Army, Navy, Maritime Commission or War Shipping Administration.

(h) *Special conditions.* No producer, intermediate processor, processor, merchant or user shall sell, deliver, buy, accept or use a cotton textile or any product containing a cotton textile or assign, apply or extend a preference rating contrary to the provisions in Column III of a Preference Rating Schedule of Supplementary Orders M-317A and M-317B in Column V of a Distribution Schedule of Supplementary Orders M-317A and M-317B or in any written direction of the War Production Board.

(i) *Exports.* No person shall purchase for export without a preference rating any cotton textiles, except woven or braided fabrics 12" or less wide, remnants (pieces shorter than ten yards) and rags (pieces shorter than two yards commonly sold by the pound).

(j) *Inventory restrictions.* No person shall accept delivery of any cotton textiles if his aggregate inventory exceeds or would then exceed the lesser of (1) a practicable minimum working inventory, or (2) his requirements for 90 days (except in the case of merchants and users of cotton textiles used in crop cultivation).

In computing inventory include products in process of manufacture but exclude cotton textiles in transit or in process of conversion.

(k) *Allocation.* The War Production Board may assign preference ratings for or allocate and direct deliveries of cotton textiles pursuant to application on Form WPB-2842.

(l) *Applicability of regulations.* Except as otherwise provided herein, this order and all transactions affected thereby are subject to all applicable regulations of the War Production Board.

(m) *Appeals.* Any appeal from the provisions of this order or of Supplementary Orders M-317A and M-317B shall be made by filing a letter in triplicate, referring to the particular provisions appealed from, and stating fully the grounds of the appeal.

(n) *Records and reports.* (1) Each person applying a preference rating assigned in a Preference Rating Schedule of Supplementary Orders M-317A and M-317B shall maintain at his regular place of business accurate records of the quantities of each type of listed cotton textile ordered with the use of such a rating, the quantities of each such type of cotton textile received and entered into production, and the quantities of each listed cotton textile product manufactured. These records shall be preserved for a period of not less than two years, and shall, upon request, be submitted to audits and inspections by duly authorized representatives of the War Production Board, Subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942, all persons affected by this order shall execute and file with the War Production Board such reports as the War Production Board shall from time to time request.

(2) All persons operating spindles for the production of cotton yarn of any kind shall file with the War Production Board, at the times specified in the reporting form, reports on Form WPB-658-E, giving the information therein required. The reporting requirements of this order have been approved by the Bureau of the Budget under the Federal Reports Act of 1942.

(o) *Violations.* Any person who wilfully violates any provision of this order (including Supplementary Orders M-317A and M-317B), 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 priorities control, and may be deprived of priorities assistance.

(p) *Communications.* All reports to be filed, appeals and other communications concerning this order should be addressed to: War Production Board, Textile, Clothing and Leather Bureau, Washington 25, D. C., Ref.: M-317.

Issued this 18th day of August 1945.

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

[F. R. Doc. 45-15315; Filed, Aug. 18, 1945; 12:24 p. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-328, Direction 24]

TEMPORARY EXCEPTIONS FROM RESTRICTIONS BECAUSE OF CUTBACKS OR TERMINATIONS OF GOVERNMENT CONTRACT(S) OR SUBCONTRACT(S)

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

(a) This direction is issued pursuant to paragraph (f) of Order M-328. It explains how to obtain a temporary exception from certain restrictions in the War Production Board orders and directions referred to below, because of cutbacks or terminations of Government contracts or subcontracts, under the conditions stated below. It applies only to the restrictions in the following orders (and only to certain paragraphs, where so indicated):

L-282 Fish netting
L-312 Industrial wiping cloths
M-47 Burlap and burlap products
M-51 Pigs' and hogs' bristles and bristle products
M-70 Jute and jute products
M-85 Kapok
M-91 Cotton duck
M-102 Waterfowl feathers
M-103 Dyestuffs and organic pigments
M-124 Rubber yarn and elastic thread
M-125 Loofa sponges
M-210 Cattle tail and horse mane hair
M-217 Footwear, paragraphs (c) (1), (c) (3), (c) (11) and (c) (12) only
M-310 Hides, skins and leather, paragraphs (b) (4), (b) (5), (d) (1) through (d) (7), (d) (9), (e), (f), (g) and (i) only.
M-312 Coir yarn and products
M-356 Synthetic fibers, yarns and fabrics, paragraph (b) and (c) only.

The following directions to Order M-328:

Direction 2, Production quotas for Army, Navy, Maritime Commission or War Shipping Administration socks
Direction 3, Production of laundry nets
Direction 6, Production of wool trousers for the U. S. Army
Direction 7, Production of flannel shirts for the U. S. Army
Direction 10, Conversion to cotton yarns of at least 50 percent of spinning machinery operating on the cotton system and producing spun rayon, cotton-rayon mixed or any other mixed or blended fiber yarns except cotton-wool mixed or blended
Direction 11, Production of overcoats for the U. S. Army
Direction 13, Priorities assistance for the production and distribution of shoe gabardine
Direction 15, Seamless knit gloves and inserts for military requirements
Direction 21, Production and distribution of cotton and synthetic fiber tire and fuel cell cord

(b) Any person who files with the War Production Board, Textile, Clothing and Leather Bureau, Washington 25, D. C., Ref: M-328, by registered mail, an application under paragraph (f) of Order M-328, for a temporary exception from a restriction referred to in paragraph (a) above, compliance with which, because a cutback or termination of Government contract(s) or subcontract(s) has occurred and would cause a loss of production or interference with the filling of civilian orders, is relieved from the restriction for a period of not more than 30 days after the filing of the application, under the conditions stated in this Direction. He must include in his application a certification substantially as follows (with a statement of the facts inserted in the blank spaces):

The undersigned hereby certifies, subject to the penalties of Section 35 (a) of the United States Criminal Code, to the War Production Board that Government contract(s) or subcontract(s) from _____ _____ (here insert customer's name, address, and contract or order number) for _____ _____ (here insert quantity and kind of material covered by unfilled order) was cancelled or cut back on _____ (insert date) releasing _____ (insert quantity and kind of material thereby released); and that by reason of such cancellation(s) or cutback(s), compliance with the following WPB restrictions would cause a loss of production or interfere with the filling of civilian orders: _____ _____ (insert order number and paragraph number containing restriction(s) from which exceptions are requested on the grounds that compliance would cause a loss of production or interfere with the filling of civilian orders).

(c) The relief granted by this direction shall be subject to termination at any time by individual notice in writing from the War Production Board to the applicant, or by notice published in the Federal Register. It shall not relieve the applicant from the filling of any rated orders heretofore or hereafter served on or accepted by the applicant.

(d) The temporary relief from a restriction which is permitted by application (by registered mail) under this direction is for only 30 days after the application has been mailed, and may not be extended by the filing of any additional application under this direction. This direction does not apply to any unpublished individual directions issued to named persons, or any suspension or consent

orders. Neither does it apply to paragraphs in any of the orders and directions listed in paragraph (a) above, relating to definitions, records, reports, communications, appeals, violations, and equitable distribution.

(c) This direction does not prevent applications for relief under paragraph (f) of Order M-328 from restrictions not referred to in paragraph (a) above, but in such cases, this direction does not afford any exception from the restriction.

Issued this 18th day of August 1945.

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

[F. R. Doc. 45-15316; Filed, Aug. 18, 1945; 12:23 p. m.]

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

[Priorities Reg. 29, Direction 1]

W, O, M, N AND C ORDERS MAY BE TREATED AS UNRATED

The following direction is issued pursuant to Priorities Reg. 29:

(a) Effective immediately, all allotments of controlled materials and all preference ratings (except AAA and MM) identified with the CMP allotment symbols whose initial letters are W, O, M (except M-8), N or C are hereby cancelled. It is not necessary for any person to cancel ratings which he has extended to his purchase orders pursuant to such ratings, or to unrate authorized controlled material orders he has placed pursuant to such allotments.

(b) Effective immediately, any person must treat as an unrated order any rated order (other than AAA and MM) identified with the CMP allotment symbols whose initial letters are W, O, M (except M-8), N or C, and any controlled material producers, warehouse, or distributor must treat as an unrated order any authorized controlled material order identified with the symbols W, O, M (except M-8), N or C.

(c) Materials required to fill the orders described above may be obtained on an unrated basis or, where ratings are necessary, by obtaining an MM preference rating from the appropriate agency. MM ratings will be assigned for this purpose only under the conditions described in Priorities Regulation 29.

(d) This direction does not apply to AA ratings on prime contracts of the Army, Navy, or Maritime Commission for textiles and related products (as defined in Order M-328).

Issued this 17th day of August 1945.

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

[F. R. Doc. 45-15238; Filed, Aug. 17, 1945; 5:02 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-858, Amdt. 1]

SUPREME SHOE CO., INC.

On July 24, 1945 there was issued by the War Production Board, Suspension Order No. S-858 against Supreme Shoe Company, Inc. This Suspension Order incorrectly required respondent to reduce by 11,267 pairs of shoes the number of shoes it would otherwise be entitled to produce during the six months period beginning September 1, 1945. The correct amount it should be required to reduce is 10,267 pairs. In view of the foregoing, it is hereby ordered, that: § 1010.858 Suspension Order No. S-858 be amended in the following respect:

1. Paragraph (a) of Suspension Order No. S-858 issued July 24, 1945, be amended by substituting the following paragraph (a):

(a) Supreme Shoe Company, Inc., its successors or assigns, unless otherwise specifically authorized in writing by the War Production Board shall reduce by 500 pairs of shoes the number of pairs of shoes it would otherwise be entitled to produce during the six months' period beginning March 1, 1945, and ending August 31, 1945, under the authorization to manufacture granted respondent by the War Production Board, and the corporation shall reduce by 10,267 pairs of shoes the number of pairs of shoes it would otherwise be entitled to produce during the six months' period beginning September 1, 1945 and ending March 1, 1946, under the authorization to manufacture granted respondent by the War Production Board.

Issued this 20th day of August 1945.

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

[F. R. Doc. 45-15383; Filed, Aug. 20, 1945; 12:05 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-889]

SUSSMAN BROS.

Samuel Sussman doing business under the name of Sussman Brothers, Pittsburgh, Pennsylvania is engaged in the business of manufacturing and selling new burlap bags, reconditioning used burlap bags, and selling burlap regularly in strips and occasionally in bolts. On WPB Report Form PD-186 dated January 9, 1943, Samuel Sussman stated that he had received 380,000 yards of burlap in 1939 and 568,000 yards in 1940 of which he cut-up 75% of his 1939 receipts. On April 12, 1943 Samuel Sussman answered an inquiry of the War Production Board stating in effect that he had used 75% of burlap to make agricultural bags out of 423,731 yards used in 1939, 396,014 yards used in 1940, and 338,341 yards used in 1941. Actually Samuel Sussman used only 29% of the said burlap during 1939 and 1940 in his cut-up to make bags during that period. Based upon these false and incorrect statements which were deliberately and knowingly given, Samuel Sussman received and made use of an allocation of free burlap from May 1943 to June 1945 in an amount of 147 bales in excess of what should have been his true allotment. The giving of this false information resulted in a diversion of critical materials to uses not authorized by the War Production Board and subjected Samuel Sussman to administrative action as provided in Priorities Regulation No. 1 and Conservation Order M-47. In view of the foregoing, it is hereby ordered, that:

§ 1010.889 *Suspension Order No. S-889.* (a) Unless otherwise specifically authorized in writing by the War Production Board, Samuel Sussman shall not be assigned any burlap quota under the provisions of Conservation Order M-47, and shall not receive or accept delivery of any burlap as defined in Conservation Order M-47 until such time as the allocation so withheld, and to which he would otherwise be entitled under the provisions of said order, shall amount to 147 bales.

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

(c) The restrictions and prohibitions contained herein shall apply to Samuel Sussman individually or doing business as Sussman Brothers or under any other name, his successors and assigns or persons acting on his behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

(d) This order shall take effect on August 20, 1945.

Issued this 13th day of August 1945.

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

[F. R. Doc. 45-15384; Filed, Aug. 20, 1945; 12:05 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-890]

MIDLAND METALCRAFT CORP.

Midland Metalcraft Corporation, a Michigan corporation, with principal offices at Midland, Michigan, is engaged in the manufacture of galvanized tubs. During the third and fourth quarters of 1944, it placed authorized controlled material orders in amounts in excess of the related allotments received by it, in violation of CMP Regulation No. 1. Furthermore, in June, August and September, 1944, the company furnished false and misleading information to the War Production Board with reference to its business and orders on hand or on its books. Responsible officers of the company had full knowledge of the provisions of CMP Regulation No. 1, and its actions were wilful.

These violations have diverted critical materials to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.890 *Suspension Order No. S-890.* (a) Midland Metalcraft Corporation shall not for four months from the effective date of this order apply or extend any preference rating or use any CMP allotment symbols, regardless of the delivery date named in any purchase order to which such ratings may be applied or extended or on which CMP allotment symbols are used.

(b) Midland Metalcraft Corporation shall cancel immediately all unfilled orders which it has placed for controlled materials bearing a CMP allotment symbol (including the MRO symbol and the symbol "SO" under the small order procedure of CMP Regulation No. 1).

(c) All preference ratings, allotments, and allocations presently outstanding in connection with orders for

delivery of materials to Midland Metalcraft Corporation or placed prior to the termination date of this order are void and shall not be given any effect by suppliers of Midland Metalcraft Corporation or by any other person. This does not apply to material already delivered or in transit for delivery to it on the effective date of this Order.

(d) Nothing contained in this Order shall be deemed to relieve Midland Metalcraft Corporation from any restriction, prohibition or provision contained in any other Order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

(e) The restrictions and prohibitions contained herein shall apply to Midland Metalcraft Corporation, its successors and assigns, or persons acting on its behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

(f) This order shall take effect on August 20, 1945.

Issued this 13th day of August 1945.

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

[F. R. Doc. 45-15385; Filed, Aug. 20, 1945; 12:05 p. m.]

PART 1182—ELECTRIC POWER

[Limitation Order L-94, Revocation]

Section 1182.1 *General Limitation Order L-94* is hereby revoked. This revocation does not affect any liabilities incurred for violation of the order or of actions taken by the War Production Board under the order.

Issued this 18th day of August 1945.

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

[F. R. Doc. 45-15308; Filed, Aug. 18, 1945; 12:22 p. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-328B, Schedule D, as Amended Aug. 18, 1945]

SPECIAL PROGRAM FOR COTTON FABRICS FOR NURSES' UNIFORMS

§ 3290.120d *Schedule D to Order M-328B*—(a) *Explanation.* This schedule states the special rules in addition to those set forth in Order M-328B for manufacturers of student and graduate nurses' uniforms made of cotton fabrics to get an AA-2X and an AA-3 preference rating for fabrics to make the items listed in this Schedule. Priorities assistance granted under this schedule will be in addition to any granted under Supplement XI of Schedule A of M-328B. Therefore manufacturers who have received authorizations under that supplement must file applications under this Schedule for whatever additional fabrics they need to participate in this Program in the third quarter of 1945.

(b) *Definitions.* (1) "Fabrics," unless otherwise designated, means a woven fabric 12 inches or more in width.

(2) "Cotton fabric" means any fabric containing less than 25 percent wool by weight but of which the remaining fibers are 50 percent or more cotton by weight.

(3) "Cotton item" means an item of which more than 50 percent of the fabric yardage incorporated in it, exclusive of linings, binding and trimmings, is cotton fabric.

(c) *Special requirements for obtaining priorities assistance.* (1) Three copies of Form WPB-3732 Revised must be filed in making application for priorities assistance under this schedule, in accordance with the rules stated in paragraph (c) of Order M-328B, except that for the fourth quarter of 1945 applications must be postmarked not later than September 5, 1945.

(2) A base period manufacturer who files Form WPB-3732 Revised for the third calendar quarter of 1945 by August 11, 1945, may, as soon as he files his application, apply an AA-2X rating for the purchase of Class A sheeting, and an AA-3 rating for the purchase of other cotton fabrics for delivery in that quarter for incorporation into the cotton items for which application is made. He may do so only for an item he made in the base period and only for 25% of the yardage of fabrics he used in the base period with respect to any item. Cotton fabrics purchased under this provision shall be deducted by the manufacturer from the total quantity for which priorities assistance is ultimately granted on Form WPB-3732 Revised. If the applicant does not ultimately receive a grant of the entire quantity thus rated, he shall, upon notification of his grant by the War Production Board, immediately cancel orders for any undelivered quantities which are in excess of his grant.

(3) A manufacturer who files Form WPB-3732 for the fourth quarter of 1945 by September 5, 1945, may as soon as he files his application apply a AA-2X rating for the purchase of Class A sheeting and a AA-3 rating for the purchase of other cotton fabrics for delivery in that quarter for incorporation into the items for which application is made. He may do so only for an item he made in the base period or for which he received an allocation under this schedule for the third quarter of 1945, and only for 50% of the yardage of fabric consumed in the production of that item during the base period or 50% of the yardage allocated to him by the War Production Board for the third quarter, whichever is smaller. Fabric purchased under this provision shall be deducted by the manufacturer from the total quantity for which priorities assistance is granted pursuant to his application on Form WPB-3732. If the applicant does not receive a grant of the entire quantity thus rated he shall upon notification of his grant by the War Production Board immediately unrate or cancel orders for any undelivered quantities which are in excess of his grant.

Manufacturers who did not produce in the base period the items applied for on Form WPB-3732 or who did not receive an allocation for them under this schedule for the third quarter of 1945 may not use any ratings under this schedule for the fourth quarter of 1945 until the War Production Board has assigned them a quota.

(4) A manufacturer receiving an allocation for Item No. 1 of section (A) or Item Nos. 1 or 2 of section (B) of the preference rating schedule for any quarter must subtract from his rated quota for Item A-56 under Order M-388A the total yardage of fabrics for which priorities assistance is granted under this schedule to determine the quantity of fabrics which he may purchase with an AA-4 rating under his M-388A rated quota in that quarter. In the event that the quantity of fabrics for which an AA-2X or an AA-3 rating authorized under this schedule is in excess of his AA-4 rated quota in M-388A, the manufacturer may not, during that quarter, use an AA-4 rating under the provisions of M-388A for Item A-56.

(d) *General provisions.* (1) Preference ratings assigned under this schedule may be used only to get the particular fabrics shown in the Fabric Column of the preference rating schedule to make the cotton items specified.

(2) If applications are received for rated quotas in an amount for any item in excess of the yardage allotted for that item, the rated quotas will be assigned in proportion to the manufacturer's production of the particular items during the base period.

(3) If the manufacturer did not produce or have produced for his own account in the base period the item for which application is made, he must comply with the provisions of paragraph (c) (6) of M-328B.

(4) The minimum linear yardage which shall be incorporated in each dozen of the item for which a grant is made, shall in the case of a base period manufacturer, be no less than the amount used by him for the production of the same item in the base period. In the case of persons who did not manufacture the item in the base period the minimum linear yardage of fabric per dozen shall be the product of the total yards of each fabric authorized, divided by the number of units authorized in the grant by the War Production Board.

(5) Additional priorities assistance may be given for the procurement of narrow woven selvage edge tape (cotton or rayon) needed for incorporation into the number of units for which priorities assistance is granted. Requests for this additional priorities assistance shall be made on Form WPB-3732 separately for each item for which application is made.

(6) Manufacturers who did not produce the item applied for in the base period and cannot, therefore, comply with paragraph (f) (5) of M-328B, shall specify in the "Remarks" section of form WPB-3732 Revised the assortment of sizes per dozen for each size range for which application is made. He must comply with the size ranges and assortments of sizes which the War Production

Board specifies in its grant of priorities assistance.

(7) Student nurses' uniforms manufactured under this schedule may be sold only to hospitals or nurses' training schools; or to persons who furnish substantially the following certification on their purchase orders:

The purchaser represents to the seller and to the War Production Board that the student nurses' uniforms covered by this order will be sold only to hospitals or nurses' training schools or for ultimate delivery to such institutions.

The standard certification provided for in Priorities Regulation 7 may not be used instead of the above.

Issued this 18th day of August 1945.

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

PREFERENCE RATING SCHEDULE—SECTION (A)

GRADUATE NURSES' UNIFORMS

Item No.	Items	Fabric
A-1	Uniforms	Poplin, combed—88 sley or higher. Poplin, carded—90 sley or higher. Broadcloth, combed—96 sley or higher. Broadcloth, carded—100 sley or higher.
A-2	Caps	Lawns and Organdy—76 x 72, 9.00 yard. Poplin, carded—90 sley or higher. Broadcloth, carded—100 sley or higher.

PREFERENCE RATING SCHEDULE—SECTION (B)

STUDENT NURSES' UNIFORMS

NOTE: Table amended August 18, 1945.

Item No.	Items	Fabric
B-1	Uniforms, colored.	Chambray—4.20-4.30 yard. Class "A" Sheeting—40 x 40 or higher. Jeans. Broadcloth, combed—96 sley or higher. Poplin, combed—88 sley or higher. 68/72 sheeting.
B-2	Uniforms, white.	Class "A" Sheeting—40 x 40 or higher. Jeans. Chambray, 4.20-4.30 yard. Poplin, combed—88 sley or higher. Broadcloth, combed—96 sley or higher.
B-3	Caps	Lawn and Organdy—76 x 72 9.00 yard or higher. Poplin, combed—88 sley or higher. Broadcloth, combed—96 sley or higher.
B-4	Collars	Print cloth, 68 x 64—4.85 yard 39" or higher. Jeans. Class "C" Sheeting. 68/72 sheeting.
B-5	Cuffs	Print cloth, 68 x 64—4.85 yard 39" or higher. Jeans. Class "C" Sheeting. 68/72 sheeting.
B-6	Aprons	Class "A" Sheeting, 40 x 40 or higher. Class "C" Sheeting. 68/72 sheeting.
B-7	Bibs	Class "A" Sheeting, 40 x 40 or higher. Class "C" Sheeting. 68/72 sheeting.

[F. R. Doc. 45-15318; Filed, Aug. 18, 1945; 12:22 p. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-328B, Schedule F, as Amended Aug. 18, 1945]

SPECIAL PROGRAM FOR WORK GLOVES

§ 3290.120f *Schedule F to Order M-328B*—(a) *Explanation.* This schedule states the special rules in addition to those set forth in Order M-328B for manufacturers of work gloves to get an AA-2x preference rating for fabric to make the items listed in this schedule.

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

(1) "Work gloves" means any gloves or mittens of the types and meeting the specifications listed in Schedules A and B of Order M-375 and designed for wear by men, women or children while engaged in their occupations, and customarily sold as work gloves.

(2) "Base period" means the third calendar quarter of 1943.

(c) *Special requirements for priorities assistance.* (1) Three copies of Form WPB-3732 (Revised) should be filed in accordance with the rules stated in paragraph (c) of Order M-328B, except that for the third quarter of 1945 the applications must be postmarked by August 11, 1945, and for the fourth quarter of 1945 the applications must be postmarked by September 5, 1945.

(2) A base period manufacturer who files Form WPB-3732 (Revised) for the third calendar quarter of 1945 by August 11, 1945, may, as soon as he files his application, apply an AA-2x rating for the purchase of fabric for delivery in that quarter for incorporation into the items for which application is made. He may do so however only for an item he made in the base period, and the yardage for which he applies this rating, plus any yardage for which he has applied ratings for delivery in the third quarter of 1945 under Order M-317A as amended May 10, 1945, and Direction 16 to Order M-317, may not exceed 70 percent of the yardage of material used in the manufacture of work gloves during the first quarter of 1945. In addition, all fabric purchased under this paragraph and under the provisions of M-317A and Direction 16 to M-317 shall be deducted by the manufacturer from the total quantity for which priorities assistance is ultimately granted on Form WPB-3732 (Revised). If the applicant does not ultimately receive a grant of the entire quantity thus rated, he shall upon notification of his grant by the War Production Board, immediately cancel orders for any undelivered quantities which are in excess of his grant.

(3) A manufacturer who files Form WPB-3732 for the fourth quarter of 1945 by September 5, 1945, may, as soon as he files his application, apply an AA-2X rating for the purchase of cotton fabric for delivery in that quarter for incorporation into the items for which application is made. He may do so only for an item he made in the base period or for which he received an allocation under this schedule, for the third quarter of 1945, and only for seventy percent of the yardage of fabric consumed in the production of that item during the base period or seventy percent of the yardage allocated to him by the War Production Board for the third quarter, whichever is greater. Fabric purchased under this provision shall be deducted by the manufacturer from the total quantity for which priorities assistance is granted pursuant to his application on Form WPB-3732. If the applicant does not receive a grant of the entire quantity thus rated he shall upon notification of his grant by the War Production Board immediately unrate or cancel orders for any undelivered quantities which are in excess of his grant.

Manufacturers who did not produce in the base period the items applied for on Form WPB-3732, or who did not receive an allocation for them under this schedule for the third quarter of 1945, may not use any ratings under this schedule for the fourth quarter of 1945 until the War Production Board has assigned them a quota.

(d) *When ratings may be extended to get yarn.* Producers of knit wrist tubing, knit jersey material 8 oz. or heavier, or knit lining for work gloves who do not also own or control spinning machinery, who need to obtain yarn to fill rated orders for these items, may extend the ratings assigned under this schedule to get such yarn, notwithstanding the provisions of paragraph (e) of Order M-317. However, producers who do own or control spinning machinery may not use the rating to get yarn except as permitted by paragraph (e) of M-317.

(e) *Priorities assistance for component parts.* Persons applying for priorities assistance under this schedule may apply for sewing thread, overedging yarn No. 10, (2-ply), and twine, (10-ply), cotton in quantities needed for incorporation into the number of units for which priorities assistance is requested. Applications must be made on Form WPB-3732 separately for each item for which application is made. Such applications will be approved to the extent of available materials and to the extent that allocations are made for the production of items.

(f) *Style provisions for base period manufacturers.* Base period manufacturers who are granted ratings under this schedule must make (subject to Order M-375) each style of work glove that they made in the first quarter of 1945 under the following rule: The production of each style of each item made in any quarter must not vary more or less than 10 percent from the proportion of that style of work glove to the total quantity of all styles of work gloves made in the first quarter of 1945. This rule does not apply to hot mill and 2-thumb husking gloves and mittens, which may be made to the full extent of a manufacturer's capacity. These styles should also be excluded in making the computations stated above for other styles.

(g) *Special inventory rule.* Manufacturers who use ratings assigned under this schedule are subject to the inventory provisions of paragraph (f) (4) of Order M-328B except that a 60-day inventory limit applies instead of a 45-day one.

(h) *Notification of unused allocations.* A person who finds that for any reason (such as increases in Army or Navy contracts) he will not place rated orders to the extent authorized on Form WPB-3732 (Revised) for a particular calendar quarter, or will cancel rated orders he has placed, must promptly write a letter giving notice to the Textile, Clothing and Leather Bureau of the War Production Board showing the reference number on his authorization. Letters must specify the quantity and kind of fabric in the same terms in which the authorization was made.

(i) *Provisions in case of governmental cut-backs.* At any time during any calendar quarter a manufacturer who has received cancellations or cut-backs on military contracts or orders placed by an agency of the United States Government, or who during the quarter has production facilities made available, may apply to the War Production Board on Form WPB-3732 (Revised) for priorities assistance to manufacture items listed in this schedule, provided that these items are to be made in conformity with Schedules A and B of Order M-375. Such applications will be approved to the extent of available materials and the need for additional production of the items applied for.

Issued this 18th day of August 1945.

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

Item No.	Item column	Fabric column
1	Canton flannel gloves and mittens (including hot mill gloves and husking gloves or mittens).	(23) Flannel mitten, white, brown and colored stripe. (23) Flannel, lining. (28) Ticking, 6½ to 8 oz. Knit tubing. (12) Osnaburg. (14a) Sheeting, medium, Class O. (16c) Twill (other than 3-leaf). (14c) Sheeting, soft-filled. (17) Print cloth, less than 80 ctcy. (16a) Drill.
2	Canton flannel, hot mill gloves.	Same as Item No. 1.
3	Canton flannel, two-thumb husking gloves and mittens.	(23) Flannel mitten knit tubing.
4	Leather combination gloves and mittens.	Same as Item No. 1.
5	Jersey gloves and mittens.	Knit Jersey, 8-9-10½ and 13 oz. weights. Lining, 5½ and 6 oz. Knit tubing.

[F. R. Doc. 45-15319; Filed, Aug. 18, 1945; 12:22 p. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-328B, Schedule J]

SPECIAL PROGRAM FOR RAYON CIVILIAN ITEMS

§ 3290.120j *Schedule J to Order M-328B—(a) Explanation.* This schedule states the special rules in addition to those set forth in Order M-328B for manufacturers of civilian items manufactured from rayon fabric to get an AA-3 preference rating for rayon fabric for delivery beginning in the fourth quarter of 1945 to make the items listed in this schedule.

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

(1) "Fabrics," unless otherwise designated, means a woven fabric 12 inches or more in width.

(2) "Rayon fabric" means any fabric containing less than 25% wool by weight but of which the remaining fibers are more than 50% of synthetic fiber (staple or continuous filament) by weight. For example, a fabric containing 20% wool, 41% rayon, and 39% cotton is rayon.

(3) "Rayon item" means an item of which more than 50% of the fabric yardage incorporated in it, exclusive of linings, bindings and trimmings, is made of rayon fabric.

(4) "Base period manufacturer" and "base period" mean the same as in paragraph (b) (5) of Order M-328B except that a person who did not manufacture an item listed in this schedule during the base period at or below the maximum price set forth in the schedule shall not be considered a base period manufacturer.

(c) *Special requirements for obtaining priorities assistance.* (1) Three copies of Form WPB-3732 must be filed for priorities assistance under this schedule, in accordance with the rules stated in paragraph (c) of Order M-328B, except that for the fourth calendar quarter of 1945 applications shall be postmarked not later than September 5, 1945.

(2) A manufacturer who files Form WPB-3732 for the fourth calendar quarter of 1945 by September 5, 1945, may as soon as he files his application, apply an AA-3 rating for the purchase of rayon fabrics for delivery in that quarter for incorporation into the rayon items for which application is made. He may do so only for an item he made in the base period at or below the price shown in the preference rating schedule, and only for two-thirds of the yardage of fabrics he used in the base period with respect to any item. Rayon fabrics purchased under this provision shall be deducted by the manufacturer from the total quantity for which priorities assistance is granted on form WPB-3732. If the applicant does not receive a grant of the entire quantity thus rated, he shall, upon notification of his grant by the War Production Board, immediately unrate or cancel orders for any undelivered quantities which are in excess of his grant.

(3) Manufacturers who did not produce in the base period the items applied for on Form WPB-3732, at or below the price shown in the preference rating schedule, may not use any preference ratings under this schedule until the War Production Board has assigned them a quota.

(4) A base period manufacturer may not apply for a quantity of fabric for any item greater than 100% of the linear yards used by him in the base period for the production of that item.

(5) A manufacturer who makes application under this schedule may also apply on Form WPB-3732 for priorities assistance for narrow woven selvage edge tape required for incorporation into the number of units of the items for which application is made on that form. Such requests will be granted within the limits of materials available and to the extent that priorities assistance is granted for the items requested.

(6) *Provisions in case of governmental cut-backs.* At any time during any calendar quarter a manufacturer who has received cancellations or cut-backs on military contracts or orders placed by an agency of the U. S. Government, or who during the quarter has production facilities made available, may apply to the War Production Board on Form WPB-3732 for priorities assistance to manufacture items listed in this schedule. Such applications will be approved to the extent of available materials and the need for additional production of the items applied for.

(d) *General provisions.* (1) Preference ratings assigned under this schedule may be used only to get rayon fabrics to make the rayon items specified in the preference rating schedule.

(2) The fabrics must be incorporated into an item produced for sale by the manufacturer at or below the lower of the following two prices:

(i) The price at which the manufacturer is permitted to sell the item under regulations of the Office of Price Administration; or

(ii) The price specified in the Maximum Price Column.

(3) A manufacturer who is not a base period manufacturer must comply with the provisions of paragraph (c) (6) of Order M-328B.

(4) A manufacturer who did not manufacture an item in the base period must state his proposed production by size assortment per dozen in the "Remarks" section of Form WPB-3732. If his application is granted, he must comply with these size assortments.

(5) The AA-3 preference rating authorized by this schedule may be used only to procure finished rayon fabric and may not be extended to procure unfinished rayon fabric.

Issued this 18th day of August 1945.

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

AA-3 PREFERENCE RATING SCHEDULE

RAYON FABRICS FOR CIVILIAN ITEMS

(The applicable provisions of each column are indicated for each numbered item opposite the item number.)

Item No.	Description of rayon item	Size range	Maximum price column
			Each
1	Dresses: women's, misses' and juniors'.	9-17, 12-44	$5.75
		46 and up	6.75
2	Dresses: women's, misses' and juniors'.	Maternity	6.75
3	Dresses: teen-age girls'	10-16	3.75
4	Dresses: girls'	7-14	3.00
			Dozen
5	Blouses, shirts and waists: women's, misses' and juniors'.	9-17, 12-40	22.50
		42 and up	25.50
6	Blouses: teen-age girls'	10-16	16.50
7	Blouses: girls'	7-14	15.75
8	Nightgowns: women's	32-44	22.50
		46 and up	25.50
9	Nightgowns: teen-age girls'.	10-16	16.50
10	Slips: women's, misses' and junior's.	9-17, 12-44	15.75
		46 and up	18.00
11	Slips: teen-age girls'	10-16	12.00

[F. R. Doc. 45-15320; Filed, Aug. 18, 1945; 12:22 p. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[General Preference Order M-388, Direction 5]

TERMINATION OF ORDERS M-388, M-388A, M-388B, AND M-388C, ON OCTOBER 1, 1945

The following direction is issued pursuant to General Preference Order M-388:

Section 3290.351, General Preference Order M-388, § 3290.352, General Preference Order M-388A, § 3290.353, General Preference Order M-388B, and § 3290.354, General Preference Order M-388C, and all published amendments and directions to such orders, shall expire on October 1, 1945. All authorizations issued pursuant to any of such orders and directions to named persons and permitting them to use preference ratings or serial numbers, shall also expire on October 1, 1945. All materials obtained with preference ratings applied or assigned under any of such orders and directions must be used or disposed of in accordance with the provisions of the order(s) or direction under which it was obtained. To the extent that any provisions of Orders M-388, M-388A, M-388B, M-388C, or any other published direction to any of such orders, is inconsistent with any provision of this direction, this direction shall control. Such termination on October 1, 1945 of the order and directions referred to above shall not affect any liabilities incurred for violation of any of such orders or directions, or of actions taken by the War Production Board under them. The manufacture and delivery of cotton, synthetic fiber, and wool textiles for civilian items, and items made from them, remain subject to all other applicable orders and regulations of the War Production Board.

Issued this 18th day of August 1945.

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

[F. R. Doc. 45-15322; Filed, Aug. 18, 1945; 12:23 p. m.]

PART 4500—POWER, WATER, GAS AND CENTRAL STEAM HEAT

[Utilities Order U-7, Revocation]

Section 4500.10 *Utilities Order U-7* is hereby revoked. This revocation does not affect any liabilities incurred for violation of the order or of actions taken by the War Production Board under the order.

Issued this 18th day of August 1945.

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

[F. R. Doc. 45-15323; Filed, Aug. 18, 1945; 12:22 p. m.]

PART 981—AUTOMOTIVE VEHICLES, PARTS AND EQUIPMENT

[Orders L-2, L-2-a, L-2-b, L-2-c, L-2-e, L-2-f, L-2-h, Revocation]

The following orders are hereby revoked: § 981.1, *General Limitation Order L-2;* § 981.2, *Supplementary General Limitation Order L-2-a;* § 981.3, *Supplementary General Limitation Order L-2-b;* § 981.4, *Supplementary General Limitation Order L-2-c;* § 981.6 *Supplementary General Limitation Order L-2-e;* § 981.7 *Supplementary General Limitation Order L-2-f* and § 981.9 *Supplementary General Limitation Order L-2-h.*

This revocation does not affect any liabilities incurred for violation of any of these orders or of actions taken by the War Production Board under any of these orders. The manufacture of automobiles remains subject to General Limitation Order L-2-g as amended, and to all other applicable orders and regulations of the War Production Board. The distribution of automobiles remains subject to the rationing procedures of Ration Order 2-B or subsequent ration orders of the Office of Price Administration.

Issued this 18th day of August 1945.

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

[F. R. Doc. 45-15307; Filed, Aug. 18, 1945; 12:24 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-656, Revocation]

M. E. CARLSON AND ESTHER J. CARLSON

Suspension Order No. S-656 was issued November 16, 1944 against M. E. Carlson and Esther J. Carlson located at 4483 Newton Street, Denver, Colorado, for violations of Conservation Order L-41. This construction has now been determined to be essential, and the Chief Compliance Commissioner has therefor directed that Suspension Order No. S-656 be revoked. In view of the foregoing, it is hereby ordered, that: § 1010.656, *Suspension Order No. S-656* be revoked.

Issued this 17th day of August 1945.

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

[F. R. Doc. 45-15208; Filed, Aug. 17, 1945; 4:31 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-880]

MARBRO LAMP AND SHADE CO.

Marbro Lamp and Shade Company is a co-partnership owned by Morris K. Markoff and Elliott Markoff, with its principal office in Los Angeles, California. This co-partnership is engaged in the manufacturing of lamps.

During the period between March 17, 1944 and December 31, 1944, this co-partnership assembled and sold 20,325 portable lamps on other than preferred orders contrary to and in violation of the provisions of War Production Board General Limitation Order L-33. Further, the co-partnership violated Limitation Order L-33, by failing to file reports as required by Order L-33 of the production and sale of 434 portable lamps sold in fulfillment of preferred orders between February 9, 1943 and August 22, 1944. The violations in each instance were wilful.

The aforementioned violations of Order L-33 have diverted scarce materials to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.880 *Suspension Order No. S-880.* (a) Morris K. Markoff and Elliott Markoff, whether doing business as Marbro Lamp and Shade Company or otherwise, their successors or assigns, unless otherwise specifically authorized in writing by the War Production Board, shall not, directly or indirectly, for a period of 60 days, be accorded priority in deliveries of material, finished items of merchandise or equipment to them over deliveries under any other contract or order, and no preference rating shall be assigned, applied or extended to such deliveries by means of preference rating certificates, general preference orders, or any other order or regulation of the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Morris K. Markoff and Elliott Markoff whether doing business as Marbro Lamp and Shade Company or otherwise, their successors or assigns from any restriction, prohibition, or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on August 19, 1945.

Issued this 9th day of August 1945.

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

[F. R. Doc. 45-15325; Filed, Aug. 18, 1945; 12:25 p. m.]

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

[Priorities Reg. 31]

BLANKET REVOCATION OF CERTAIN WPB ORDERS

§ 944.52 *Priorities Regulation 31*—(a) *Revocation of orders.* The orders of the War Production Board listed below in this regulation and all published directions to those orders are revoked, effective on the dates shown opposite the orders.

(b) *Effect of revocation of orders.* (1) Regardless of paragraph (b) of § 944.10a of Priorities Regulation 1, all directions, authorizations, production and delivery schedules and other instruments addressed to named persons pursuant to the orders listed below are also revoked to the extent that they apply to any transactions after September 30, 1945.

(2) To the extent that any such directions, authorizations, production or delivery schedules or other instruments addressed to named persons apply to any transactions before October 1, 1945, the following rules govern:

(i) If they were issued under one of the Chemical Orders listed below, they are revoked on the effective date shown opposite the applicable order.

(ii) If they were issued under any of the other orders listed below, they remain in force through September 30 under the rules explained in paragraph (b) of § 944.10a of Priorities Regulation 1 unless revoked by other action of the WPB.

(3) Nothing in this regulation changes the rule regarding "Suspension Orders" and "Consent Orders" as stated in paragraph (c) of § 944.10a of Priorities Regulation 1.

(4) The revocation of the orders listed below does not affect any liabilities incurred for violation of those orders or for violation of actions taken by the War Production Board under those orders.

LIST OF ORDERS REVOKED AND EFFECTIVE DATE OF REVOCATION

AUTOMOTIVE

Section 3292.1, L-1-e, Motortrucks and Truck Trailers, August 20, 1945.

Section 3292.46, L-158, Production of Replacement Parts for Motor Vehicles, August 20, 1945.

Section 3292.51, L-180, Replacement Storage Batteries, August 20, 1945.

Section 3178.71, L-254, Internal Combustion Air-Cooled Engines, August 20, 1945.

Section 3292.56, L-270, Automotive Maintenance Equipment, August 20, 1945.

Section 3292.126, L-331, Motorcycles, August 20, 1945.

BUILDING MATERIALS

Section 1293.1, L-157, Hand Tools Simplification, August 20, 1945.

Section 1293.9, Sch. 8 to L-157, Wood Boring Bits, August 20, 1945.

Section 3284.81, L-236, Hardware Simplification, August 20, 1945.

Section 3284.85, Sch. 4 to L-236, Tackle Blocks, August 20, 1945.

CHEMICALS

Section 3193.1, L-263, Matches, August 31, 1945.

Section 3293.36, M-12, Cotton Linters and Hull Fibre, August 20, 1945.

Section 3293.101, M-69, Distilled Spirits, August 31, 1945.

Section 3293.171, M-150, Aromatic Solvents, August 31, 1945.

Section 1246.1, M-157, Chemical Cotton Pulp, August 31, 1945.

Section 3293.1009, Sch. 9 to M-300, Formaldehyde and Paraformaldehyde, August 31, 1945.

Section 3293.1010, Sch. 10 to M-300, Hexamethylenetetramine, August 31, 1945.

Section 3293.1011, Sch. 11 to M-300, Pentaerythritol, August 31, 1945.

Section 3293.1012, Sch. 12 to M-300 Isopropyl Alcohol, August 31, 1945.

Section 3293.1016, Sch. 16 to M-300, Metallic Sodium, August 31, 1945.

Section 3293.1017, Sch. 17 to M-300, Acrylic Monomer and Acrylic Resin, August 31, 1945.

Section 3293.1018, Sch. 18 to M-300, Styrene and Dichlorostyrene, August 31, 1945.

Section 3293.1019, Sch. 19 to M-300, Polystyrene and Polydichlorostyrene, August 31, 1945.

Section 3293.1020, Sch. 20 to M-300, Hexahydric Alcohols, August 31, 1945.

Section 3293.1023, Sch. 23 to M-300 Xylene (Xylol), August 31, 1945.

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Section 3293.1028, Sch. 28 to M-300, Acetylene Black, August 31, 1945.

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Section 3293.1031, Sch. 31 to M-300, Barium Chemicals, August 31, 1945.

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Section 3289.31, L-265, Electronic Equipment, August 20, 1945.

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Section 3207.2, Schedule 1 to L-272, Control Valves, August 20, 1945.

Section 3207.3, Schedule 2 to L-272, Liquid Level Controllers, August 20, 1945.

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Section 4600.100, L-345, Restrictions on the Production of Camelback, August 20, 1945.

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Section 1254.1, L-139, Dental Equipment and Supplies Simplification, August 20, 1945.

Section 1254.2, Schedule 1 to L-139, Dental Excavating Burs, August 20, 1945.

Section 3296.56, L-144, Laboratory Equipment, August 20, 1945.

Section 3296.96, L-295, Dental Burs, August 20, 1945.

STEEL

Section 3294.161, L-88, Used Rail and Used Rail Joints, August 20, 1945.

Section 3102.1, L-211, National Emergency Specifications for Steel Products, August 20, 1945.

Section 3102.10, Schedule 9 to L-211, Oil Country Tubular Goods, August 20, 1945.

Section 3102.17, Schedule 16 to L-211, Steel Wire Rope, August 20, 1945.

Section 3294.66, M-17, Pig Iron, August 20, 1945.

Section 3294.113, M-21-i, Malleable Iron Castings, August 20, 1945.

Section 965.1, M-24, Iron and Steel Scrap, August 20, 1945.

Section 965.3, M-24-b, Iron and Steel Scrap, August 20, 1945.

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Section 3290.111, L-95, Sanitary Napkins, August 20, 1945.

Section 3290.76, L-312, Industrial Wiping Cloths, August 20, 1945.

Section 3290.201, M-22, Silk, August 20, 1945.

Section 968.1, M-26, Silk Waste, Silk Noils, and Silk Fiber, August 20, 1945.

Section 3290.271, M-70, Jute and Jute Products, August 20, 1945.

Section 3290.56, M-91, Cotton Duck, August 20, 1945.

Section 3290.306, M-102, Water Fowl Feathers, August 20, 1945.

Section 3290.266, M-103, Dyestuffs and Organic Pigments, August 20, 1945.

Section 3290.66, M-117, Extra Staple Cotton, September 20, 1945.

Section 1175.1, M-125, Loofa Sponges, August 20, 1945.

Section 3054.1, M-210, Cattle Tail and Horse Mane Hair, August 20, 1945.

Section 3290.117, M-317-B, Cotton Sale Yarn Production and Distribution, August 20, 1945.

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Section 937.1, M-11, Slab Zinc, August 20, 1945.

Section 937.2, M-11-a, Zinc Oxide, August 20, 1945.

Section 1044.1, M-65, Cadmium, August 20, 1945.

Section 1054.1, M-72, Lead and Tinscrap, August 20, 1945.

Section 3159.1, M-276, Bismuth, August 20, 1945.

TOOLS

Section 3274.1, E-1-b, Machine Tools, August 20, 1945.

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Section 3274.61, E-10, Antifriction Bearings, August 20, 1945.

Section 3274.77, L-302, Chain, August 20, 1945.

WAR UTILITIES

Section 1288.1, L-154, Power, Steam and Water Auxiliary Equipment, August 20, 1945.

Section 1288.5, Sch. 4 to L-154, Power Switchgear, August 20, 1945.

TRANSPORTATION

Section 3157.1, T-1, Haulage Conservation, August 20, 1945.

Issued this 20th day of August 1945.

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

[F. R. Doc. 45-15381; Filed, Aug. 20, 1945; 12:05 p.m.]

Chapter XI—Office of Price Administration

PART 1312—PRIMARY FOREST PRODUCTS

[MPR 535-3,[1] Amdt. 2]

EXCELSIOR WOOD

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

Section 14 (c) of Maximum Price Regulation 535-3, Excelsior Wood is amended to read as follows:

[1] 10 F.R. 7242.

(c) *Maximum prices.*

TABLE 1—ZONE 257

[Per unit of 147 cubic feet]

	Peeled	Unpeeled
Poplar	$14.40	$10.25
Basswood	14.40	10.25

This amendment shall become effective August 22, 1945.

Issued this 17th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15215; Filed, Aug. 17, 1945; 4:48 p. m.]

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

[RMPR 528, Amdt. 3]

TIRES AND TUBES, RECAPPING AND REPAIRING, AND CERTAIN REPAIR MATERIALS

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

Revised Maximum Price Regulation 528 is amended in the following respects:

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

(1) *New tires and tubes.* This regulation applies to all retail sales of new rubber tires and tubes for automobiles, trucks, busses, trailers, off-the-road equipment, farm implements, tractors, industrial equipment, motorcycles, and aircraft. A tire or tube other than an aircraft tire or tube is "new" if it has been used less than 1,000 miles. An aircraft tire and tube is "new" if it has never been used. "Retail sale" means a sale to a buyer for his own use and not for resale. This regulation, however, does not apply to wholesale sales; such sales are covered by Revised Maximum Price Regulation 143. Neither does this regulation apply to manufacturers' or brand owners' sales of any new tires and tubes to any agency of the United States Government. New tires which the manufacturer or brand owner has found defective and not repairable, and which such manufacturer or brand owner has slashed or otherwise mutilated prior to his delivery to any person, shall be deemed scrap rubber, and the maximum price thereof shall be determined in accordance with the provisions of Revised Price Schedule 87.

2. Section 3 is amended by adding the following sentence thereto: "The substitution of a standard warranty, in line with that generally prevailing in the industry, for a road hazard warranty given with sales of any commodity covered by this regulation, is not considered an evasion under this section."

3. Section 16 (b) (1) is amended to read as follows:

(1) The prices set forth in Tables A-IV, A-V, and A-VI are the maximum retail prices for new tires and tubes (other than passenger car and motorcycle) of a type, size, and ply listed in such tables, whether constructed from natural, synthetic, or reclaimed rubber.

4. A new table designated Table A-VI is added to section 16, to read as follows:

TABLE A-VI—MAXIMUM RETAIL PRICES FOR NEW AIRCRAFT TIRES AND TUBES

Tire and tube size	Ply	Tire price	Tube price: Regular	Tube price: Puncture sealing	Tube price: Dual tube construction
Type I—Smooth contour					
24 inch	4	$27.00	$9.15	$13.15	------
24 inch	6	33.80	9.15	13.15	------
27 inch	6	39.00	8.25	17.00	23.15
27 inch	8	44.00	8.25	17.00	23.15
30 inch	6	58.40	10.45	20.15	30.00
30 inch	8	65.15	10.45	20.15	30.00
31 inch	6	48.00	9.25	19.00	------
31 inch	8	55.10	9.25	19.00	------
33 inch	6	70.00	14.00	29.85	42.70
33 inch	8	80.00	14.00	29.85	42.70
36 inch	8	101.25	14.60	31.10	48.00
36 inch	10	113.00	14.60	31.10	48.00
39 inch	8	104.10	15.05	33.15	------
39 inch	10	117.00	15.05	33.15	------
40 inch	8	90.80	15.85	32.60	------
44 inch	8	131.85	20.05	43.00	------
44 inch	10	157.00	20.05	43.00	------
45 inch	8	113.35	20.45	43.50	------
45 inch	10	127.00	20.45	43.50	------
47 inch	8	164.40	32.00	63.50	------
47 inch	10	170.00	32.00	63.50	------
47 inch	12	202.85	32.00	63.50	------
51 inch	10	197.05	38.05	80.55	------
56 inch	14	303.35	43.80	92.25	------
56 inch	16	342.05	43.80	92.25	------
8.00 inch	4	11.21	3.00	7.00	------
8.00 inch	6	17.00	3.00	7.00	------
10.00-10.00 inch	4	18.00	4.00	7.00	------
10.00-10.00 inch	6	19.10	4.00	7.00	------
12.00-13.25 inch	4	23.15	5.40	9.20	------
12.00-13.25 inch	6	23.00	5.40	9.20	------
14.00-15.00 inch	4	24.20	6.62	10.00	------
14.00-15.00 inch	6	31.04	6.62	10.00	------
17.00-18.00 inch	6	28.00	8.70	11.85	------
17.00-18.00 inch	8	43.05	8.70	11.85	------
19.00-20.00 inch	6	32.05	9.45	13.60	------
19.00-20.00 inch	8	42.00	9.45	13.60	------
21.00 inch	4	22.70	4.05	------	------
23.00 inch	6	42.15	7.25	15.25	31.25
23.00 inch	8	53.85	7.25	15.25	31.25
26.00 inch	6	54.05	7.05	16.75	33.35
26.00 inch	8	61.35	7.05	16.75	33.35
30.00 inch	8	70.70	9.05	20.25	------
30.00 inch	10	83.00	9.05	20.25	------
Type II—High pressure					
10 x 3	4	10.00	3.15	5.40	------
14 x 3	4	9.05	3.40	6.00	------
16 x 4	4	11.25	2.45	------	------
20 x 4	4	12.00	2.05	7.05	------
30 x 5	4	18.00	3.75	7.75	------
30 x 5	6	23.05	3.75	7.75	------
28 x 6	6	29.05	7.00	13.10	------
26 x 6	8	30.05	7.00	13.10	------
30 x 6	------	------	6.00	------	------
32 x 6	4	25.20	6.00	10.75	------
32 x 6	6	31.00	6.00	10.75	------
32 x 6	8	33.05	6.00	10.75	------
30 x 7	6	40.05	8.70	13.75	------
30 x 7	8	48.05	8.70	13.75	------
32 x 8	6	44.15	8.05	15.40	------
32 x 8	8	52.00	8.05	15.40	------
32 x 8	10	60.15	8.05	15.40	------
30 x 8	6	45.15	9.05	------	------
30 x 8	8	45.00	9.05	------	------
34 x 9	8	58.80	9.70	20.45	------
34 x 9	10	64.00	9.70	20.45	------
40 x 10	8	70.05	14.05	------	------
40 x 10	10	83.05	14.05	------	------
44 x 10	------	------	15.05	------	------
54 x 12	10	220.20	31.15	------	------
58 x 14	12	257.05	33.05	------	------
58 x 14	14	289.05	33.05	------	------
Type III—Low pressure					
5.00-4	4	15.50	5.42	9.05	------
5.00-4	6	18.45	5.42	9.05	------
7.00-4	2	10.70	6.00	12.45	------
7.00-4	4	18.05	6.00	12.45	------
8.00-4	2	14.70	5.05	9.10	------
8.00-4	4	18.60	5.05	9.10	------
7.00-5	4	18.70	6.80	12.80	------
8.00-5	4	24.25	6.61	13.15	------
8.00-5	6	30.25	6.61	13.15	------
6.00-6	2	14.70	5.45	9.15	------
6.00-6	4	18.60	5.45	9.15	------
7.00-6	4	20.10	6.61	10.25	------
8.00-6	4	23.60	7.05	------	------
9.00-6	6	49.05	7.05	10.05	------
Type III—Low pressure—continued					
10.00-7	10	$64.80	$8.05	------	------
6.50-8	4	21.05	5.25	------	------
7.50-8	4	22.05	6.60	------	------
6.50-10	4	23.00	7.87	$13.25	------
6.50-10	6	25.40	7.87	13.25	------
7.50-10	4	24.10	9.70	14.55	------
7.50-10	6	27.00	9.70	14.55	------
8.50-10	4	27.00	10.01	16.00	------
8.50-10	6	28.20	10.01	16.00	------
9.00-12	4	37.05	12.00	21.20	------
9.00-12	6	45.45	12.00	21.20	------
11.00-12	6	63.25	15.00	23.55	------
11.00-12	8	76.05	15.00	23.55	------
12.00-14	8	83.85	15.00	24.50	------
13.00-16	10	118.10	20.00	43.00	------
15.00-16	6	92.00	21.00	47.70	------
15.00-16	8	115.75	21.00	47.70	------
15.00-16	10	117.05	21.00	47.70	------
16.00-16	10	155.45	39.05	64.00	------
17.00-16	10	158.05	25.10	61.50	------
18.00-16	12	199.15	47.10	------	------
19.00-23	14	359.05	62.05	104.00	------
19.00-23	16	434.25	62.05	104.00	------
27.00 x 8.00-12.00	4	27.00	8.05	------	------
Type IV—Extra low pressure					
12 x 5-3	4	20.85	6.20	------	------
16 x 7-3	4	28.05	8.47	------	------
18 x 8-3	4	32.27	9.05	------	------
22 x 10-4	4	43.33	11.05	------	------
25 x 11-4	4	44.37	13.23	------	------
29 x 13-5	6	69.48	16.41	------	------
30 x 13-6	6	70.64	17.97	------	------
35 x 15-6	6	92.77	20.13	------	------
Type VI—Low profile					
19 x 6.50-10	6	23.00	8.40	------	------
22 x 7.25-11.50	6	30.00	9.25	------	------
33 x 11.00-16.50	10	106.00	32.45	------	------
Type VII—Miscellaneous					
10 x 3	4	10.00	1.63	------	------
6 x 2.00	------	1.00	------	------	------
3¼ x 2¼	------	3.80	------	------	------

5. Table B-VIII of section 17 is amended by substituting "$4.60" for "$1.60" where the latter price appears for the following sizes: 8.50-10, 15.00-16, 16.00-16, 17.00-16, 18.00-16, 20.00-18, 45 x 20-10, 19 x 6.80-10.

6. Section 20 (a) is amended to read as follows:

(a) *Maximum retail prices for commodities meeting minimum quality specifications.* The maximum retail prices for reliners, patches, and boots made from scrap material and meeting the minimum quality specifications of section 15 of this regulation are set forth in Tables E-I to E-III, inclusive, in this section. The maximum price for any size patch or boot is determined by computing the over-all dimensions of the patch or boot as expressed in square inches and using the ceiling price fixed for that group. The maximum retail prices for reliners, patches, and boots made from scrap materials but not listed in Tables E-I to E-III, inclusive, of this section, as well as the maximum retail prices for gum-covered patches made from fuel cells, double cushion tire patches made from scrap materials, and criss-cross patches (which are made from scrap material, cushion covered, and skived ply by ply to give the effect of a built-up patch), shall be the maximum price of which the retailer is notified by

his supplier. If he has not been notified of a maximum price by his supplier, he may not offer for sale any such commodity or service covered by this section until a maximum price or pricing method has been approved by the Office of Price Administration. Upon application by such retailer to the Office of Price Administration, Washington, D. C., setting forth (1) a description of the commodity and/or the service to be sold, and (2) the name and address of the supplier, the Office of Price Administration will notify such retailer of his maximum price.

7. Paragraph (b) of section 20 is amended to read as follows:

(b) *Maximum retail prices for commodities not meeting minimum quality specifications.* (1) The maximum retail price for reliners, patches, and boots made from scrap material and not meeting the minimum quality specifications of section 15 of this regulation, shall be:

(i) *Sales to industrial consumers.* The maximum price for sales to any person consuming scrap rubber in the production of reclaimed rubber or in the manufacture of any product or splitting scrap rubber tires into their component parts, shall be determined in accordance with the provisions of Revised Price Schedule 87.

(ii) *Sales to persons other than industrial consumers.* The maximum prices for sales to any person other than (i) above, shall be one cent per pound.

(2) Commodities which are covered by (1) above but can be used for any purpose other than as scrap or waste and are sold for such other use, are not covered by this paragraph, but shall be priced in accordance with the applicable regulation governing the sale of such commodities.

8. Table E-VI of section 20 is deleted.

This amendment shall become effective August 22, 1945.

Issued this 17th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15218; Filed, Aug. 17, 1945; 4:51 p. m.]

PART 1346—BUILDING MATERIALS

[MPR 272, Amdt. 5]

CAST-IRON BOILERS AND CAST-IRON RADIATION

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. 272 is amended in the following respects:

1. Section 1346.268 (a) (1) is amended to read as follows:

(1) *Functional discounts*—(i) *Cast-iron boilers.* The maximum prices for sales of cast-iron boilers by manufacturers shall be computed by applying the following discounts to the sheet prices set forth or referred to in paragraph (d) below:

Sales to jobbers or manufacturers	20% and 5%.
Sales to all others	Sheet prices.

There are some exceptions to these discounts with respect to certain manufacturers which are set forth in paragraph (e) (2) below.

(ii) *Cast-iron radiation.* The maximum prices for sales of cast-iron radiation by manufacturers shall be computed by applying the following discounts to the sheet prices set forth in Column I of paragraph (e) below:

Sales to jobbers or manufacturers	15% and 5%.
Sales to all others	Net prices set forth in Column II under paragraph (d).

(iii) *Manufacturers who maintain jobbing outlets.* Notwithstanding the provisions of (i) and (ii) above, the maximum prices for manufacturers who maintain jobbing outlets, as distinguished from manufacturers' warehouses, from which they sell to the trade and perform all the functions customarily performed by jobbers, shall be, on sales made from such jobbing outlets, governed by the provisions of paragraph (b) below, and shall not exceed the sheet prices for cast-iron boilers as set forth or referred to in paragraph (e) or the net prices for cast iron radiation as set forth in Column II under paragraph (d).

2. Section 1346.268 (b) (1) is amended to read as follows:

(1) *Listed items*—(i) *Cast-iron boilers.* The maximum prices for sales of cast-iron boilers by jobbers shall be the sheet prices set forth or referred to in paragraph (e) of this section: *Provided,* That the maximum prices for sales by jobbers of cast-iron boilers produced by Freed Heater and Manufacturing Company shall be the list prices plus 5%: *And Provided further,* That the maximum prices for sales by jobbers of cast-iron boilers produced by Pierce-Butler Radiator Corporation shall be the sheet prices of the particular boilers listed below less the discounts indicated:

Pierce Oil Burning Boilers—No. 01 Pierce Oil Burning Boilers—No. 02 Pierce Oil Fifty Boilers Pierce Popular Boiler-Burner Unit Pierce Popular Water Boiler Pierce Eastwood Oil Pierce Stoker Boilers—No. A25 Pierce Eastwood Pierce American	Successive discounts of 5% and 35%.
Pierce Gold Seal Pierce Pebco	Successive discounts of 5% and 32%.

(ii) *Cast-iron radiation.* The maximum prices for sales of cast-iron radiation by jobbers shall be the net prices set forth in Column II under paragraph (d).

3. Section 1346.268 (c) (1) is amended to read as follows:

(1) *Listed items*—(i) *Cast-iron boilers.* Without limiting or altering the foregoing, no person shall sell cast-iron boilers to any person at prices higher than the sheet prices set forth or referred to in paragraph (e) except on an installed basis.

(ii) *Cast-iron radiation.* Without limiting or altering the foregoing no person shall sell cast-iron radiation at prices higher than the net prices set forth in Column II under paragraph (d) except on an installed basis.

4. Section 1346.268 (d) is amended to read as follows:

(d) *Sheet prices and net prices for cast-iron radiation*—(1) *Direct cast-iron radiation*—(i) *Large tube.*

Number of tubes	Height in inches	Column I Manufacturers' sheet prices per sq. foot	Column II Resellers net prices per sq. foot
		Cents	*Cents*
3, 4, 5, or 6	36, 37, or 38	37½	37
3, 4, 5, or 6	30 or 32	38½	38
3, 4, 5, 6, or 7	26	40	39½
3, 4, 5, 6, or 7	22 or 23	42½	42
3, 4, 5, 6, or 7	20 or 21½	43½	43
3, 4, 5, 6, or 7	16½, 17, or 18½	44½	44
3, 4, 5, 6, or 7	13, 13½, 14, 15, or 15½	47½	47

(ii) *Small tube.*

Number of tubes	Height in inches	Column I Manufacturers' sheet prices per sq. foot	Column II Resellers net prices per sq. foot
		Cents	*Cents*
3, 5, or 6	32 or 33	39½	39
2, 3, 4, 5, or 6	25 or 26	41	40½
3, 4, 5, or 6	22 or 23	43½	43
3, 4, 5, or 6	19 or 20	44½	44
6	17	45½	45
5	17	46	45½
6	14	48½	48

(2) *Direct cast-iron wall radiation.*

Size in square feet	Type	Column I Manufacturers sheet prices per sq. foot	Column II Resellers net prices per sq. foot
		Cents	*Cents*
11	A	41	40½
11	B	40	39½
8	A	45½	45
8	B	44½	44
6	A	45½	45
Crane Co. Assembled Wall Radiation.	2 sq. ft. sections.	40	39½
	1½ sq. ft. sections.	44½	44
	3 sq. ft. 38"	46½	45
Columbia Assembled Wall Radiation.	2½ sq. ft. 32"	46½	46
	2 sq. ft. 26"	47½	47
	1½ sq. ft. 20"	48½	48

(3) *Direct cast-iron hospital radiation.*

Height in inches	Column I Manufacturers sheet prices per sq. foot	Column II Resellers net prices per sq. foot
	Cents	*Cents*
36, 37, or 38	43½	43
30 or 32	44½	44
26	46	45½
22	48½	48
20	49½	49

(4) *Other cast-iron radiation,*

Manufacturers	Style	Size of section in inches	Square feet per section	Column I Manufacturers ceiling prices per sq. foot	Column II Regulation cost prices per sq. foot
				Cents	*Cents*
American Radiator & Standard Sanitary Corp.	Sunrad	23 x 7½	8	49½	43
Do	Sunrad	20 x 5	2	43	43
Burnham Boiler Corp.	Radiant	23 x 7½	3 9/10	49½	43
Do	Radiant	20 x 5	2¾	49½	43
Columbia Radiator Co.	Comfort panel	20 x 7½	3	49½	43
Do	Comfort panel	20 x 5	2 15/100	49½	43
Richmond Radiator Co.	Richvar	20 x 7½	3	49½	43
Do	Richvar	20 x 5	2 15/100	49½	43
United States Radiator Corp.	Sunray #8		2 9/10	49½	43
Do	Sunray #5		1 9/10	49½	43

This Amendment No. 5 shall become effective August 22, 1945.

Issued this 17th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15216; Filed, Aug. 17, 1945; 4:48 p. m.]

PART 1346—BUILDING MATERIALS

[RPS 45, Amdt. 6]

ASPHALT AND TARRED ROOFING PRODUCTS

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

Section 1346.59 is amended to read as follows:

§ 1346.59 *Application for adjustment*—(a) *Government contracts.* Any person who has entered into or proposes to enter into a Government contract or subcontract thereunder, who believes that a maximum price under this schedule impedes or threatens to impede the production, manufacture or distribution of asphalt and tarred roofing products may file an application for adjustment of a maximum price established by this schedule in accordance with Procedural Regulation No. 6, as amended.

(b) *Other adjustments.* The Office of Price Administration, or any duly authorized representative thereof, may adjust maximum prices for asphalt or tarred roofing products established under this schedule as hereinafter provided.

(1) *Who may apply.* Any manufacturer of asphalt or tarred roofing products may file an application for adjustment of his maximum price in accordance with Revised Procedural Regulation No. 1, issued by the Office of Price Administration where his supply of asphalt or tarred roofing products could not be replaced if he discontinued production.

Before filing an application for adjustment under the provisions of this paragraph (b), each applicant shall obtain from the Office of Price Administration, Building Materials Price Branch, Washington 25, D. C., a statement of the specific information that will be necessary in order that the application may receive attention.

(2) *Extent of adjustment to be granted.* The adjustment will not be greater than the following:

(i) An amount sufficient to make the adjusted price equal to manufacturing cost plus packing cost, and shipping cost where delivered prices are quoted or freight is allowed or equalized, where the applicant's current over-all earnings on an annual basis represent an increase of 15 percent or more over his average annual over-all earnings for the base period years 1936–1939, inclusive, adjusted for changes in net worth.

(ii) An amount sufficient to make the adjusted price equal to total cost, where the applicant's current over-all earnings on an annual basis do not exceed by 15 percent, but are not appreciably less than his average over-all earnings during the base period years 1936–1939, inclusive, adjusted for changes in net worth. In no event, however, shall such adjustment exceed the amount permitted under (i) to the extent that such adjustment will result in current over-all earnings which exceed base period over-all earnings by 15 percent or more.

(iii) An amount sufficient to make the adjusted price equal to total cost plus a reasonable net profit on the article or line where the applicant's over-all earnings on an annual basis are appreciably less than his average over-all earnings during the base period years 1936–1939, inclusive, adjusted for changes in net worth. In no event, however, shall such adjustment exceed the amount permitted under (i) to the extent that such adjustment will result in current over-all earnings which exceed base period over-all earnings by 15 percent or more.

(iv) If the applicant produces the commodity in a line or a series of sizes, types or models, and if it is not practicable to determine the manufacturing cost or total cost, as the case may be, of each size, type or model, a uniform adjustment may be made for the entire line or series. However, any such adjustment for a line or series shall be subject to the limitations in subdivisions (i) to (iii), inclusive, above.

(d) *Meaning of terms used.* The term "manufacturing cost" means the total of direct materials, direct labor, and manufacturing expenses or factory overhead, applicable to the particular asphalt or tarred roofing products.

The term "total cost" means the total of manufacturing cost and reasonable general, administrative, and selling expenses applicable to the article, excluding income and excess profits taxes.

The term "over-all earnings" means net profits before income and excess profits taxes experienced on the company's entire operations.

Whenever the applicant is currently operating at a level substantially lower than his normal volume, the overhead items included in "manufacturing cost" and "total cost" will be adjusted to reasonable levels based upon a normal rate of operations.

In evaluating costs, the Office of Price Administration will determine whether they are based on a representative period of continuous normal production.

Depreciation included in cost shall be at normal rates which do not exceed those approved by the Bureau of Internal Revenue. Expenses not related to the manufacture and sale of the asphalt or tarred roofing product will be excluded.

In cases where the company was not in business during 1936–1939 and in extremely unusual cases where the period 1936–1939 cannot be considered a representative peacetime period, the Office of Price Administration may make an exception to the use of this base period.

(e) *Adjustment in resale price.* Any order granting an adjustment in the manufacturer's price may also adjust the maximum price of any person who resells the asphalt or tarred roofing product in the same form, to the extent deemed necessary in the judgment of the Price Administrator or his duly authorized representative. To the extent that such an adjustment may be made, this Section supersedes the appropriate provisions of the General Maximum Price Regulation.

This Amendment No. 6 shall become effective August 22, 1945.

Issued this 17th day of August 1945.

CHESTER BOWLES,
Administrator.

For the reasons set forth in the accompanying statement of considerations and by virtue of the authority vested in me by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, I find that the issuance of this Amendment to Revised Price Schedule No. 45, as amended, is necessary to aid in the effective prosecution of the war.

WILLIAM H. DAVIS,
Economic Stabilization Director.

[F. R. Doc. 45-15210; Filed, Aug. 17, 1945; 4:49 p. m.]

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

[MPR 182,[1] Amdt. 12]

KRAFT WRAPPING PAPERS AND CERTAIN BAG PAPERS AND CERTAIN BAGS

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.

[1] 7 F.R. 5712, 6048, 7974, 8337, 9724, 10311; 8 F.R. 4232, 4120, 7186, 10761, 13109; 9 F.R. 893, 14233.

Maximum Price Regulation 182 is amended in the following respects:

1. Section 1347.301 (a) is amended by adding a new subparagraph (2) to read as follows:

(2) *Manufacturers' f. o. b. mill sales to the Armed Forces.* On carload contract sales to the Armed Forces (Army, Navy, Marine Corps and Coast Guard) manufacturers' maximum prices for Kraft wrapping papers and Kraft bag papers listed in this paragraph (a) shall be made f. o. b. mill with no freight allowed. Maximum prices on such sales, for delivery in all zones, shall be determined by deducting 50¢ per cwt. from the maximum base prices listed in paragraph (a).

2. Section 1347.315 (b) is amended by adding a new subparagraph (2) to read as follows:

(2) *Manufacturers' f. o. b. mill sales to the Armed Forces.* On carload contract sales to the Armed Forces (Army, Navy, Marine Corps and Coast Guard) manufacturers' maximum prices for standard grocers and variety bags listed in this paragraph (b) shall be made f. o. b. mill with no freight allowed. Maximum prices on such sales, for delivery in all zones, shall be determined by deducting one extra 5% in addition to the basic discounts specified in paragraph (b).

This amendment shall become effective August 22, 1945.

Issued this 17th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15217; Filed, Aug. 17, 1945; 4:49 p. m.]

PART 1382—HARDWOOD LUMBER

[RMPR 97, Incl. Amdts. 1-19]

SOUTHERN HARDWOOD LUMBER

This compilation of Revised Maximum Price Regulation 97 includes Amendment 19, effective August 22, 1945. The text added or amended by Amendment 19 is underscored. The section added is indicated by note.

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

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of said act. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.[2]

Such specifications and standards as are used in this regulation were, prior to such use, in general use in the trade or industry affected.

[Preamble amended by Supplementary Order 61, 8 F.R. 12552, effective 9-11-43]

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 as amended, and Executive Order No. 9250, Revised Maximum Price Regulation No. 97—Southern Hardwood Lumber, is hereby issued.

Sec.	
1382.101	Sales of Southern hardwood lumber at higher than maximum prices prohibited.
1382.102	To what transactions, products, and persons this regulation applies.
1382.103	How to figure delivered prices; and mixed car charges.
1382.104	What the invoice must contain.
1382.105	Prohibited practices.
1382.106	Grades, specifications and extras not specifically priced.
1382.107	Petitions for adjustment and amendment.
1382.108	Records and reports.
1382.109	Enforcement and licensing.
1382.110	Relation to other regulations.
1382.111	Effective date.
1382.112	Appendix A: Maximum prices for Southern hardwood lumber in standard or near-standard grades.
1382.113	Appendix B: Maximum prices for hardwood lumber sold by "small mills".
1382.114	Appendix C: Description of Southern hardwood area.
1382.115	Appendix D: Maximum prices for yellow cypress in standard or near standard grades.

AUTHORITY: §§ 1382.101 to 1382.115, inclusive, issued under 56 Stat. 23, 765; 57 Stat. 566, Pub. Law 333, 78th Cong.; Pub. Law 108, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681.

§ 1382.101 *Sales of Southern hardwood lumber at higher than maximum prices prohibited.* (a) On and after January 7, 1943, regardless of any contract or other obligation, no person shall sell or deliver, and no person shall buy or receive in the course of trade or business, any southern hardwood lumber for direct-mill shipment at prices higher than the maximum prices fixed by this regulation, and no person shall agree, offer or attempt to do any of these things. The maximum f. o. b. mill prices are set forth in Appendices A, B and D.

[Paragraph (a) amended by Am. 19, effective 8-22-45]

(b) [Revoked]

[§ 1382.101 amended by Am. 5, 8 F.R. 8860, effective 7-2-43 and Am. 8, 8 F.R. 11690, effective 8-21-43. Original paragraph (b) revoked and former (c) redesignated (b) by Am. 9, 8 F.R. 13278, effective 10-11-43; and amended by Am. 16, 10 F.R. 1739, effective 2-9-45; revoked by Am. 18, 10 F.R. 4658, effective 5-1-45]

§ 1382.102 *To what transactions, products, and persons this regulation applies*—(a) *What transactions are covered*—(1) *Direct-mill shipments.* This ceiling applies to all shipments originating at a mill, no matter who the seller is, and no matter whether he usually is known as a mill, wholesaler, retailer or anything else. It does not apply to sales out of distribution yard stock. A shipment is regarded as originating at a mill if the lumber reaches the purchaser without ever becoming an integral part of the stock of a distribution yard. A sale is considered a sale out of distribution yard stock only if the lumber was a part of regular yard stock at the time the sale was made.

(2) *How to tell a mill from a distribution yard*—(i) *General tests.* The term "mill", as used here, covers what are known in the trade as sawmills, planing mills and concentration yards. Three types of establishments are described below: the first, (*a*), a typical sawmill or planing mill; the second, (*b*), a typical concentration yard; and the third, (*c*), a typical distribution yard. An establishment which resembles a typical sawmill or planing mill or a typical concentration yard more than it does a typical distribution yard is considered a mill; and one which resembles a typical distribution yard more than it does a typical sawmill or planing mill or a typical concentration yard is considered a distribution yard.

(*a*) A "typical sawmill or planing mill" is an establishment which is chiefly engaged in manufacturing lumber from logs or rough lumber by sawing or planing; which is located in or near a lumber producing area; which makes and sells chiefly Southern hardwood or softwood lumber.

(*b*) A "typical concentration yard" is an establishment which concentrates and prepares lumber for commercial shipment; which keeps in stock mostly Southern hardwood lumber; which has its lumber brought in chiefly in rough green form by truck from small local sawmills and sells chiefly for rail shipment; and which has been located at its particular site to be near the lumber producing area.

(*c*) A "typical distribution yard" is a wholesale or retail lumber yard which gets lumber from mills or other yards; unloads, sorts, stores, and resells or redistributes it; which regularly maintains a varied stock of lumber from different regions; which gets its lumber mostly by rail and sells mostly for truck shipment; which is equipped to make quick deliveries of many different items of lumber; and which has been located at its particular site in order to be near a lumber consuming area.

(ii) *New yards.* In order to prevent violation of this regulation by unnecessarily routing through yards, the Office of Price Administration will not recognize distribution yards set up after January 1, 1943, unless the new yard writes to the Office of Price Administration, Washington, D. C., and proves that it satisfies the requirements of the definition and that the purpose is not to get around this regulation by means of unnecessary yard business. Until approval

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[1] 9 F.R. 5223.

[2] Statements of considerations are also issued simultaneously with amendments. Copies may be obtained from the Office of Price Administration.

is received, the new yard cannot consider itself a distribution yard for the purpose of this regulation.

(iii) *Retail type sales excepted.* A "retail type" direct-mill sale is not subject to this regulation. A "retail type" direct-mill sale means a sale of not more than 2,000 feet of lumber in which the purchaser requests delivery to a point not more than 20 miles from the mill at which the shipment originates. It includes only sales of lumber to contractors or consumers for use in construction, remodeling, repair, maintenance, fabrication, or remanufacture, and it does not include sales for resale in substantially the same form.

(b) *What products are covered.* (1) This regulation covers all Southern hardwood lumber, including yellow cypress as provided in subparagraph (2) immediately following this subparagraph, whether the grades, sizes and specifications are specifically named in the price tables in Appendices A, B and D or not. All grade terms have the meaning given in "Rules for the Measurement and Inspection of Hardwood Lumber" issued by the National Hardwood Lumber Association, effective January 1, 1943.

(2) (i). This regulation covers all lumber produced from the following botanical species, and processed into lumber at mills located in the Southern hardwood region: Sap sweet gum and red sweet gum (Liquidambar styraciflua), tupelo (Nyssa aquatica), black gum (Nyssa sylvatica), tough ash (Fraxinus americana), yellow popular (Liriodendron tulipifera), beech (Fagus americana), sycamore (Platanus occidentalis), soft maple (Acer rubrum); and the botanical species included in the genera of red oak and white oak (Quercus), magnolia (Magnolia), elm (Ulmus), cottonwood (Populus), willow (Salix), hackberry (Celtis), hickory (Hicoria), basswood (Tilia), ash (Fraxinus), and all other hardwood species.

(ii) This regulation also covers under the designations of "yellow cypress lumber" or "yellow cypress" all items of cypress lumber of any species of cypress other than tidewater red cypress (tidewater red cypress is subject to Maximum Price Regulation 412) produced anywhere in the United States of America except as provided in subdivision (iii) below, whether or not the item is specifically priced in the price tables. Except where otherwise indicated, the term "yellow cypress lumber" or "yellow cypress" is included within the meaning of the terms "Southern hardwood lumber" or "hardwood lumber" as used in this regulation.

(iii) Yellow cypress lumber sold ungraded by duly authorized small mills as defined and provided for in § 1382.113 of this regulation, and which are located in the Southern hardwood lumber region, shall be sold subject to the provisions of said § 1382.113.

If the hardwood lumber regulation applicable to a region other than the Southern hardwood lumber region contains a classification of small mills which are permitted to sell hardwood lumber ungraded, such small mills located in that region shall sell "ungraded" yellow cypress lumber subject to the provisions of such hardwood lumber regulation applicable to that region.

Yellow cypress lumber sold on National Hardwood Lumber Association inspection or on authorized buyer's inspection by small mills duly authorized either by this regulation or any other hardwood lumber regulation to sell hardwood lumber in this manner, shall be sold subject to the provisions of § 1382.113 of this regulation. Such small mills in the Southern hardwood region desiring to sell hardwood lumber on National Hardwood Lumber Association inspection or on authorized buyer's inspection must be authorized to do so under the provisions of this regulation. Small mills in any other hardwood lumber region shall be permitted to sell yellow cypress lumber on authorized buyer's inspection only if they are duly authorized to sell hardwood lumber on authorized buyer's inspection under the provisions of the hardwood lumber regulation applicable to that region.

[Subparagraphs (1) and (2) amended by Am. 19, effective 8-22-45]

(3) The Southern hardwood area is described by exact boundary lines in Appendix C.

(4) *Items not covered by this regulation.* Specifically but not exclusively this regulation does not cover glued stock, risers, step treads, thresholds, hand rails, flooring, switch ties, cross ties, mine ties, mine material, navy oak ship stock (see Maximum Price Regulation 281),[3] and small dimension stock.

Mouldings and lath, when produced from any hardwood lumber other than yellow cypress are, likewise, not covered by this regulation. Mouldings and lath produced from yellow cypress are specifically priced in Section 1382.115 of this regulation.

[Subparagraph (4) amended by Am. 19, effective 8-22-45]

[Paragraph (b) amended by Am. 5, 8 F.R. 8860, effective 7-2-43]

(c) *What persons are covered.* Any person who makes the kind of sale or purchase covered by this regulation is subject to it. The term "person" includes: an individual, corporation, partnership, association, or any other organized group; their legal successors or representatives; the United States, or any government, or any of its political subdivisions; or any agency of any of the foregoing.

[3] 7 F.R. 10290, 8 F.R. 2107, 8678, 17415.

§ 1382.103 *How to figure delivered prices; and mixed car charges*—(a) *Transportation addition.* The transportation charges set forth below may be added to the maximum f. o. b. mill prices set forth in Appendices A and D, and § 1382.113 (b) of Appendix B.

[Above paragraph amended by Am. 19, effective 8-22-45]

(1) *Common or contract carrier.* When shipment is by common or contract carrier, the following rules govern:

(i) When estimated weights are used, the rate times the estimated weight is the proper transportation charge.

For Southern hardwood lumber, other than yellow cypress, estimated weights may be used only if they have been filed with the Office of Price Administration, Washington, D. C. The weights must be the weights used by the seller during the period October 1 to October 15, 1941. The estimated weight must be the weight for the exact kind of lumber actually shipped; for example, green weights may not be used if dry lumber is shipped. The transportation charge may be evened out to the nearest quarter dollar per thousand feet board measure.

For yellow cypress, the estimated weights in the table in § 1382.115 (b) shall be used.

[Subparagraph (1) amended by Am. 19, effective 8-22-45]

(ii) When estimated weights are not used, the amount added for transportation must not be more than the amount actually paid to the common or contract carrier, evened out to the nearest quarter-dollar per M.

(2) *Private truck.* When shipment is by truck owned or controlled by the seller, the amount added for transportation may not be more than the actual cost to the seller of delivery by truck; and, no matter what the actual cost is, the amount added may not be more than the railroad charge at the carload rate for the most similar haul. However, if this railroad charge is less than $1.50, and if the actual cost of delivery is more than $1.50, a transportation charge of $1.50 may be made.

(3) *Trucking to railhead.* When a truck haul precedes rail shipment, as when a mill located away from a railhead hauls lumber by truck to the railhead, no addition may be made for the truck haul. However, in the following two cases a mill may apply for special permission to make an addition:

[Subparagraph (3) amended by Am. 11, 8 F.R. 17375, effective 1-4-44]

(i) Where the mill was located away from rail connections because it specialized in water-borne lumber, and where shortage of shipping has forced it to operate by rail;

[Subparagraph (ii) revoked and former (iii) redesignated (ii) by Am. 9, 8 F.R. 13723, effective 10-11-43]

(ii) Where a mill's rail connection has been abandoned since September 5, 1941.

The application should be made by letter to the Lumber Branch of the Office of Price Administration, Washington, D. C. The addition may not be made on quotations or sales until permission has been received.

(4) *Truck delivery after rail haul.* When truck delivery follows a rail haul, the actual cost of truck delivery may be added.

(5) *All-truck haul.* When an all-truck haul ends in delivery to the job site, no special addition may be made above the charges provided in subparagraphs (1) and (2) of this paragraph, since in this case delivery to the job site involves no extra expense.

(b) *Mixed cars.* The following additions per M may be made where the purchaser (or purchasers, in the case of a pool car) orders an item consisting of one species, thickness and grade, in the following quantities:

Quantity ordered:	*Addition per M*
3,000 to 4,000 ft	$1.00
2,000 to 2,999 ft	2.00
1,000 to 1,999 ft	2.50
999 ft. and less	3.00

§ 1382.104 *What the invoice must contain*—(a) *General.* Because of the large number of possible additions to the basic f. o. b. mill prices, it is necessary that some of them be separately shown on the invoice. Otherwise the purchaser and the Office of Price Administration could not tell in many cases whether a price which appeared to be above the ceiling was proper or not.

Failure to invoice properly is just as much a violation of this regulation as charging an excessive price.

(b) *Basic price.* All invoices must contain a sufficiently complete description of the lumber to show whether the price is proper or not. Any working, specification, quantity, or extra which affects the maximum price must be mentioned in the description. The amount added for these does not have to be separately shown, except in a few special cases which are specifically mentioned later.

(c) *Transportation charges.* In delivered sales, the invoice must contain the:

(1) Point of origin of shipment,

(2) Destination,

(3) Rail or truck rate (or, if shipment is by private truck, the amount added for transportation),

(4) The words "Direct-Mill Shipment."

(d) *Delivery, and custom kiln-drying and milling charges.* Any separate charge which the seller is permitted to make for the following must be separately shown on the invoice;

(1) Truck delivery after rail haul;

(2) Custom kiln-drying or milling: the invoice of the custom kiln or milling establishment must be attached to the lumber invoice of the seller.

[Paragraph (d) amended by Am. 4, 8 F.R. 5479, effective 4-29-43]

§ 1382.105 *Prohibited practices*—(a) *General.* Any practice which is a device to get the effect of a higher-than-ceiling price without actually raising the price is as much a violation of this regulation as an outright over-ceiling price. This applies to devices making use of commissions, services, transportation arrangements, premiums, special privileges, tying-in agreements, trade understandings and the like.

(b) *Specific practices.* The following are among the specific practices prohibited:

(1) Getting the effect of a higher price by changing credit practices from what they were in October 1941. This includes decreasing credit periods, or making greater charges for extension of credit. In any case, on sales made through the Office of the Chief of Engineers, War Department, terms of 30 days net may be used. In all cases, if the sale is on cash terms, the maximum price must be reduced by the same amount as the sale price would have been reduced for similar cash terms on October 1, 1941. For example, if the maximum price without cash discount is $40.00, and if in sales of this item on October 1, 1941 to purchasers of a certain class, the seller reduced sales prices 2 per cent for cash within 10 days, the ceiling cash price in sales to purchasers of this class is $39.20.

(2) Refusing, without good reason, to ship except in small quantities, or in specified or restricted random lengths, or under other circumstances which bring the seller an extra return.

(3) Refusing, without good reason, to ship lumber in standard grades and in grade-rule range widths and lengths.

(4) Grading as a special grade lumber which normally is graded by the seller as a standard grade; or wrongly grading or invoicing lumber in any other way.

(5) Refusing to sell on an f. o. b. mill basis, and insisting on selling on a delivered basis.

(6) Unnecessarily routing lumber through a distribution yard.

(7) Quoting a gross price above the maximum price, even if accompanied by a discount, the effect of which is to bring the net price below the maximum.

(8) Selling graded hardwood lumber at an average price.

(9) Selling hardwood lumber priced on an ungraded basis, or priced on grade solely on the basis of buyer's inspection as delivered, except as provided in § 1382.113.

[Subparagraphs (8) and (9) added by Am. 14, 10 F.R. 595, effective 1-18-45]

(10) Making any of the additions contained in the footnotes to the tables in § 1382.115 to the prices of the various items set forth in the tables unless the purchaser's order expressly requires the working, grade, condition, size or length for which the additions are permitted.

[Subparagraph (10) added by Am. 19, effective 8-22-45]

(c) *Waiver of moisture content.* Under this regulation lumber is either green, partially dry, or dry. If it does not actually meet this regulation's moisture-content requirements for dry lumber, it cannot be sold at the dry price, even if the moisture requirement is waived.

(d) *Purchasing Commissions.* It is unlawful for any person to charge, receive or pay a commission for the service of procuring (including buying, selling, or locating lumber, or for any related service such as "expediting") which does not involve actual physical handling of lumber, if the commission plus the purchase price results in a total payment by the buyer of lumber which is higher than the maximum price of the lumber. For purposes of this regulation, a commission is any compensation, however designated, which is paid for the procurement of lumber. This prohibition has no application to the case of a bona fide employer-employee relationship where the employee serves only one employer, insofar as lumber procurement is concerned, and where the compensation paid by the employer is a fixed salary and is not based directly or indirectly on the quantity, price or value of the lumber in connection with which the service is rendered.

[Paragraph (d) amended by Supplementary Order 37, 8 F.R. 2192, effective 2-23-43; and Supplementary Order 77, 8 F.R. 14310, effective 10-26-43]

(e) *Combination grades.* Graded hardwood lumber sold on combination (special inspection) grades for which no maximum prices have been established in this regulation, such as No. 1 Common and Better, Log Run (full run of the logs, excluding all grades below No. 2 Common), and Mill Run (full run of the logs, No. 3 Common and Better) may not be sold at above the maximum price for the lowest grade included in the combination grade. For example, the maximum price for Log Run (No. 2 Common and Better) is that established for No. 2 Common for the species sold.

Of course, the different grades included can be quoted and invoiced separately on the individual footage and price for those grades.

[Paragraph (e) amended by Am. 14, 10 F.R. 595, effective 1-18-45]

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

The authorization will be given by order, except that it may be given by letter or telegram when the contemplated revision will be the granting of an individual application for adjustment.

[Paragraph (f) amended by Supplementary Order 50, 8 F.R. 10568, effective 7-27-43 and Am. 1 thereto, 8 F.R. 14310, effective 10-20-43]

§ 1382.106 *Grades, specifications and extras not specifically priced.* (a) Southern hardwood lumber, sold on special grades or specifications or with special services or other extras not specifically mentioned in Appendices A, B and D are nevertheless subject to this regulation. The maximum price is a price which bears the October 1941 relation to the most comparable standard item. The chaser or prospective purchaser to the most comparable standard item. The seller should find his price difference between the special item and this most comparable standard item in October 1941 or the first month before that in which he had sales of both items, or if this is impossible, the price differential he would have used. This difference is then added to or subtracted from the maximum price of the comparable standard grade, and the result is the maximum price for the special grade. This price must be reported to the Office of Price Administration, Washington, D. C., on OPA Form 197:3, given in paragraph (c) below. It may be ordered reduced, if it is found excessive. But if the price is not disapproved within 30 days of the receipt of the report, it is approved. Applications for approval of maximum prices for special grades and items under this section will be considered only when accompanied by (1) a true copy of the order or of customer's inquiry on the basis of which the application has been submitted; and (2) a statement certified to be true by the purchaser or prospective purchaser to the effect that none of the grades specifically priced in the regulation will serve the purpose for which the stock is intended to be used, which purpose is to be stated; that it has been his custom to purchase lumber on such special specifications. Approval of the price will be conditional on a finding that the purpose for which the special grade item is to be used is classified by the WPB as essential to the war effort. Prices, when approved, for such special grades or items will be based on the price differential previously established between the particular special item requirement and the related grade rule specification.

[Paragraph (a) amended by Am. 5, 8 F.R. 8860, effective 7-2-43; Am. 9, 8 F.R. 13728, effective 10-11-43 and Am. 19, effective 8-22-45]

(b) A seller using this pricing section can go ahead with delivery of the lumber and collection of the price he has computed or requested. But he must tell the buyer that the price is subject to revision within the thirty-day period, and, if the price is ordered reduced, must refund any excess over the final approved price.

(c) OPA Form 197:3 is as follows:

OFFICE OF PRICE ADMINISTRATION

LUMBER BRANCH

Hardwood Section

Report of Sales of Southern Hardwood Lumber in Special Items or Special Grades (other than Combination Grades), or Prepared with Special Workings, Treatments or Services.

Company_____

Address_____

Mill location_____

Sales of special stocks of lumber

(As defined in § 1382.106 of Revised Maximum Price Regulation No. 97)

This report must be filed with the Lumber Branch of the Office of Price Administration, Washington, D. C., within 30 days of the date on which the producing mill enters into a contract for the sale of Southern hardwood lumber in a special item or special grade (other than a combination grade) or prepared with a special working, treatment, or service.

Date of order_____

Origin of shipment_____

Order No._____

Destination of shipment_____

Purchaser_____

(Name and address)

F. o. b. Mill Price_____

(Including discounts or commissions, if any)

_____ _____ _____ _____

(Species) (Thickness) (Widths) (Lengths)

_____

(Designation of grade, item, working, treatment or service)

Differential in relation to most comparable standard grade or item which was employed or would have been employed during October 1-15, 1941_____

_____

Most comparable standard grade or item to which differential is applied_____

_____

Complete description of special grade, item, working, treatment, or service (including a statement whether the lumber is rough or machined and is air dried, kiln dried, or green)_____

_____

_____

Detailed explanation of how maximum price was computed or built up_____

_____

_____ _____

(Name) (Office or title)

(d) [Revoked]

[Paragraph (d) revoked by Am. 18, 10 F.R. 4658, effective 5-1-45]

§ 1382.107 *Petitions for adjustment and amendment*—(a) *Government contracts.* See Procedural Regulation No. 6[4] for adjustment provisions on certain government contracts or subcontracts.

[Paragraph (a) amended by Supplementary Order 83, 9 F.R. 973, effective 2-1-44]

(b) *Petitions for amendment.* Any person seeking an amendment of any provision of this Revised Maximum Price Regulation 97 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.[5]

[Paragraph (b) amended by Supplementary Order 26, 8 F.R. 6948, effective 11-4-43]

(c) In treating with petitions for amendment or adjustment, consideration will not be given to log and bolt costs which are higher than the applicable maximum purchase prices for logs and bolts established in Revised Maximum Price Regulation 161[6]—West Coast Logs, or Maximum Price Regulation 313[7]—Prime Grade Hardwood Logs and 348[8]—Logs and Bolts, or any revision or amendment of these regulations. This rule shall be followed regardless of whether the petitioner gets logs and bolts by purchasing them, logging his own standing timber, contracting for the logging of his own timber, or any other means. All petitions in any way based on the cost of logs or bolts must show the actual cost to the petitioner of logs and bolts received at his plant during the three months immediately prior to filing the petition, and the cost which would have been incurred by the petitioner if all of these logs and bolts had been purchased by him at ceiling prices. To figure these ceiling prices the petitioner should refer to the regulation which fixes the maximum prices for purchases and sales of the kinds of logs and bolts received at his plant.

[Paragraph (c) added by Supplementary Order 47, 8 F.R. 5303, effective 5-8-43]

§ 1382.108 *Records and reports*—(a) *Records.* All sellers of Southern hardwood lumber must keep records which will show a complete description of the item of lumber sold, the name and address of the buyer, the date of the sale and the price. Buyers must keep similar records, including the name and address of the seller. These records must be kept for any month in which the seller or buyer sold or bought $500.00 worth or more of Southern hardwood lumber. They must be kept for two years, for inspection by the Office of Price Administration. Any records which the Office of Price Administration later requires must also be kept.

(b) *Reports.* Any reports that the Office of Price Administration requires must be submitted.

§ 1382.109 *Enforcement and licensing.* (a) Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages, and proceedings for revocation of licenses provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this regulation or of any other regulation or order issued by the Office of Price Administration are urged to communicate with the nearest field, state, or regional office of the Office of Price Administration or its principal office in Washington, D. C.

(c) War procurement agencies and their contracting or paying finance officers are not subject to any liability, civil or criminal, imposed by this regulation. "War procurement agencies" include the War Department, the Navy Department, the United States Maritime Commission and the Lend-Lease Section in the Procurement Division of the Treasury Department, or any of their agencies.

(d) *Licensing.* The provisions of Licensing Order No. 1[9] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

[Paragraph (d) amended by Supplementary Order 72, 8 F.R. 13244, effective 10-1-43]

[4] 9 F.R. 10628; 10 F.R. 1382.

[5] 9 F.R. 10476, 13715.

[6] 9 F.R. 9608, 10644, 13846, 14029; 10 F.R. 924, 2973.

[7] 9 F.R. 16836; 10 F.R. 622, 8362.

[8] 9 F.R. 5232.

[9] 8 F.R. 13240.

§ 1382.110 *Relation to other regulations*—(a) *General Maximum Price Regulation.*[10] Any sale or delivery covered by Revised Maximum Price Regulation 97 is not subject to the General Maximum Price Regulation.

(b) *Revised Maximum Export Price Regulation.*[11] The maximum price for export sales of Southern hardwood lumber is governed by the Revised Maximum Export Price Regulation.

§ 1382.111 *Effective date.* (a) This regulation (§§ 1382.101 to 1382.113, inclusive) shall become effective January 7, 1943

(b) If lumber has been received before January 7, 1943, by a carrier, other than one owned or controlled by the seller, for shipment to a buyer, that shipment is not subject to this regulation. It remains subject to the terms of any regulation, whether the General Maximum Price Regulation or earlier version of this regulation, which covered it at the time the lumber was turned over to the carrier.

[RMPR 97 originally issued January 1, 1943]

[Effective dates of amendments are shown in notes following the parts affected]

§ 1382.112 *Appendix A: Maximum prices for Southern hardwood lumber, except yellow cypress, in standard or near-standard grades*—(a) *Application of Appendix A.* Appendix A applies to all Southern hardwood lumber of the species and grades named, when sold on grade-rule-range widths and lengths, or widths and lengths substantially the same as grade-rule-range widths and lengths, or on specified average widths or specified average lengths which are substantially run-of-the-log.

NOTE: None of the provisions of this Appendix A applies to yellow cypress. Maximum prices for yellow cypress are contained in § 1382.115, Appendix D.

[Section heading amended and above note added by Am. 19, effective 8-22-45]

(b) *Basic maximum prices.* The maximum f. o. b. mill price for 1,000 feet of Southern hardwood lumber in a rough air-dried condition shall be as follows:

(1) TOUGH ASH

Thickness (inch)	FAS	No. 1 Common and Selects or No. 1 Common	No. 2 Common	No. 3 Common
1	$83.50	$50.50	$36.00	$22.50
1¼	89.00	56.00	37.00	23.50
1½	97.00	67.00	38.00	23.50
2	105.50	78.00	39.00	24.50
2½	122.00	83.50	40.00	----------
3	133.00	94.50	42.00	----------

[Subparagraph (1) amended by Am. 18, 10 F.R. 4658, effective 5-1-45]

(i) *Tough ash specialty establishments.* Where tough ash lumber is shipped to the purchaser out of the stocks of a tough ash specialty establishment, rather than directly from the mill which produced the lumber from the log, the following additions may be made to the prices set out above:

(*a*) FAS	$15 per 1,000 ft.
No. 1 Common and Selects or No. 1 Common	$10 per 1,000 ft.
No. 2 Common	$5 per 1,000 ft.

(*b*) STANDARD SPECIAL WIDTHS AND LENGTHS—TOUGH ASH [SEE NOTES UNDER THIS TABLE FOR CONDITIONS UNDER WHICH THESE ADDITIONS ARE PERMITTED]

Width and/or length	Grade	Maximum additions to Maximum prices established in § 1382.112 for tough ash lumber in corresponding standard grades and same thicknesses
10' and longer	No. 1 Common and Better	$5.00
12' and longer	No. 1 Common and Better	10.00
14' and 16' or all one length 10' to 14'	No. 1 Common and Better	15.00
A combination of 2 lengths in the range 8' to 16' except the combination of 14' and 16'.	No. 1 Common and Better	10.00
A combination of 3 lengths in the range 8' to 16' except the combination of 12', 14' and 16'.	No. 1 Common and Better	5.00
All 8'	No. 1 Common and Better	10.00
All 16'	No. 1 Common and Better	20.00
5" or 6" and wider; standard lengths	No. 1 Common and Selects or No. 1 Common; No. 2 Common; No. 3 Common.	2.00
7" and wider, standard lengths	No. 1 Common and Better	10.00
8" and wider, standard lengths	No. 1 Common and Better	15.00
9" and wider, standard lengths	No. 1 Common and Better	20.00
10" and wider, standard lengths	No. 1 Common and Better	25.00
11" and wider, standard lengths	No. 1 Common and Better	30.00
12" and wider, standard lengths	No. 1 Common and Better	35.00
13" and wider, standard lengths	No. 1 Common and Better	40.00
14" and wider, standard lengths	No. 1 Common and Better	45.00

The additions provided for in this subdivision (*b*) shall be permitted only on the following conditions:

1. The purchaser's original inquiry or order covering the lumber desired must specifically state the "special" widths and/or lengths required. This original inquiry or order must be made a part of the seller's order file covering the particular transaction. This order file must also contain whatever correspondence passed between the purchaser and the seller in the particular transaction, together with a copy of the order as finally entered. In other words, this order file must show that the purchaser has not accepted lumber of specifications other than originally desired and that the seller is not in violation of any of the provisions of § 1382.105—Prohibited Practices—of this regulation.

2. A shipment of any "special" item, the price for which includes any addition provided for in this subdivision, must contain no other stock of the same species, grade, and thickness, and each special item must be invoiced at only one price. According to the National Hardwood Lumber Association Rules for the Measurement and Inspection of Hardwood Lumber, all width and length specifications are inclusive.

(See examples under notes following tables in § 1382.112 (i) (1) and (2))

Additions and adjustments. The provisions of paragraphs (d), (e), (f), (g) and (h) of this section relating to deduction for green, addition for kiln drying, mill working, miscellaneous additions, and custom kiln-drying and milling are applicable to the price schedules set forth in this subdivision (*b*).

Effect on special prices. The maximum prices mentioned in this subdivision (*b*) supersede the maximum prices for like material previously authorized for individual sellers under the special pricing provisions of this regulation.

[Subparagraph (1) amended by Am. 18, 10 F.R. 4658, effective 5-1-45]

(ii) A tough ash specialty establishment is an operation:

(*a*) Which does not manufacture any species of Southern hardwood lumber from the log;

(*b*) Which maintains a yard that receives more than 50,000 feet of tough ash lumber each month;

(*c*) Which usually obtains tough ash lumber without specifying to the supplier thicknesses, widths or lengths;

(*d*) Which is usually in a position to furnish tough ash lumber in a wide range of grades and specifications (thicknesses, widths, and lengths) and maintains an inventory during each month of more than 50,000 feet of tough ash lumber; and

(*e*) Which has been certified by the Office of Price Administration as a "tough ash specialty establishment" by publication of its name in the FEDERAL REGISTER. Certification may be revoked on failure to maintain the above qualifications. Moreover, certification may be revoked if the tough ash specialty establishment, either directly or by connivance with an affiliated corporation or business, attempts to induce suppliers of tough ash lumber to sell to him by arranging reciprocal shipments of other kinds of lumber to the tough ash lumber supplier, or by the sale of other kinds of lumber from any source to the tough ash lumber supplier at other than customary terms of payment.

Failure of a tough ash specialty establishment, which is affiliated with any sawmill operation, to preserve a complete segregation of its business activities from the affiliated sawmill company will also be considered grounds for revocation.

(iii) The following establishments have qualified as tough ash specialty establishments:

Bankston Lumber and Export Company, Savannah, Georgia.

Dudley Hardwood Company, New Orleans, Louisiana.

Thompson-Katz Lumber Company, Memphis, Tennessee.

Lamson Lumber Company, Inc., New Orleans, Louisiana.

Dixie Lumber Company, Charleston, South Carolina.

Maurice W. Grundy, 8201 Fig Street, New Orleans, Louisiana.

[10] 9 F.R. 1385, 5169, 6106, 8150, 10193, 11274.

[11] Second Revision: 8 F.R. 4132, 5987, 7662, 9998, 15193; 9 F.R. 1036, 5435, 5923, 7201, 9834, 11273, 12919, 14346; 10 F.R. 863, 923, 2432.

Southern Lumber Company, 200 Block, Octavia Street, New Orleans, Louisiana.

Southern Lumber Company, Donaldsonville, Louisiana.

[Subparagraphs (ii) and (iii) amended by Am. 13, 9 F.R. 5223, effective 5-20-44]

[Subparagraph (i) amended by Am. 2, 8 F.R. 3530, effective 3-26-43; Am. 3, 8 F.R. 5177, effective 4-24-43; Am. 9, 8 F.R. 13728, effective 10-11-43 and as otherwise noted]

(2) ASH (OTHER THAN TOUGH ASH)

Thickness (inch)	FAS	No. 1 Common and Selects or No. 1 Common	No. 2 Common	No. 3 Common
1	$57.00	$43.00	$35.00	$23.50
1¼	59.50	45.00	36.00	24.50
1½	59.50	45.00	37.00	24.50
2	61.50	47.50	37.00	26.00
2½	62.50	48.50	37.00	-------
3	66.00	51.50	38.00	-------

(3) BASSWOOD

1	$71.50	$49.50	$38.00	$23.50

(4) BEECH

Thickness (inch)	FAS	No. 1 Common and Selects or No. 1 Common	No. 2 Common	No. 3A Common	Box grade	No. 3B Common
½	$43.00	$35.00	$27.00	-------	-------	-------
⅝	48.50	39.50	30.00	-------	-------	-------
¾	54.00	44.00	33.00	-------	-------	-------
1	61.50	50.50	37.00	$31.00	$23.00	$21.50
1¼	64.00	53.00	38.00	32.00	27.00	22.50
1½	66.00	55.00	39.00	33.00	28.00	22.50
2	70.50	58.50	41.00	34.00	29.00	23.50

(5) COTTONWOOD

Thickness (inch)	FAS	No. 1 Common and Selects or No. 1 Common	No. 2 Common	No. 3 Common
½	$38.50	$34.00	$28.00	-------
⅝	43.00	38.50	31.00	-------
¾	47.50	42.00	34.00	-------
1	55.00	48.50	38.00	$23.50
1¼	57.00	49.50	40.00	24.50
1½	57.00	49.50	40.00	24.50
2	57.00	49.50	40.00	26.00
1 (13" and wider)	61.50	-------	-------	-------

(6) ELM

½	$37.50	$29.50	$26.00	-------
⅝	42.00	34.00	29.00	-------
¾	47.50	37.50	31.00	-------
1	54.00	43.00	35.00	$23.50
1¼	56.00	45.00	36.00	24.50
1½	56.00	45.00	37.00	24.50
2	58.50	47.50	37.00	26.00
2½	59.50	48.50	37.00	-------
3	62.50	51.50	38.00	-------

(7) BLACK GUM—QUARTERED

1	$65.00	$54.00	$37.00	$23.50
1¼	67.00	56.00	38.00	24.50
1½	69.50	58.50	38.00	24.50
2	75.00	64.00	40.00	26.00
2½	83.50	67.00	45.50	-------
3	89.00	72.50	48.50	-------

(8) BLACK GUM—PLAIN

Thickness (inch)	FAS	No. 1 Common and Selects or No. 1 Common	No. 2 Common	No. 3 Common
⅝	$50.00	$37.50	$23.00	-------
¾	51.00	40.50	23.00	-------
1	61.00	50.50	33.00	$23.50
1¼	64.00	53.00	37.00	24.50
1½	67.00	56.00	37.00	24.50
2	72.00	61.50	40.00	26.00

(9) RED GUM—QUARTERED

1	$112.00	$62.00	$41.00	$23.50
1¼	110.00	72.50	42.00	24.50
1½	110.00	76.00	42.00	24.50
2	120.00	78.00	43.50	26.00
2½	122.00	83.50	-------	-------
3	127.00	82.00	-------	-------

(10) RED GUM—PLAIN

⅝	$78.00	$48.00	$30.00	-------
¾	89.00	53.00	35.00	-------
1	103.00	78.50	41.00	$23.50
1¼	111.00	79.50	41.00	24.50
1½	111.00	79.50	41.00	24.50
2	113.00	72.50	43.50	26.00

(11) SAP GUM—QUARTERED

1	$72.50	$57.00	$37.00	$23.50
1¼	78.00	65.00	38.00	24.50
1½	80.50	66.00	38.00	24.50
2	83.50	67.00	42.00	26.00
2½	89.00	73.50	45.50	-------
3	92.50	78.00	50.50	-------

(12) SAP GUM—PLAIN

⅝	$53.00	$43.00	$23.00	-------
¾	57.00	45.00	30.00	-------
1	63.00	53.00	35.00	$23.50
1¼	72.50	58.50	38.00	24.50
1½	76.00	61.50	38.00	24.50
2	81.50	64.00	38.00	26.00
1 (13" and wider)	75.00	-------	-------	-------
1¼ (13" and wider)	80.50	-------	-------	-------

(13) HACKBERRY

Thickness (inch)	Log Run	FAS	No. 1 Common and Selects or No. 1 Common	No. 2 Common	No. 3 Common
⅝	$32.00	-------	-------	-------	-------
¾	38.50	-------	-------	-------	-------
1	44.00	$54.00	$43.00	$33.00	$23.50
1¼	45.00	56.00	45.00	33.00	24.50
1½	46.00	56.00	45.00	37.00	24.50
2	47.00	58.50	47.50	37.00	26.00
2½	-------	59.50	48.50	37.00	-------
3	-------	62.50	51.50	38.00	-------

(14) HICKORY

Thickness (inch)	Log Run	FAS	No. 1 Common	No. 2 Common	No. 3 Common
1	$44.00	$68.00	$47.50	$31.00	$22.50
1¼	48.00	70.00	49.50	32.00	23.50
1½	49.00	73.50	54.00	49.00	23.50
2	52.50	70.00	55.00	49.00	24.50

(15) MAGNOLIA

Thickness (inch)	FAS	No. 1 Common and Selects or No. 1 Common	No. 2 Common	No. 3 Common
1	$82.50	$58.50	$43.50	$23.50
1¼	87.00	61.50	45.50	24.50
1½	87.00	61.50	45.50	24.50
2	90.50	62.50	49.50	26.00
2½	95.50	63.00	47.50	-------
3	101.00	73.50	48.50	-------

(16) SOFT MAPLE—WHITE

Thickness (inch)	FAS	No. 1 Common and Selects or No. 1 Common	No. 2 Common	No. 3 Common
½	$50.00	$43.00	$27.00	-------
¾	57.00	48.50	30.00	-------
¾	64.00	54.00	33.00	-------
1	73.00	62.50	37.00	$23.50
1¼	76.00	65.00	39.00	24.50
1½	79.00	68.00	39.00	24.50
2	82.50	71.50	42.00	26.00
2½	84.50	73.50	42.00	-------
3	90.00	79.00	43.50	-------

(17) SOFT MAPLE—WHITE

½	$42.00	$34.00	$27.00	-------
¾	47.00	38.00	30.00	-------
¾	53.00	43.00	33.00	-------
1	60.00	49.00	37.00	$23.50
1¼	64.00	53.00	39.00	24.50
1½	66.00	55.00	39.00	24.50
2	70.50	59.50	42.00	26.00
2½	76.00	65.00	42.00	-------
3	82.00	71.00	43.50	-------

(18) RED OAK—QUARTERED

Thickness (inch)	FAS	No. 1 Common and Selects or No. 1 Common	No. 2 Common	Sound Wormy	No. 3A Common	No. 3B Common
½	$53.00	$33.00	$23.00	$23.50	$22.50	$19.50
¾	60.50	42.00	31.00	27.00	25.00	18.50
¾	67.00	49.00	34.00	29.00	28.00	19.50
1	73.00	53.00	39.00	33.00	32.00	21.50
1¼	80.00	58.50	41.00	33.00	32.00	21.50
1½	84.50	62.50	42.00	41.00	32.00	21.50
2	103.50	63.00	43.50	45.50	32.00	21.50

[Subparagraphs (2) through (18) amended by Am. 18, 10 F.R. 4658 effective 5-1-45; corrected, 10 F.R. 6247, effective 6-2-45]

(19) RED OAK—PLAIN

Thickness (inch)	FAS	No. 1 Common and Selects or No. 1 Common	No. 2 Common	Sound Wormy	No. 3 A Common	No. 3 B Common
½	$49.00	$33.00	$23.00	$23.50	$22.50	$19.50
¾	56.00	39.50	31.00	27.00	25.00	18.50
¾	62.50	44.00	34.00	29.00	28.00	19.50
1	70.00	51.00	39.00	33.00	32.00	21.50
1¼	85.00	57.50	41.00	33.00	32.00	21.50
1½	89.50	59.50	42.00	41.00	32.00	21.50
2	94.50	59.50	43.50	45.50	32.00	21.50
2½	105.00	66.00	-------	-------	-------	-------
3	121.00	76.00	-------	-------	-------	-------
4	155.00	89.00	-------	-------	-------	-------

[Subparagraph (19) amended by Am. 16 10 F.R. 1739, effective 2-9-45]

(20) WHITE OAK—QUARTERED

½	$75.00	$43.00	$23.00	$23.50	$22.50	$19.50
¾	84.00	51.00	32.00	27.00	25.00	18.50
¾	95.50	58.50	33.00	29.00	28.00	19.50
1	110.00	72.00	40.00	33.00	32.00	21.50
1¼	122.00	72.50	42.00	33.00	32.00	21.50
1½	127.50	73.00	43.50	41.00	32.00	21.50
2	144.00	89.00	45.50	45.50	32.00	21.50
2½	175.00	100.00	-------	-------	-------	-------
3	171.00	111.00	-------	-------	-------	-------

[Subparagraph (20) amended by Am. 18, 10 F.R. 4658, effective 5-1-45]

(21) WHITE OAK—PLAIN

Thickness (inch)	FAS	No. 1 Common and Selects or No. 1 Common	No. 2 Common	Sound Wormy	No. 3 A Common	No. 3 B Common
½	$60.50	$36.50	$28.00	$23.50	$22.50	$16.50
⅝	68.00	42.00	31.00	27.00	26.00	18.50
¾	77.00	46.00	34.00	29.00	28.00	19.50
1	92.50	56.00	39.00	33.00	32.00	21.50
1¼	107.00	60.00	41.00	39.00	32.00	21.50
1½	117.00	62.00	42.00	41.00	32.00	21.50
2	127.50	64.00	43.50	45.50	32.00	21.50
2½	136.00	73.00	-------	-------	-------	-------
3	151.00	88.00	-------	-------	-------	-------
4	166.00	103.00	-------	-------	-------	-------

[Subparagraph (21) amended by Am. 16, 10 F.R.1739, effective 2-9-45]

(22) SWEET PECAN

Thickness (inch)	FAS	No. 1 Common	No. 2 Common	No. 3 Common
1	$67.00	$46.00	$30.00	$22.50
1¼	69.50	48.50	31.00	23.50
1½	72.50	53.00	39.00	23.50
2	78.00	54.00	39.00	24.50

(23) YELLOW POPLAR—QUARTERED

Thickness (inch)	FAS	Saps and Selects	No. 1 Common and Selects or No. 1 Common	No. 2A Common	No. 2B Common	No. 3 Common
1	$84.50	$70.50	$57.00	$42.00	$36.00	$23.50
1¼	90.00	77.00	60.50	45.50	37.00	24.50
1½	95.50	79.00	64.00	46.50	37.00	24.50
2	106.50	82.50	68.00	48.50	40.00	26.00

(24) YELLOW POPLAR—PLAIN

⅝	$62.50	$57.00	$40.50	$28.00	$24.50	-------
¾	70.50	60.50	45.00	35.00	26.00	-------
1	79.00	65.00	54.00	42.00	36.00	$23.50
1¼	84.50	70.50	57.00	45.50	37.00	24.50
1½	90.00	73.50	60.50	46.50	37.00	24.50
2	101.00	77.00	65.00	48.50	40.00	26.00

(25) SYCAMORE—QUARTERED

Thickness (inch)	FAS	No. 1 Common and Selects or No. 1 Common	No. 2 Common	No. 3 Common
⅝	$59.50	$48.50	$37.00	-------
¾	59.50	48.50	37.00	-------
1	65.00	54.00	42.00	$23.50
1¼	67.00	56.00	42.00	24.50
1½	68.00	57.00	42.00	24.50
2	73.50	60.50	42.00	26.00

(26) SYCAMORE—PLAIN

⅝	$53.00	$42.00	$30.00	-------
¾	53.00	42.00	30.00	-------
1	58.50	47.50	33.00	$23.50
1¼	60.50	49.50	35.00	24.50
1½	62.50	51.50	35.00	24.50
2	67.00	55.00	35.00	26.00

(27) TUPELO—QUARTERED

1	$65.00	$54.00	$37.00	$23.50
1¼	67.00	56.00	38.00	24.50
1½	69.50	58.50	38.00	24.50
2	75.00	64.00	40.00	26.00
2½	83.50	67.00	45.50	-------
3	89.00	72.50	48.50	-------

(28) TUPELO—PLAIN

⅝	$50.50	$39.50	$26.00	-------
¾	51.50	40.50	28.00	-------
1	61.50	50.50	35.00	$23.50
1¼	64.00	53.00	37.00	24.50
1½	67.00	56.00	37.00	24.50
2	72.50	61.50	40.00	26.00

(29) WILLOW

1	$67.00	$51.50	$37.00	$23.50
1¼	69.50	54.00	38.00	24.50
1½	73.50	57.00	38.00	24.50
2	76.00	57.00	38.00	26.00

(30) BOX BOARDS

Species	Thickness (inch)	Width (inches) 13-17	Width (inches) 9-12
Sap gum	1	$75.00	$68.00
Cottonwood	1	68.00	59.50

(31) STRIPS

Species	Manufacture	Thickness (inch)	Width (inches)	Grade: Clear	Grade: No. 1 Common
White oak	Quartered	1	2 to 5½	$75.00	$50.50
Red oak	Quartered	1	2 to 5½	56.00	44.00

[Subparagraph (22) through (31) amended by Am. 18, 10 F.R. 4658, effective 5-1-45]

(32) CONSTRUCTION BOARDS

No. 1 Construction Boards (Rough, random widths)	$34.00
No. 2 Construction Boards (Rough, random widths)	28.00
No. 3 Construction Boards (Rough, random widths)	17.00

NOTE: For construction boards machined to dressed widths as set out in NHLA Rules for the Measurement and Inspection of Hardwood Lumber issued January 1, 1943, $1.00 per M'BM may be added in addition to the appropriate allowance for machining as established in this regulation. This addition, however, may be made only when the purchaser specifies, and the seller furnishes, stock meeting this requirement.

In connection with each shipment of No. 1 Construction Boards, the invoice must be accompanied by an inspection certificate issued by the NHLA, certifying that the shipment meets the grade of No. 1 Construction Boards. Unless this is done, the maximum price for No. 2 Construction Boards shall be applicable to the shipment.

[Paragraphs deleted by Am. 6, 8 F.R. 10762, effective 8-7-43]

(33) FIGURED WOOD

Species	Manufacture	Thickness (inch)	Grade: FAS	Grade: No. 1 Common and Selects or No. 1 Common
Red gum	Quartered	1	$122.00	$65.00
Red gum	Plain	1	111.00	59.50

(34) PANEL AND WIDE NO. 1

Species	Width (inches)	Price
Sap gum	18 and wider	$78.00
Cottonwood	18 and wider	87.00

[Subparagraphs (33) and (34) amended by Am. 18, 10 F.R. 4658, effective 5-1-45]

[Subparagraphs (1) through (34) amended by Am. 9, 8 F.R. 13728, effective 10-11-43]

(35) WHITE OAK OR RED OAK—STRUCTURAL STOCK OR SOUND SQUARE EDGE

Size (inches)	Lengths (feet) 10 to 16	18	20	22	24	26	28
2 x 6	$43	$46	$50	$54	$59	$65	$73
2 x 8	43	46	50	54	59	65	73
2 x 10	45	48	52	56	61	67	75
2 x 12	49	52	56	60	65	71	79
2 x 14	53	56	60	64	69	75	83
2 x 16	58	61	65	69	74	80	88
3 x 6	43	46	50	54	59	65	73
3 x 8	43	46	50	54	59	65	73
3 x 10	45	48	52	56	61	67	75
3 x 12	49	52	56	60	65	71	79
3 x 14	53	56	60	64	69	75	83
3 x 16	58	61	65	69	74	80	88
4 x 6	43	46	50	54	59	65	73
4 x 8	43	46	50	54	59	65	73
4 x 10	45	48	52	56	61	67	75
4 x 12	49	52	56	60	65	71	79
4 x 14	53	56	60	64	69	75	83
4 x 16	58	61	65	69	74	80	88
6 x 6	43	46	50	54	59	65	73
6 x 8	45	48	52	56	61	67	75
6 x 10	47	50	54	58	63	69	77
6 x 12	49	52	56	60	65	71	79
6 x 14	53	56	60	64	69	75	83
6 x 16	58	61	65	69	74	80	88
8 x 8	45	48	52	56	61	67	75
8 x 10	47	50	54	58	63	69	77
8 x 12	49	52	56	60	65	71	79
8 x 14	53	56	60	64	69	75	83
8 x 16	58	61	65	69	74	80	88
10 x 10	47	50	54	58	63	69	77
10 x 12	49	52	56	60	65	71	79
10 x 14	53	56	60	64	69	75	83
10 x 16	58	61	65	69	74	80	88
10 x 18	63	66	70	74	79	85	93
12 x 12	50	53	57	61	66	72	80
12 x 14	55	58	62	66	71	77	85
12 x 16	60	63	67	71	76	82	90
12 x 18	66	69	73	77	82	88	96
12 x 20	72	75	79	83	88	94	102
14 x 14	56	59	63	67	72	78	86
14 x 16	62	65	69	73	78	84	92
14 x 18	68	71	75	79	84	90	98
14 x 20	75	78	82	86	91	97	105
14 x 22	83	86	90	94	99	105	113
14 x 24	92	95	99	103	108	114	122
14 x 26	102	105	109	113	118	121	133
14 x 28	113	116	120	124	129	135	142
16 x 16	69	72	76	80	85	91	99
16 x 18	76	79	83	87	92	98	106
16 x 20	84	87	91	95	100	106	114
16 x 22	92	95	99	103	108	114	122
16 x 24	101	104	108	112	117	123	131
16 x 26	111	114	118	122	127	133	141
16 x 28	122	125	129	133	138	144	152
18 x 18	83	86	90	94	99	105	113
18 x 20	91	94	98	102	107	113	121
18 x 22	100	103	107	111	116	122	130
18 x 24	110	113	117	121	126	132	140
18 x 26	121	124	128	132	137	143	151
18 x 28	133	136	140	144	149	155	163

Notes on White Oak or Red Oak—Structural Stock or Sound Square Edge

Random widths; in 2", 3" and 4" thicknesses—$43.00.

Free of heart; in 2", 3" and 4" thicknesses—add $6.00 to maximum price for same thickness, width and length in above schedule.

Prices for specific sizes not in schedule: The maximum price for material of a length not included in this schedule shall be determined by adding to the maximum price for the next shorter length the proportionate amount of the difference between the maximum price of such next shorter length and the maximum price of the next longer length.

In the case of any item 2" or thicker and wider than 6" for which the thickness or the width is not included in the schedule, the maximum price shall be the maximum price for the material of the next greater thickness or width.

The maximum prices set forth above supersede the maximum prices for like material authorized for individual sellers under the special pricing provisions of this regulation.

[Above note amended by Am. 18, 10 F.R. 4658, effective 5-1-45 and Am. 19, effective 8-22-45]

Deduction for mixed hardwoods. For Mixed Hardwoods—Structural Stock or Sound Square Edge, deduct $4.00 from the maximum price for White Oak or Red Oak—Structural Stock or Sound Square Edge in the same size in above schedule.

[Above paragraph added by Am. 11, 8 F.R. 17375, effective 1-4-44]

(36) WHITE OAK OR RED OAK—FREIGHT CAR STOCK, COMMON DIMENSION, MINE CAR LUMBER

Size (inches)	Lengths (feet)						
	10 to 16	18	20	22	24	26	28
2 x 6	$50	$55	$61	$67	$74	$83	$95
2 x 8	50	55	61	67	74	83	95
2 x 10	53	57	63	69	77	86	98
2 x 12	58	63	69	76	82	91	103
2 x 14	64	68	74	80	88	97	109
2 x 16	70	75	81	87	95	104	116
3 x 6	50	55	61	67	74	83	95
3 x 8	50	55	61	67	74	83	95
3 x 10	53	57	63	69	77	86	98
3 x 12	58	63	69	76	82	91	103
3 x 14	64	68	74	80	88	97	109
3 x 16	70	75	81	87	95	104	116
4 x 6	48	55	60	65	71	78	88
4 x 8	48	55	60	65	71	78	88
4 x 10	50	58	62	67	73	80	90
4 x 12	55	62	67	72	78	85	95
4 x 14	59	67	72	77	83	90	100
4 x 16	65	73	78	83	89	96	106
6 x 6	48	55	60	65	71	78	88
6 x 8	50	58	62	67	73	80	90
6 x 10	53	60	65	70	76	83	92
6 x 12	55	62	67	72	78	85	95
6 x 14	59	67	72	77	83	90	100
6 x 16	65	73	78	83	89	96	106
8 x 8	50	58	62	67	73	80	90
8 x 10	53	60	65	70	76	83	92
8 x 12	55	62	67	72	78	85	95
8 x 14	59	67	72	77	83	90	100
8 x 16	65	73	78	83	89	96	106
10 x 10	53	60	65	70	76	83	92
10 x 12	55	62	67	72	78	85	95
10 x 14	59	67	72	77	83	90	100
10 x 16	65	73	78	83	89	96	106
10 x 18	71	79	84	89	95	102	112
12 x 12	58	64	69	73	79	86	96
12 x 14	62	70	74	79	85	92	102
12 x 16	67	76	80	85	91	98	108
12 x 18	74	83	88	92	98	106	116
12 x 20	81	90	95	100	106	113	122
14 x 14	63	71	76	80	86	94	103
14 x 16	69	78	83	88	94	101	110
14 x 18	76	85	90	95	101	109	118

(36) WHITE OAK OR RED OAK, ETC.—Continued

Size (inches)	Lengths (feet)						
	10 to 16	18	20	22	24	26	28
14 x 20	$84	$94	$98	$103	$109	$116	$126
14 x 22	93	103	108	113	119	126	136
14 x 24	103	114	119	124	130	137	146
14 x 26	114	126	131	136	142	149	158
14 x 28	127	139	144	149	155	162	172
16 x 16	77	86	91	96	102	109	119
16 x 18	85	95	100	104	110	118	127
16 x 20	94	104	109	114	120	127	137
16 x 22	103	114	119	124	131	137	146
16 x 24	120	125	130	134	140	148	157
16 x 26	124	137	142	146	152	160	169
16 x 28	137	150	155	160	166	173	182
18 x 18	93	103	108	113	119	126	136
18 x 20	102	113	118	122	128	136	145
18 x 22	112	124	128	133	139	146	156
18 x 24	123	136	140	145	151	158	168
18 x 26	136	149	154	158	164	172	181
18 x 28	149	163	168	173	179	186	196

Notes on White Oak or Red Oak—Freight Car Stock, Common Dimension, Mine Car Lumber.

Random widths; in 2" and 3" thicknesses—$50.00.

Free of heart; in 2" and 3" thicknesses—add $8.00 to maximum price for same thickness, width and length in above schedule.

Prices for specific sizes not in schedule. The maximum price for material of a length not included in this schedule shall be determined by adding to the maximum price for the next shorter length the proportionate amount of the difference between the maximum price of such next shorter length and the maximum price of the next longer length.

In the case of any item 2" or thicker and wider than 6", for which the thickness or the width is not included in the schedule, the maximum price shall be the maximum price for the material of the next greater thickness or width.

The maximum prices set forth above supersede the maximum prices for like material authorized for individual sellers under the special pricing provisions of this regulation.

[Above note amended by Am. 18, 10 F.R. 4658, effective 5-1-45 and Am. 19, effective 8-22-45]

Deduction for mixed hardwoods. For Mixed Hardwoods—Freight Car Stock, Common Dimension, Mine Car Lumber, deduct $4.00 from the maximum price for White Oak or Red Oak—Freight Car Stock, Common Dimension, Mine Car Lumber, in the same size in above schedule.

[Above paragraph added by Am. 11, 8 F.R. 17375, effective 1-4-44]

[Subparagraphs (35) and (36) added by Am. 5, 8 F.R. 8860, effective 7-2-43]

(37) MIXED HARDWOODS No. 1 DIMENSION, NOT INCLUDING YELLOW CYPRESS

Thickness and width (inches)	Lengths (feet)										
	4	6	8	9	10	12	14	16	18	20	22 and 24
2 x 2	$27.50	$27.50	$34.50	$35.50	$34.50	$34.50	$35.50	$39.50	$38.00	$39.00	$44.50
2 x 3	29.50	29.50	33.50	34.50	33.50	33.50	34.50	35.50	37.00	38.00	43.50
2 x 4	25.50	25.50	32.50	33.50	32.50	32.50	33.50	34.50	36.00	37.00	42.50
2 x 5	29.00	29.00	36.00	38.50	37.50	37.50	37.50	38.50	42.00	44.00	48.50
2 x 6	25.50	25.50	32.50	33.50	32.50	32.50	33.50	34.00	36.00	37.00	42.50
2 x 8	25.50	25.50	32.50	33.50	32.50	32.50	33.50	34.00	36.00	37.00	42.50
2 x 10	29.00	29.00	36.00	38.50	37.50	37.50	37.50	38.50	42.00	44.00	48.50
2 x 12	31.00	31.00	38.00	40.50	39.50	39.50	39.50	40.50	44.00	46.00	50.50

(38) MIXED HARDWOODS NO. 2 DIMENSION, NOT INCLUDING YELLOW CYPRESS

Thickness and width (inches)	Lengths (feet)										
	4	6	8	9	10	12	14	16	18	20	22 and 24
2 x 2	$25.50	$25.50	$31.50	$32.50	$31.50	$31.50	$32.50	$33.50	$35.00	$36.00	$41.50
2 x 3	24.50	24.50	30.50	31.50	30.50	30.50	31.50	32.50	34.00	35.00	40.50
2 x 4	23.50	23.50	29.50	30.50	29.50	29.50	30.50	31.50	33.00	34.00	39.50
2 x 5	24.00	24.00	30.00	34.00	33.00	32.00	32.00	32.00	35.50	37.50	43.00
2 x 6	22.50	22.50	28.50	29.50	28.50	28.50	29.50	30.00	32.00	33.00	38.50
2 x 8	22.50	22.50	28.50	29.50	28.50	28.50	29.50	30.00	32.00	33.00	38.50
2 x 10	24.00	24.00	30.00	34.00	33.00	32.00	32.00	32.00	35.50	37.50	43.00
2 x 12	26.00	26.00	32.00	34.00	33.00	33.00	33.00	34.00	37.50	38.50	44.00

[Subparagraphs (37) and (38) added by Am. 10, F.R. 15430, effective 11-15-43. Titles amended by Am. 19, effective 8-22-45]

[Original subparagraph (39) added by Am. 10 and deleted by Am. 12, 9 F.R. 1454, effective 2-8-44]

(39) Special Truck Body Grade (see note 1)—Plain Red Oak

Thickness (inch)	FAS	FAS one face (see note 2)	No. 1 Common and Selects or No. 1 Common (see paragraph (a) under note 1)	No. 1 Common and Selects or No. 1 Common—6" and wider—8' and longer (see paragraph (b) under note 1)
1¼	$89.00	$79.00	$61.50	$64.50
1½	93.50	83.50	63.50	66.50

(40) Special Truck Body Grade (see note 1)—Plain White Oak.

Thickness (inch)	FAS	FAS one face (see note 2)	No. 1 Common and Selects or No. 1 Common (see paragraph (a) under note 1)	No. 1 Common and Selects or No. 1 Common 6" and wider—8' and longer (see paragraph (b) under note 1)
1¼	$111	$101	$64	$67
1½	121	111	66	69

NOTE: These notes apply to Tables 39 and 40.

NOTE 1: *Special truck body grade* is a grade which meets all requirements of the designated grade (FAS, FAS One Face, or No. 1 Common and Selects or No. 1 Common) as defined in the effective Rules for the Measurement and Inspection of Hardwood Lumber issued by the National Hardwood Lumber Association, and, in addition, meets the following specifications:

(a) Average width 8" or wider; 45% or more 14/16' lengths. All lumber must have been air-dried on sticks at least 90 days and the seller shall so certify to this fact on the invoice, or

(b) 6" and wider, 8' and longer; average width 8" or wider; 45% or more 14/16' lengths. All lumber must have been air-dried on sticks at least 90 days and the seller shall so certify to this fact on the invoice.

These prices are applicable only to shipments on military orders for the Detroit Ordnance District truck body and Navy landing craft programs which must be accompanied by a Memorandum of Bid issued by the Central Procuring Agency, Procurement Division of the United States Corps of Engineers on E. D. Form 526.

NOTE 2: "FAS one face" means a trade practice grade of Southern hardwood lumber which grades Firsts or Seconds on the better side of the piece and not below No. 1 Common on the poorer side of the piece, in accordance with the effective standard grading rules issued by the National Hardwood Lumber Association for the particular species.

[Subparagraphs (39) and (40) added by Am. 16, 10 F.R. 1739, effective 2-9-45]

(c) *Maximum prices for dunnage* (1) The maximum rail-delivered price for 1,000 feet of dunnage lumber shall be as follows:

Delivered at:	*Maximum delivered price*
Baltimore, Md	$33.00
Beaumont, Tex	22.50
Boston, Mass	37.00
Charleston, S. C	23.50
Corpus Christi, Tex	23.50
Galveston, Tex	23.50
Gulfport, Miss	22.50
Houston, Tex	23.50
Jacksonville, Fla	23.50
Lake Charles, La	22.50
Mobile, Ala	22.50
Morgan City, La	22.50
Newark, N. J	35.00
New Orleans, La	22.50
New York, N. Y	35.00
Pensacola, Fla	23.50
Philadelphia, Pa	34.00
Port Arthur, Tex	23.50
Portsmouth, Va	27.00
Savannah, Ga	23.50
Tampa, Fla	26.00

[Subparagraph (1) amended by Am. 18, 10 F.R. 4658, effective 5-1-45]

(2) The maximum price for dunnage delivered at the above ports by water shall be the rail-delivered price as above set forth less the difference between the rail transportation charge from the point of shipment to the particular port, computed by multiplying the applicable rail rate by the weight of the lumber based on 3500 pounds per M'BM, and the actual water transportation charge from the point of shipment to the particular port.

(3) The term "dunnage" as used above means lumber of any hardwood species of standard widths and lengths, but poorer in quality than the lowest standard grade in the particular species. However, the prices appearing in the table above in paragraph (c) do not cover yellow cypress dunnage. The prices for yellow cypress dunnage are established in § 1382.115, Appendix D.

[Subparagraph (3) amended by Am. 19, effective 8-22-45]

(d) *Deduction for green.* For lumber shipped in a "green" condition, deduct from the maximum prices for air-dried lumber established in this Appendix "A", 10 percent of the maximum price for rough, air-dried material in the same specifications.

This deduction shall not apply to special sawn timbers, Tough Ash lumber, or to lumber customarily used without air seasoning, but it shall apply to any lumber which requires further air seasoning by the purchaser before being placed in the kiln for kiln-drying, or before fabrication if not kiln-dried.

The mere fact that the lumber is not used immediately, but is stored on the purchaser's yard, does not necessarily mean that green lumber has been shipped, but in case of dispute any lumber which weighs 25% or more in excess of the air-dried weight as published in the Rules for the Measurement and Inspection of Hardwood Lumber, issued by the National Hardwood Lumber Association, January 1, 1943, or for weights filed with the Office of Price Administration by the individual shippers, shall be considered to be "green".

Any purchaser who accepts "green" lumber at prices applicable to "dry" lumber is guilty of violation of the regulation to the same extent as the seller.

[Paragraphs (c) and (d) amended by Am. 5, 8 F.R. 8860, effective 7-2-43 and Am. 9, 8 F.R. 13728, effective 10-11-43]

(e) *Additions for kiln drying.* (1) To a moisture content not exceeding 9 percent at the time the lumber leaves the kiln.

	Thickness (inch)							
	½ & 5/8	¾	4/4	5/4	6/4	8/4	10/4	12/4
Cottonwood, Elm, Hackberry, Yellow Poplar, Magnolia, Maple, Sycamore, Willow, Basswood	$4.00	$4.50	$5.00	$6.00	$6.50	$7.00	$9.00	$11.00
Ash, Beech, Black Gum, Tupelo, Plain and Quartered Sap Gum	4.50	5.00	6.00	7.00	8.00	9.00	11.00	13.00
Hickory, Plain Oak, Red Gum, Sweet Pecan	5.00	5.50	6.50	8.00	9.50	12.00	15.00	20.00
Quartered Oak	5.00	6.00	7.50	9.00	11.00	15.00	20.00	25.00

(2) To a moisture content between 9 and 20 percent at the time the lumber leaves the kiln.

	Thickness (inch)							
	½ & 5/8	¾	4/4	5/4	6/4	8/4	10/4	12/4
Cottonwood, Elm, Hackberry, Yellow Poplar, Magnolia, Maple, Sycamore, Willow, Basswood	$2.50	$3.00	$3.50	$4.00	$4.50	$5.00	$6.00	$7.50
Ash, Beech, Black Gum, Plain and Quartered Sap Gum	3.50	3.50	4.00	5.00	5.50	6.00	7.50	9.00
Hickory, Plain Oak, Red Gum, Sweet Pecan	3.00	4.00	4.50	5.50	6.50	8.00	10.00	13.50
Quartered Oak	3.50	4.00	5.00	6.00	7.50	10.00	13.50	16.50

(3) If, at the request of the purchaser, the seller inspects, grades, and measures after kiln-drying, a further addition of 5 percent of the f. o. b. mill price of the lumber in a rough air-dried condition may be made.

(4) [Revoked]

[Subparagraph (4) revoked by Am. 4, 8 F.R. 5479, effective 4-29-43]

(f) Mill working additions. (See note below.)

	Less than 1", 1" and 1¼" thick	1½" thick	Thicker than 1½", to 3" thick
Resawing 1 line	$3.00	$2.50	-------
Resawing 2 lines	5.50	4.50	-------
Surfacing 1 or 2 sides	2.50	2.25	$2.25
Surfacing 2 sides and resawing	5.00	4.25	-------
Resawing and surfacing 1 or 2 sides	5.50	4.75	-------
Surfacing 3 or 4 sides or 1 side and 1 edge	4.00	3.50	3.50

NOTE: Minimum requirements for surfacing for which the above additions may be made are the requirements of "hit or miss" dressing set out in the applicable NHLA rules.

[Paragraph (f) amended by Am. 5, 8 F.R. 8860, effective 7-2-43 and Am. 18, 10 F.R. 4658, effective 5-1-45]

(g) *Miscellaneous additions.* (1) Anti-stain treatment: 50 cents per M.

(2) Stenciling on the face of each piece in a manner which will permit identification and segregation of a particular shipment: 50 cents. (This addition cannot be made for stenciling a trade mark on each piece.)

(3) Marking on each piece the surface measure and/or board measure and/or width and/or length of the piece: 50 cents per M.

(4) Bundling: $2.00 per M.

(5) End racking or band sawing: No addition.

(6) Where the purchaser requests an inspection by, and an inspection certificate issued by, the National Hardwood Lumber Association, the seller may make an added charge which does not exceed the inspection fees and expenses charged by the Association to the seller and shown on the certificate.

(7) *Staking and bulkheading open top cars.* When a purchase order issued by any government agency requires that lumber thinner than 5" be shipped in open top cars, a charge of $7.50 per car may be made for material and labor involved in staking, wiring and separating. A further addition of $7.00 covering all materials and labor, may also be charged for each bulkhead required by and made in conformity with the specifications of the Mechanical Division of the Association of American Railroads.

[Subparagraph (7) added by Am. 18, 10 F.R. 4658, effective 5-1-45]

(h) *Custom kiln drying and milling.* Where Southern hardwood lumber, other than yellow cypress, is kiln dried or milled for the seller by a custom kiln or milling establishment and the custom kiln or milling establishment is not owned or operated by or connected with the sawmill, the seller may add the actual cost of the kiln drying or milling, under circumstances permitted in, and in amounts not greater than, the maximum prices established by the applicable regulation covering custom kiln drying and/or milling services.

Custom kiln drying and milling for yellow cypress are covered under § 1382.115, Appendix D.

[Paragraph (h) added by Am. 4, 8 F.R. 5479, effective 4-29-43 and amended by Am. 19, effective 8-22-45]

(i) *Maximum prices for Southern hardwood lumber, other than yellow cypress, in "special" grades and items.* Standard special widths and lengths. The maximum f. o. b. mill price for 1,000 feet of Southern hardwood lumber in the species and in the "standard special" widths and lengths listed below shall be as follows:

(1) STANDARD SPECIAL WIDTHS AND LENGTHS—ALL HARDWOOD SPECIES EXCEPT FOR TOUGH ASH SPECIALTY ESTABLISHMENTS, YELLOW CYPRESS, AND AS OTHERWISE PROVIDED IN SUBPARAGRAPH (2) BELOW. (SEE THE NOTES UNDER SUBPARAGRAPH (2) BELOW FOR THE CONDITIONS UNDER WHICH THESE ADDITIONS ARE PERMITTED.)

Width and/or length	Grade	Maximum additions to maximum prices established in § 1382.112 for lumber in corresponding standard grades and same thicknesses
5" or 6" and wider; standard lengths	No. 1 Common and Selects or No. 1 Common; No. 2 Common; No. 3 Common.	$2.00
8' and longer	No. 1 Common and Selects or No. 1 Common; No. 2 Common; No. 3 Common.	1.00
10' and longer; or 12' and longer	No. 2 Common; No. 3A Common; No. 3 Common	2.00
All 14' to 16' or all one length 10' to 14'	No. 2 Common; No. 3A Common; No. 3 Common	4.00
All 16'	No. 2 Common; No. 3A Common; No. 3 Common	5.00
8" and wider; standard lengths	No. 2 Common; No. 3A Common; No. 3 Common	4.00
10" and wider; standard lengths	No. 2 Common; No. 3A Common; No. 3 Common	5.00
12" and wider; standard lengths	No. 2 Common; No. 3A Common; No. 3 Common	6.00
All 10' to 16' or all 10'	No. 1 Common and Better	3.00
All 12' to 16'	No. 1 Common and Better	6.00
All 12' and 14' or all 12'	No. 1 Common and Better	8.00
All 14' and 16' or all 14'	No. 1 Common and Better	10.00
All 16'	No. 1 Common and Better	15.00
7" and wider; standard lengths	No. 1 Common and Better	2.00
8" and wider; standard lengths	No. 1 Common and Better	5.00
9" and wider; standard lengths	No. 1 Common and Better	7.00
10" and wider; standard lengths	No. 1 Common and Better	10.00
12" and wider; standard lengths	No. 1 Common and Better	15.00
For each additional inch over 12" and wider	No. 1 Common and Better	2.50
Step Plank	No. 1 Common and Better	15.00

[Paragraph heading and table heading amended by Am. 19, effective 8-22-45]

(2) STANDARD SPECIAL WIDTHS—COTTONWOOD; BLACK GUM—PLAIN; RED GUM—PLAIN; SAP GUM—PLAIN; YELLOW POPLAR—PLAIN; TUPELO—PLAIN; MAGNOLIA; AND WILLOW. (SEE NOTE UNDER THIS PARAGRAPH FOR CONDITIONS UNDER WHICH THESE ADDITIONS ARE PERMITTED.)

Widths	Grade	Maximum additions to maximum prices established in § 1382.112 for lumber in corresponding standard grades and same thicknesses
7" and wider; standard lengths	No. 1 Common and Better	$4.00
8" and wider; standard lengths	No. 1 Common and Better	5.00
9" and wider; standard lengths	No. 1 Common and Better	5.50
10" and wider; standard lengths	No. 1 Common and Better	6.00
11" and wider; standard lengths	No. 1 Common and Better	6.50
12" and wider; standard lengths	No. 1 Common and Better	7.00
13" and wider; standard lengths	No. 1 Common and Better	8.00
14" and wider; standard lengths	No. 1 Common and Better	9.00
15" and wider; standard lengths	No. 1 Common and Better	10.00
16" and wider; standard lengths	No. 1 Common and Better	12.00
17" and wider; standard lengths	No. 1 Common and Better	14.00
18" and wider; standard lengths	No. 1 Common and Better	15.00
20" and wider; standard lengths	No. 1 Common and Better	18.00

The above additions shall be permitted only on the following conditions:

1. The purchaser's original inquiry or order covering the lumber desired must specifically state the "special" widths and/or lengths required. This original inquiry or order must be made a part of the seller's order file covering the particular transaction. This order file must also contain whatever correspondence passed between the purchaser and the seller in the particular transaction, together with a copy of the order as finally entered. In other words, this order file must show that the purchaser has not accepted lumber of specifications other than originally desired and that the seller is not in violation of any of the provisions of § 1382.105—Prohibited Practices—of this regulation.

2. A shipment of any "special" item, the price for which includes any addition provided for in this subdivision, must contain no other stock of the same species, grade and thickness and each special item must be invoiced at only one

price. According to the National Hardwood Lumber Association Rules for the Measurement and Inspection of Hardwood Lumber, all width and length specifications are inclusive. For example:

a. A shipment against a "special" item specification, for instance for "8" and wider," or "8' and longer," or a combined width and length such as "8" and wider, 8' and longer", must contain no widths and/or lengths under the minimums specified and must contain all standard widths and/or lengths for the grade over the minimums specified.

b. A shipment against a "special" item specification priced under this paragraph (i) must not contain, or be invoiced to show, any other item in the same species of the same grade and thickness.

Example: 15,000' BM 4/4" No. 1 Com. & Sel. Sap Gum-Plain, 8" and wider, standard lengths, could not be shipped as

9,000' 4/4" No. 1 Com. & Sel. Sap Gum 8" width, standard lengths @ $58.00 and the various quantities of the other wider widths in the shipment billed as such at the "special" item prices in this section.

c. A shipment against a standard grade specification must not contain, or be invoiced to show, any "special" item of the same species, grade, and thickness which is priced under this subsection.

Example: An order for 15,000 feet BM 4/4" No. 1 Common and Selects Sap Gum-Plain could not be shipped as

10,000' 4/4" No. 1 Com. & Sel. Sap Gum @ $53.00
5,000' 8" wider @ $58.00.

NOTE: In each case the order specification is all inclusive with respect to the stock to be shipped.

Additions and adjustments. The provisions of paragraphs (d), (e), (f), (g) and (h) of this section relating to deduction for green, additions for kiln drying, mill working, miscellaneous additions, and custom kiln drying and milling are applicable to the price schedules set forth in this subsection (i).

Effect on special prices. The maximum prices mentioned in this subsection (i) supersede the maximum prices for like material previously authorized for individual sellers under the special pricing provisions of this regulation.

[Paragraph (i) added by Am. 18, 10 F.R. 4658, effective 5-1-45]

§ 1382.113 *Appendix B: Maximum prices for hardwood lumber sold by "small mills".* A "small mill" for the purpose of this section means only a mill in the Southern hardwood lumber region which produced, during no consecutive twelve-month period since October 1941, more than one and a half million feet of hardwood lumber or more than four million feet of softwood and hardwood lumber combined.

A "small mill" may sell on grade according to the provisions of the other sections of the regulation if it is willing to take full responsibility for the accuracy of its grading and if it does not wish to sell according to the provisions of this section.

[Above two paragraphs amended by Am. 15, 10 F.R. 1788, effective 2-17-45]

For the coverage of this section insofar as yellow cypress is concerned, see § 1382.102 (b) (2).

[Above paragraph added by Am. 19, effective 8-22-45]

(a) *Ungraded hardwood lumber, maximum prices.* The maximum prices for 1,000 feet board measure for the full product of the logs of ungraded Southern hardwood lumber produced by small mills, except such mills located in the State of Virginia, of any species or combination of species in green or dry condition, are as follows:

Lumber cut to dry to:	
Thicknesses of 1", 1½" and 1¼"	$32.00
Thicknesses of 2"	29.00
Thicknesses over 2"	28.00

The maximum price for the full product of the logs of ungraded Southern hardwood lumber produced by small mills located in that portion of the State of Virginia within the Southern hardwood area, of any species or combination of species in green or dry condition, is $2.00 per 1,000 feet board measure higher than the prices above.

[Paragraph (a) amended by Am. 17, 10 F.R. 2929, effective 3-16-45]

(b) *Graded hardwood lumber—Maximum prices.* Only a "small mill" which has registered as such with OPA as required by paragraph (f) below, which does not grade its own hardwood lumber, and which does not sell ungraded hardwood lumber under (a) above, may sell hardwood lumber on grade subject to the maximum prices for the species, grades, and thicknesses established in this regulation under the following conditions:

(1) *N. H. L. A. inspection.* A "small mill" may sell hardwood lumber at the graded hardwood lumber prices established in this regulation for the grades determined by National Hardwood Lumber Association inspection at the point of origin only, with the cost of inspection borne by the seller. (Note: Any mill which sells graded hardwood lumber on its own inspection may, of course, sell graded hardwood lumber on NHLA inspection.)

[Subparagraph (1) amended by Am. 15, 10 F.R. 1788, effective 2-17-45]

(2) *Buyer's inspection* — (i) *Eligible buyers.* A "small mill" may sell hardwood lumber on buyer's inspection at graded hardwood lumber prices to a buyer authorized under the provisions of paragraph (d) of this section by the Office of Price Administration, Washington, D. C., to buy on his own inspection.

(ii) *Maximum prices.* The maximum prices for this type of sale shall be the applicable maximum prices established in this regulation for the particular species, grades, and thicknesses of hardwood lumber, less 5%. Buyer's inspection on truck or rail shipments may be made at either the point of origin or at destination.

[Subparagraph (ii) amended by Am. 15]

(3) *Residue sales.* A small mill which sells hardwood lumber on grade on National Hardwood Lumber Association or authorized buyer's inspection may sell any of its hardwood lumber ungraded at not more than $20 per 1,000 feet board measure.

(c) *Buyer's application.* In order to obtain authorization to buy hardwood lumber on grade by his own inspection, a buyer must apply to the Lumber Branch, Office of Price Administration, Washington 25, D. C., and submit the following information:

(1) Whether it was his continuous procedure before October 15, 1941 to buy hardwood lumber principally on separate species, grades and thicknesses as determined by his own inspection according to the effective rules issued by the National Hardwood Lumber Association and at a separate price for each item. If so, copies of settlement sheets and bills showing payment on this basis are to be submitted.

(2) Whether the efficiency, facilities and practices of his inspection procedure have been maintained.

(3) Names of inspectors, and for each inspector his period of employment by the buyer and his previous experience and employment in grading hardwood lumber.

(d) *Buyer's authorization.* Permission to purchase graded hardwood lumber on buyer's inspection, and on authorization number, will be given by the Administrator, or person delegated by him, if, in his judgment, the buyer is qualified to purchase on his own grading. The authorization will be denied or withdrawn if it is found that any material statements in the application were false or do not apply due to a change in circumstances, or that the hardwood lumber has been graded inaccurately by the buyer to such an extent as to show either intentional false grading, incompetence or negligence in grading. Where buyer's grading indicates abnormally high grade realization, the buyer's authorization may, in the absence of adequate explanation, be revoked. The buyer shall be held fully responsible for the grading. In addition to withdrawal of permission, the buyer, of course, is subject to the usual penalties imposed by law for any violation of this regulation.

After authorization is granted, the buyer must notify the Lumber Branch of the Office of Price Administration, Washington 25, D. C., of any changes in his position affecting his ability to inspect and grade hardwood lumber.

(e) *Records.* (1) The buyer shall furnish the seller a true copy of the inspection report and both the seller and the buyer shall maintain adequate records of each sale or purchase of hardwood lumber on buyer's inspection for a period of at least two years or for the duration of the Emergency Price Control Act of 1942, as amended, whichever is shorter. These records must show the buyer's authorization number, the name of the seller and of the buyer, the date of sale, the footage of each species, grade and thickness of hardwood lumber, the moisture condition (whether green, air-dried, or kiln-dried), the itemized prices received and paid therefor and a statement from the seller that he is qualified to sell on buyer's inspection under this section.

[Subparagraph (1) amended by Am. 15]

(2) The buyer shall submit quarterly to the Lumber Branch, Washington 25, D. C., a statement of the volume of his purchases of hardwood lumber on his own inspection broken down to show the total for each species by grades and thicknesses.

(f) *Registration of sellers.* Within 30 days from February 17, 1945, or, in the case of new sellers, within 30 days of the first sale under this section, every mill which does not sell its hardwood lumber on grade on its own inspection, must file a statement with the Lumber Branch of the Office of Price Administration, Washington 25, D. C., indicating which type of sales it will make under this § 1382.113. Any change in selling method thereafter made must be approved in writing by the Administrator upon application for approval of such change made to the Lumber Branch of the Office of Price Administration, Washington 25, D. C.

[Paragraph (f) amended by Am. 15, 10 F.R. 1788, effective 2-17-45]

(g) *Prohibited practices.* To prevent evasion of this section the following practices are prohibited unless changes in selling methods have been approved by the Administrator under paragraph (f) above:

(1) Sales of hardwood lumber on grade, by a "small mill" that has been selling ungraded lumber.

(2) Sales of ungraded hardwood lumber, or graded hardwood lumber on buyer's inspection, by seller's previously selling on their own inspection.

(3) Sales of ungraded hardwood lumber or graded hardwood lumber on his own inspection by a seller who has been selling graded hardwood lumber on buyer's inspection.

[Subparagraph (3) amended by Am. 15]

(4) Sales of hardwood lumber priced on grade by inspection of an unauthorized buyer.

(5) Sales of ungraded lumber under paragraph (a) which is not substantially the run of the log in the thickness sold.

(6) Sales of ungraded hardwood lumber by a seller who has been selling graded hardwood lumber.

[Subparagraph (6) added by Am. 15]

The maximum price for lumber sold in any such manner shall be $20 per 1,000 feet board measure. The establishment of a maximum price of $20 per 1,000 feet board measure for such lumber does not mean that these sales are permitted, but is established solely for the purpose of providing a fair and equitable basis for determining the amount of overcharges in the event that such sales take place.

However, anything contained herein to the contrary notwithstanding, any mill may sell the products covered by Third Revised Maximum Price Regulation 216 [12]—Eastern Railroad Ties, or by Maximum Price Regulation 558 [13]—Eastern Wooden Mine Material and Industrial Blocking, or any superseding regulations at the applicable prices under such regulations:

(h) *Delivery.* The maximum prices of hardwood lumber under paragraph (a) in this section include loading on rail cars within 30 miles or delivery for 30 miles or less. Where delivery or car loading is over 30 miles, a charge of 10 cents per 1,000 feet board measure for each mile over 30 and up to 100 miles may be made, with no addition for the return trip. For example, if delivery is made for 50 miles, a delivery charge of $2 per 1,000 feet board measure may be added. If delivery is over 100 miles, the charge to be added may be only the carload rail freight for the whole distance from the nearest rail loading-out point to destination.

If the seller does not load the lumber on rail cars or provide delivery within 30 miles, or if it is necessary for the buyer to incur any delivery or loading expense within the 30 miles (except rail freight), the prices for hardwood lumber must be reduced by $2.50 per 1,000 feet board measure. Maximum delivery charges on sales made under paragraph (b) of this section shall be the charges set forth in § 1382.103.

Notwithstanding the provisions of the foregoing of paragraph (h), if the United States Army Port of Embarkation, Hampton Roads, Virginia, requests diversion of lumber from Newport News, Virginia, to Norfolk, Virginia, or from Norfolk, Virginia, to Newport News, Virginia, which diversion is contrary to the provisions of the contract covering the sale of the lumber, a charge may be made for the actual ferry charges incurred between the points of Newport News and Norfolk, Virginia provided a ferry receipt showing payment of such charges is attached to the invoice.

[Paragraph (h) amended by Am. 15, 10 F.R. 1788, effective 2-17-45 and Am. 17, 10 F.R. 2929, effective 3-10-45]

(i) *Intermediate sellers.* Any person who acts as a selling agent for "small mills", and does not take title to the lumber, stands in the same position as the mills whose lumber he sells.

(j) *Sales to United States Government or any of its agencies.* The United States Government or any of its agencies may purchase hardwood lumber on buyer's inspection without authorization from the Office of Price Administration.

[§ 1382.113 added by Am. 14, 10 F.R. 593, effective 1-18-45; and amended as otherwise noted]

[Former § 1382.113 added by Am. 5, 8 F.R. 8860, effective 7-2-43 and revoked by Am. 7, 8 F.R. 11161, effective 8-14-43]

§ 1382.114 *Appendix C: Description of Southern hardwood area.* (a) The Southern hardwood area includes the states of Alabama, Arkansas, Florida, Louisiana, Mississippi, Texas and Oklahoma, and the counties of Tipton, Haywood, Shelby, Fayette, Lauderdale and Hardeman in the State of Tennessee, and those portions of North Carolina, South Carolina, Virginia, and Georgia not included in the "Appalachian hardwoods area".

The "Appalachian hardwoods area" is that area circumscribed by a line beginning at the intersection of the western line of the State of West Virginia and the western line of the State of Pennsylvania; thence southwesterly on the western line of West Virginia to the western boundary of Boyd County, Kentucky; thence extending southwesterly through Kentucky along the generally northwestern boundaries of the following counties: Boyd, Carter, Rowan, Menifee, Powell, Estill, Jackson, Rockcastle, Pulaski, Wayne, and Clinton to the Tennessee state line; thence westerly along said state line to the western boundary of Pickett County, Tennessee; thence southerly in Tennessee along the western boundaries of Pickett, Fentress, Morgan, Roane, Rhea, and Hamilton Counties to the intersection of the western boundary of Hamilton County and the Nashville, Chattanooga, and St. Louis Railroad; thence easterly along said railroad through Chattanooga to the intersection of said railroad and the Georgia state line; thence easterly along said state line to the western boundary of Fannin County, Georgia; thence southeasterly in Georgia along the southwestern boundaries of Fannin County and Lumpkin County; thence generally easterly in Georgia along the southeastern boundary of Lumpkin County, the southern boundary of White County, and the southern and eastern boundaries of Habersham County to the South Carolina state line; thence southeasterly along said line to the southeastern boundary of Oconee County, South Carolina; thence in a generally northeasterly direction through South Carolina along the southeastern boundaries of Oconee and Pickens Counties, and the western, southern, and eastern boundaries of Greenville County to the North Carolina state line; thence easterly along the southern line of North Carolina to the eastern boundary of Cleveland County, North Carolina; thence northerly in North Carolina along the eastern boundaries of Cleveland and Burke Counties; thence continuing generally northeasterly in North Carolina along the eastern or southern boundaries of Alexander, Wilkes, and Surry Counties to the Virginia state line; thence east on said state line to the eastern boundary of Patrick County, Virginia; thence northeasterly through Virginia, following the eastern boundary of Patrick County and the southeastern boundaries of Franklin, Bedford, Amherst, Nelson, Albemarle, Greene, Madison, and Rappahannock Counties, turning southerly along the southwestern boundary of Fauquier County, and resuming a generally northerly direction along the eastern boundaries of Fauquier and Loudoun Counties to the Maryland state line; thence northwesterly along said state line to the eastern boundary of Frederick County, Maryland; thence northerly through Maryland along the eastern boundary of Frederick County to the Pennsylvania state line; thence westerly and thence northerly along said state line to the starting point. All sawmills on the boundary line of the Appa-

[12] 9 F.R. 11638, 12814; 10 F.R. 3294.
[13] 9 F.R. 11643, 14437; 10 F.R. 3086.

lachian hardwoods area shall be deemed to be outside the Appalachian hardwoods area, except that mills in West Virginia and Maryland on the lines touching Pennsylvania and Ohio shall be deemed to be in the Appalachian area.

(b) Any sawmill located in the Southern hardwoods area, which satisfies all of the following requirements can sell its red oak and white oak lumber at the maximum prices established in § 1382.64 (b) (21), (22), (23), (24) and (25) of Maximum Price Regulation No. 155 [14] (Central Hardwood Lumber).

(1) The mill must certify in a letter to the Lumber Branch of the Office of Price Administration, Washington, D. C., that (i) during the previous calendar month more than 45 percent of the hardwood lumber produced by the mill (either from logs or from rough lumber) was red and/or white oak and at least 85 percent of the oak logs and lumber received at the mill were obtained from logging operations or concentration yards located in the South Central hardwoods area (as defined in § 1382.58 (a) (4) (ii) of Maximum Price Regulation No. 155) and the counties of Tennessee not included in that area; (ii) the mill agrees to maintain these proportions during each calendar month in the future; (iii) the mill agrees not to purchase in the future, either directly or indirectly, any red or white oak stumpage or logs in the Southern hardwoods area at prices higher than the prices paid by the mill for the most comparable stumpage or logs purchased during March 1942; and (iv) the mill agrees that any oak lumber purchased by it in the future, either directly or indirectly, in the Southern hardwoods area will not be resold by it at prices higher than the maximum prices established in this Revised Maximum Price Regulation No. 97.

(2) The mill has been approved and certified by the Office of Price Administration as having qualified under this paragraph and the certification and the firm name and location of the mill have been published in the FEDERAL REGISTER.

(3) The mill agrees to and does certify to the Lumber Branch of the Office of Price Administration at the end of each following calendar month that during that month the mill satisfied all the requirements mentioned above.

The Office of Price Administration may at any time withdraw its approval and certification.

[§ 1382.114, formerly § 1382.113, redesignated by Am. 5, 8 F.R. 8860, effective 7-2-43]

§ 1382.115 *Appendix D: Maximum prices for yellow cypress in standard or near standard grades*—(a) *Price tables.* The maximum prices for yellow cypress lumber, f. o. b. mill, per 1,000 feet board measure or per unit of measurement indicated in the tables are as follows:

[14] 8 F.R. 13007, 14343, 15430, 17414; 9 F.R. 1454.

TABLE 1—FACTORY GRADES

ROUGH

Thickness and width (inches)	Boat and tank stock—standard lengths 8' and longer	F A S—Standard lengths 8' and longer	Selects—Standard lengths 8' and longer	No. 1 shop—Standard lengths 6' and longer	Box—Standard lengths 4' and longer
4/4 random widths	$94.50	$83.50	$68.25	$48.50	$28.75
4/4 x 4 and 6	94.50	83.50	68.25	48.50	28.75
4/4 x 8	96.75	85.75	70.50	50.50	29.75
4/4 x 5 and 10	100.00	89.00	73.75	56.00	32.00
4/4 x 12	117.75	106.75	93.50	61.50	35.00
4/4 x 14	121.00	113.25	98.00	------	------
4/4 x 16	132.00	124.25	109.00	------	------
4/4 x 18	145.25	137.50	121.00	------	------
4/4 x 13 to 19 R/W	135.25	126.50	111.00	------	------
4/4 x 20	159.50	150.75	135.25	------	------
4/4 x over 20	170.50	161.75	146.25	------	------
5/4 random widths	107.75	96.75	81.50	62.75	32.00
5/4 x 4 and 6	107.75	96.75	81.50	62.75	32.00
5/4 x 8	110.00	99.00	83.50	65.00	33.00
5/4 x 5 and 10	113.25	102.25	87.00	70.50	35.00
5/4 x 12	131.00	120.00	106.75	76.00	38.00
5/4 x 14	134.25	126.50	111.00	------	------
5/4 x 16	145.25	137.50	122.00	------	------
5/4 x 18	158.50	150.75	135.25	------	------
5/4 x 13 to 19 R/W	148.50	139.75	124.25	------	------
5/4 x 20	172.75	164.00	148.50	------	------
5/4 x over 20	183.75	175.00	159.50	------	------
6/4 random widths	118.50	106.00	81.50	70.75	32.00
6/4 x 4 and 6	118.50	106.00	81.50	70.75	32.00
6/4 x 8	120.75	108.00	83.50	73.00	33.00
6/4 x 5 and 10	124.00	111.50	87.00	78.50	35.00
6/4 x 12	141.75	129.00	106.75	84.00	38.00
6/6 x 14	145.00	135.50	111.00	------	------
6/4 x 16	156.00	146.50	122.00	------	------
6/4 x 18	169.25	159.75	135.25	------	------
6/4 x 13 to 19 R/W	159.25	148.75	124.25	------	------
6/4 x 20	183.50	173.00	148.50	------	------
6/4 x over 20	194.50	184.00	159.50	------	------
8/4 random widths	134.25	126.75	92.75	82.50	31.75
8/4 x 4 and 6	134.25	126.75	92.75	82.50	31.75
8/4 x 8	136.50	129.00	95.00	84.75	32.75
8/4 x 5 and 10	139.75	132.25	98.25	90.25	34.75
8/4 x 12	157.25	150.00	118.00	95.75	37.75
8/4 x 14	160.50	156.50	122.50	------	------
8/4 x 16	171.50	167.50	133.50	------	------
8/4 x 18	184.75	169.75	146.50	------	------
8/4 x 13 to 19	175.00	158.75	135.50	------	------
8/4 x 20	199.00	183.00	159.75	------	------
8/4 x over 20	210.00	194.00	170.75	------	------
10/4 and 12/4 random widths	159.75	141.75	104.75	92.75	------
10/4 and 12/4 x 4 and 6	159.75	141.75	104.75	92.75	------
10/4 and 12/4 x 8	162.00	143.75	107.00	95.00	------
10/4 and 12/4 x 5 and 10	165.25	147.25	110.25	100.50	------
10/4 and 12/4 x 12	183.00	164.75	130.00	106.00	------
10/4 and 12/4 x 14	186.25	171.25	134.50	------	------
10/4 and 12/4 x 16	189.50	182.25	145.50	------	------
10/4 and 12/4 x 18	210.50	195.50	158.75	------	------
10/4 and 12/4 x 13 to 19	200.50	184.50	147.75	------	------
10/4 and 12/4 x 20	224.75	208.75	172.00	------	------
10/4 and 12/4 x over 20	235.75	219.75	183.00	------	------
16/4 random widths	166.50	145.50	113.50	100.50	------
16/4 x 4 and 6	166.50	145.50	113.50	100.50	------
16/4 x 8	168.50	147.75	115.75	102.50	------
16/4 x 5 and 10	172.00	151.00	119.00	108.00	------
16/4 x 12	189.50	168.50	139.00	113.50	------
16/4 x 14	192.75	175.25	143.25	------	------
16/4 x 16	203.75	186.25	154.25	------	------
16/4 x 18	217.00	199.25	167.50	------	------
16/4 x 13 to 19	207.00	188.25	156.50	------	------

TABLE 1—FACTORY GRADES—Continued

ROUGH—continued

Thickness and width (inches)	Boat and tank stock—standard lengths 8' and longer	F A S—Standard lengths 8' and longer	Selects—Standard lengths 8' and longer	No. 1 shop—Standard lengths 6' and longer	Box—Standard lengths 4' and longer
16/4 x 20	$231.25	$212.50	$180.75	------	------
16/4 x over 20	242.25	223.50	191.75	------	------

Additions and deductions per 1,000 feet board measure: (see § 1382.105 (b) (10)).

For working:

1. S1S, S2S, add $3.00.
2. S3S, S4S, S1S1E, S2S & M, shiplap, grooved roofing, add $4.50.
3. Casing, base, jambs, sill stock, casket moulding or any other pattern stock, (except moulding), add $6.00. For lots of less than 1,000 feet board measure any pattern (except moulding), add a flat $5.00 machine set up charge.

For grade:

4. Heart face selects, add to selects, $5.00 for 4/1" and 5/4"; $14.00 for 6/4"; $23.00 for 8/4" and thicker.
5. No. 2 shop, all thicknesses, deduct $10.00, from No. 1 shop prices.

For size:

6. For any average width, charge the specified width prices for the widths shipped.
7. Extra standard thickness or width other than American lumber standards, add $1.50 when stock is dressed clean. No addition may be made for extra standard thickness or width, hit or miss dressing.

For length:

8. For precision cutting to a specified exact length, with tolerance of not more than 1/4" allowed, add $1.50. No addition is permitted for customary double end trimming.
9. For any specified average length, except odd lengths, 16' or longer, charge the specified length prices for the lengths shipped.
10. Specified lengths, add to standard length prices;

Thickness (inches) and grades	16'	18'	20'
4/4, 5/4, 6/4, 8/4, all grades (except box)	$5.00	$7.50	$10.00
10/4 and thicker, boat and tank stock and F. A. S	5.00	10.00	10.00
10/4 and thicker selects, No. 1 shop	5.00	7.50	10.00
Box, all thicknesses	3.00	3.00	5.00

11. Any length 6' or shorter, cut to a specified exact length, all grades (except No. 1 shop and box) charge the standard length price and add $1.50 for each necessary cross cut, but the total charge may not exceed $6.00 and must be based on the nearest standard multiple length. No additional charge may be made for precision cutting. If length breaks on even one half foot, compute footage on actual length, otherwise compute on 6" breaks, on the next break above. This footnote covers lengths under 6' in No. 1 shop and under 4' in box.
12. No additional charge may be made when 18' and 20' are excluded from standard lengths, either at request of buyer or through inability of seller to supply. (For other working, condition, grade and handling additions and deductions, see table (11).

TABLE 2—FINISH AND COMMON YARD GRADES

ROUGH

Thickness and width (inches)	A Finish—Standard lengths 8' and longer	B Finish—Standard lengths 8' and longer	C Finish—Standard lengths 8' and longer	D Finish—Standard lengths 8' and longer	No. 1 Common—Standard lengths 8' to 20'	No. 2 Common—Standard lengths 8' to 20'	No. 3 Common—Standard lengths 6' to 20'	Peck—Standard lengths 6' to 20'
4/4 x 4 to 12 R/W	$89.00	$75.75	$72.25	$63.75	$49.50	$40.25	$31.00	$31.00
4/4 x 4 and 6	84.75	71.25	68.00	64.25	49.50	40.25	31.00	31.00
4/4 x 8	87.00	73.50	70.25	66.50	50.50	41.25	32.00	32.00
4/4 x 5 and 10	90.25	76.75	73.50	70.00	54.00	44.25	35.00	35.00
4/4 x 12	107.75	97.75	94.25	92.00	59.50	47.50	38.00	38.00
4/4 x 14	110.00	99.75	96.50	------	------	------	------	------
4/4 x 16	121.00	110.75	107.50	------	------	------	------	------
4/4 x 18	134.25	124.00	120.75	------	------	------	------	------
4/4 x 13 to 19 R/W	123.25	113.00	109.75	------	------	------	------	------
4/4 x 20	147.50	137.25	134.00	------	------	------	------	------
4/4 x over 20	158.50	148.25	145.00	------	------	------	------	------
5/4 x 4 to 12 R/W	102.25	88.75	85.50	82.00	60.50	45.25	34.00	34.00
5/4 x 4 and 6	98.00	84.50	81.25	77.50	60.50	45.25	34.00	34.00

TABLE 2—FINISH AND COMMON YARD GRADES—Continued

ROUGH—continued

Thickness and width (inches)	A Finish—Standard lengths 8' and longer	B Finish—Standard lengths 8' and longer	C Finish—Standard lengths 8' and longer	D Finish—Standard lengths 8' and longer	No. 1 Common—Standard lengths 8' to 20'	No. 2 Common—Standard lengths 8' to 20'	No. 3 Common—Standard lengths 6' to 20'	Peck—Standard lengths 6' to 20'
5/4 x 8	$100.00	$80.75	$83.25	$70.75	$61.50	$46.25	$35.00	$35.00
5/4 x 5 and 10	103.50	90.00	86.75	83.00	65.00	49.50	38.00	38.00
5/4 x 12	121.00	110.75	107.50	105.00	70.50	52.50	41.25	41.25
5/4 x 14	123.25	113.00	109.75					
5/4 x 16	134.25	124.00	120.75					
5/4 x 18	147.50	137.25	134.00					
5/4 x 13 to 19 R/W	136.50	126.25	123.00					
5/4 x 20	160.50	150.50	147.25					
5/4 x over 20	171.50	161.50	158.25					
6/4 x 4 to 12 R/W	105.00	88.75	85.50	82.00	60.50	45.25	34.00	34.00
6/4 x 4 and 6	100.75	84.50	81.25	77.50	60.50	45.25	34.00	34.00
6/4 x 8	103.00	86.75	83.25	79.75	61.50	46.25	35.00	35.00
6/4 x 5 and 10	100.25	90.00	86.75	83.00	65.00	49.50	38.00	38.00
6/4 x 12	123.75	110.75	107.50	105.00	70.50	52.50	41.25	41.25
6/4 x 14	134.75	121.75	118.50					
6/4 x 16	145.75	132.75	129.50					
6/4 x 18	159.00	143.75	142.75					
6/4 x 13 to 19 R/W	148.00	132.75	131.75					
6/4 x 20	172.25	157.00	156.00					
6/4 x over 20	183.25	168.00	167.00					
8/4 x 4 to 12 R/W	123.00	101.50	98.25	89.00	63.25	46.25	34.00	34.00
8/4 x 4 and 6	121.50	97.00	93.75	84.75	63.25	46.25	34.00	34.00
8/4 x 8	123.75	99.25	96.00	87.00	64.25	46.25	35.00	35.00
8/4 x 5 and 10	127.00	102.50	99.25	90.25	67.50	49.50	38.00	38.00
8/4 x 12	144.75	123.50	120.25	112.25	73.25	53.50	41.25	41.25
8/4 x 14	150.25	129.00	125.75					
8/4 x 16	161.25	140.00	136.75					
8/4 x 18	174.50	153.25	151.50					
8/4 x 13 to 19 R/W	163.50	142.25	139.00					
8/4 x 20	187.50	166.50	163.00					
8/4 x over 20	193.50	177.50	174.00					

Additions and deductions per 1,000 feet board measure (see § 1382.105 (b) (10).

For working:

1. S1S, S2S, add $3.00.
2. S3S, S4S, S1S1E, S2S & M, chiplap, grooved roofing, add $4.00.
3. Casing, base, jambs, sill stock, casket moulding, or any other pattern stock (except moulding), add $6.00.

For lots of less than 1,000 feet board measure, any pattern (except moulding) add a flat $5.00 machine set up charge.

4. Clear stock in grade equal to No. 1 common or better, counted on leaver measurement, 1 x 6" and under in width, under 8' in length, bundled, $40.00 per m'bm. for 5/4" and 6/4," add $10.00 per m'bm.

For grade:

5. Clear heart 4/4" and 5/4", add $10.00 to a finish, 6/4" and 8/4" charge heart and tank stock prices.
6. All heartwood No. 1 and No. 2 common, add $10.00, No. 3 common, add $5.00 to grade item price.
7. 75 to 85% heartwood No. 1 and No. 2 common, add $5.00. For No. 3 common, add $3.00 to grade item price.
8. No. 2 peck or peck droppings, deduct $11.00 from peck prices, for all thicknesses.
9. Dunnage, $15.00 for all thicknesses, per m'bm.

For size:

10. For any average width, charge the specified width prices for the widths shipped.
11. Extra standard thickness and/or width, other than American lumber standards, add $1.50 when stock is dressed clean. No addition may be made for extra standard thickness or width, bit or miss dressing.
12. 10/4" and 12/4" No. 1, No. 2 and No. 3 common, add $3.00 to the 8/4," price. For 16/4", add $10.00 to the 8/4" price.

For length:

13. For precision cutting to a specified exact length, with tolerance of not more than ¼" allowed, add $1.00. No addition is permitted for customary double end trimming.
14. For any specified average length, 16' or longer, charge the specified length price for the lengths shipped.
15. Specified lengths, add to standard length prices:

Thicknesses and grades	16'	18'	20'
A and B Finish, all thicknesses	$5.00	$7.50	$10.00
C, D, and No. 1 Common, all thicknesses	5.00	7.50	10.00
No. 2 and No. 3 Common, all thicknesses	3.00	3.00	5.00
Peck, all thicknesses	4.00	3.00	5.00

TABLE 2—FINISH AND COMMON YARD GRADES—Continued

For length—Continued

16. Random lengths Peck in 4' multiples, add $4.00 to standard length prices.
17. Any length 6' or shorter cut to a specified exact length, all grades, (except Peck), charge the standard length price and add $1.50 for each necessary cross cut, but the total charge may not exceed $6.00 and must be based on the nearest standard multiple length. No additional charge may be made for precision cutting. If length breaks on even half foot, compute footage on actual length, otherwise compute on 6" breaks on the next break above. This footnote covers lengths under 4' in Peck.
18. No additional charge may be made when 18' and 20' are excluded from standard lengths, either at request of buyer or through inability of seller to supply.

(For other working, condition, grade and handling additions and deductions, see table (11).)

TABLE 3—TIMBERS

ROUGH—GREEN

Thickness and width	No. 1 Common—standard lengths 8' to 20'	No. 2 Common—Standard lengths 6' to 20'	No. 3 Common—Standard lengths 6' to 20'	Peck—Standard lengths 6' to 20'
3 x 3 to 4 x 4"	$44.00	$39.00	$29.00	$29.00
3 x 5 to 5 x 5"	44.00	39.00	29.00	29.00
3 x 6 to 6 x 6"	42.00	37.00	27.00	27.00
3 x 8 to 6 x 8"	45.00	40.00	30.00	30.00
7 x 8 to 8 x 8"	46.00	41.00	31.00	31.00
3 x 10 to 5 x 10"	51.00	46.00	36.00	36.00
6 x 10 to 10 x 10"	50.00	45.00	35.00	35.00
3 x 12 to 5 x 12"	58.00	53.00	43.00	43.00
6 x 12 to 10 x 12"	56.00	51.00	41.00	41.00
11 x 12 to 12 x 12"	56.00	51.00	41.00	41.00
3 x 14 to 7 x 14"	60.00	61.00	51.00	51.00
8 x 14 to 12 x 14"	64.00	59.00	49.00	49.00
13 x 14 to 14 x 14"	64.00	59.00	49.00	49.00
3 x 16 to 7 x 16"	76.00	71.00	61.00	61.00
8 x 16 to 14 x 16"	74.00	69.00	59.00	59.00
15 x 16 to 16 x 16"	74.00	69.00	59.00	59.00
3 x 17 to 9 x 18"	86.00	81.00	71.00	71.00
10 x 17 to 18 x 18"	84.00	79.00	69.00	69.00
3 x 19 to 10 x 20"	93.00	93.00	83.00	83.00
11 x 19 to 20 x 20"	96.00	91.00	81.00	81.00

Additions and deductions per 1,000 feet board measure: (See § 1382.105 (b) (10).

For working:

1. S1S, S2S, S3S, S4S, chiplap, T & G, add $3.00.
2. Grooved two edges, add $3.00 to dressed prices.
3. Beveling and/or outgauging, for two edges on one face, add $4.00; for four edges, or one face and one edge, add $3.00 (to dressed price in each case).
4. Tapered posts or posts resawn diagonally, add $7.50 to item price.

For grade:

5. 75-85% heart, girth measurement, add $7.00; all heart, add $15.00.

For size:

6. Fractional widths, add $3.00 to nearest listed wider width and compute footage on nominal size.
7. Fractional thickness, add $3.00 to nearest listed greater thickness and compute footage on nominal size.

For length:

8. For precision cutting to a specified exact length, with tolerance of not more than ¼" allowed, add $1.00. No addition is permitted for customary double end trimming.
9. Specified lengths 16', add $5.00; for lengths over 16' add $1.50 to the 16' price for each lineal foot over 16'.
10. For any specified average length (16' or over), charge the specified length price for the lengths shipped.

(For other working, condition, grade and handling additions and deductions, see table (11).)

TABLE 4—FLOORING, CEILING AND PARTITION

KILN DRIED (BUNDLED)

Thickness and width	A, clear heart—standard lengths 8' and longer	Grade A—standard lengths 8' and longer	Grade B—standard lengths 8' and longer	Grade C—standard lengths 8' and longer	Grade D—standard lengths 8' and longer	Grade No. 1 Common—standard lengths 8' to 20'	Grade No. 2 Common—standard lengths 6' to 20'
Flooring:							
1 x 3, 4 and 6"	$93.50	$89.50	$74.25	$71.25	$63.00	$64.50	$49.50
5/4 x 3, 4 and 6"	109.50	99.50	87.25	84.25	81.00	65.50	54.50
6/4 x 3, 4 and 6"	112.50	102.50	87.75	84.75	81.50	66.00	55.00
Ceiling:							
5/16 x 3, 4 and 6"	49.75	44.75	38.50	37.00	35.50	28.75	25.75
7/16 x 3, 4 and 6"	70.25	64.00	56.25	54.50	52.50	42.75	36.00
9/16 x 3, 4 and 6"	86.75	79.25	68.00	65.75	63.50	51.75	43.50

Additions and deductions per 1,000 feet board measure: (see § 1382.105 (b) (10).)

For working:

1. Partition, add $10.00 to comparable item of flooring or ceiling.

For condition:

2. Air dried, for 4/4" deduct $4.00; 5/4", deduct $5.00; 6/4" deduct $5.50; 5/16", deduct $2.00; 7/16", deduct $2.50; and 9/16", deduct $2.75.

For size:

3. Stock worked other than standard width or thickness, add $2.00 to price of comparable item.

For length:

4. Specified lengths, all grades of flooring, 8', 10', 12', and 14', add $2.00; 16', add $5.00; 18', add $7.50; 20', add $10.00. For 6' or shorter, all grades except A, clear heart, deduct $3.00.
5. Specified lengths, all grades of ceiling, 8', 10', 12', and 14', add $1.00; 16', add $2.50; 18' add $3.50; 20', add $5.00. For 6' or shorter, all grades except A, clear heart, deduct $3.00.
6. No additional charge may be made, when 18' and 20' are excluded from standard lengths, either at request of buyer or through inability of seller to supply.

(For other working, condition, grade and handling additions and deductions, see table 11).

TABLE 5—SIDING

AIR DRIED OR KILN DRIED (BUNDLED)

Thickness and width	Grade A—Standard lengths 8' and longer	Grade B—Standard lengths 8' and longer	Grade C—Standard lengths 8' and longer	Grade D—Standard lengths 8' and longer	Grade No. 1 common—Standard lengths 8' to 20'	Grade No. 2 common—Standard lengths 6' to 20'	Grade No. 3 common—Standard lengths 6' to 20'
Bevel siding:							
1/2 x 4" and 6"	$42.75	$36.75	$35.25	$33.50	$26.75	$23.75	$19.25
1/2 x 5"	45.25	39.25	37.75	36.00	28.75	25.75	21.25
1/2 x 8"	43.75	37.75	36.25	34.50	27.25	24.25	19.75
Bungalow siding:							
9/16 x 8"	62.25	54.50	52.75	50.75	40.25	33.50	------
9/16 x 10"	64.00	56.50	54.50	52.50	42.25	35.25	------
11/16 x 8"	66.00	59.50	56.50	54.50	44.00	38.75	------
11/16 x 10"	67.75	60.25	57.50	55.50	45.00	40.25	------
11/16 x 12"	77.75	70.25	67.50	65.50	49.00	42.25	------
Drop siding, all patterns:							
1 x 6"	82.50	70.25	67.25	64.00	50.50	44.50	35.50
1 x 8"	84.50	72.25	69.25	66.00	51.50	45.50	36.50
1 x 10"	87.50	75.25	72.25	69.00	54.50	49.50	39.50

Additions and deductions per 1,000 feet board measure (see § 1382.105 (b) (10).

For working:

1. Rabbeting bevel siding or bungalow siding, add $1.25 to grade item price.

For length:

2. 3' to 7½' bevel or bungalow siding, deduct $2.00 from standard length price of listed item.
3. Specified lengths, all grades of bevel and bungalow siding, 8', 10', 12', and 14', add $1.00; 16', add, $2.50; 18', add $3.50; 20', add $5.
4. Specified lengths, drop siding, use charges listed in table 2 for the comparable grade.
5. No additional charge may be made, when 18' and 20' are excluded from standard lengths, either at request o buyer or through inability of seller to supply.

(For other working, condition, grade and handling additions and deductions, see table (11).)

TABLE 6—PANEL STOCK

S2S

Grade and widths (inches)	½" finished 9/16" standard lengths 6' and longer	5/8" finished 7/16" standard lengths 6' and longer	¾" finished 9/16" standard lengths 6' and longer
A grade:			
4 and 6	$45.75	$65.50	$80.50
8	46.75	66.75	82.25
5 and 10	48.50	68.75	84.75
12	57.25	79.75	98.00
14	58.25	81.25	106.25
16	63.75	88.00	114.50
18	70.50	96.25	124.25
20	77.00	104.50	134.25
8 to 12 R/W	51.00	71.75	88.25
13 to 19 R/W	65.00	89.50	116.00

Additions and deductions per 1,000 feet board measure: See §1382.105 (b) (10).

For working:

1. S3S; S4S, add $1.00.

For grade:

2. B, deduct $4.00.

For length:

3. Specified lengths, 8', 10', 12' and 14', add $2.00; 16' add $5.00; 18', add $7.50; 20', add $10.00. All additions shall be to the standard length prices. No additional charge may be made, when 18' and 20' are excluded from standard lengths, either at request of buyer or through inability of seller to supply.

(For other working, condition, grade and handling additions and deductions, see table (11).)

TABLE 7—STANDARD PLASTERING LATH AND FENCE LATH

AIR DRIED OR KILN DRIED (BUNDLED)

Size and length	Grade No. 1, per 1,000 pieces	Grade No. 2, per 1,000 pieces	Grade No. 3, per 1,000 pieces
3/8 x 1 1/2"—4' plastering lath	$6.50	$5.50	$4.00
3/8 x 1 1/2"—32" plastering lath	4.00	2.50	------
3/8 x 1"—4' plastering lath	4.25	------	------
1/2 x 1 1/2"—32" fence lath	5.50	3.50	------

TABLE 7—STANDARD PLASTERING LATH AND FENCE LATH—Continued

AIR DRIED OR KILN DRIED (BUNDLED)—continued

Size and length	Grade No. 1, per 1,000 pieces	Grade No. 2, per 1,000 pieces	Grade No. 3, per 1,000 pieces
1/2 x 1 1/2"—36" fence lath	$6.25	$4.25	------
1/2 x 1 1/2"—42" fence lath	7.50	5.50	------
1/2 x 1 1/2"—48" fence lath	9.00	7.00	------
1/2 x 1 1/2"—60" fence lath	11.25	9.25	------
1/2 x 1 1/2"—72" fence lath	13.50	11.50	------

Additions and deductions per 1,000 pieces (see § 1382.105 (b) (10).

For condition:

1. Green, deduct 25¢.

TABLE 8—MOULDINGS

BUNDLED

	B and better—standard lengths 6' to 16' or 6' to 20'
Patterns listed at under $3.00	30% discount.
Patterns listed at $3.00 or over	25% discount.

Patterns and discounts refer to patterns and prices in 8,000 Series Standard Moulding Book, Fourth Edition 1940.

Additions and deductions per 1,000 lineal feet (see § 1382.105 (b) (10).)

For working:

1. Sanding flat surfaces one side, shorten discount 3 points.

For grades:

2. Clear all heart, shorten discount 20 points.

For quantity:

3. Lots of 25,000 lineal feet or more of a standard, non-standard, or special pattern, lengthen discount 2 points.
4. Lots of less than 1,000 lineal feet of a standard or pattern, or less than 3,000 lineal feet of a non-standard or special pattern, shorten discount 5 points and add a flat $5.00 machine set up charge.

For length:

5. For specified lengths or exclusion of any standard length or lengths, shorten discount 3 points.
6. Cut to length patterns, shorter than standard lengths, shorten discount 2 points.

TABLE 9—BATTENS

For 1,000 lineal feet, bundled

	No. 1 Com. and better, 6' and longer
3/8" x 3" S1S	$7.70
3/8" x 3" OG or S4S	8.35
2" OG or S4S	11.00
2½" OG or S4S	13.05

Additions and deductions per 1,000 lineal feet (see § 1382.105 (b) (10)).

For length:

1. For any specified length or lengths, add 50¢ for 3/8" x 3" and $1.00 for 2" and 2½".

(For other working, condition, grade and handling additions and deductions see table (11).)

TABLE 10—GROUNDS

	Per 100 lineal feet
¾" x 7/8" S1S or S2S String Tied	$0.32½

TABLE 11—SPECIAL WORKING, CONDITION, GRADE AND HANDLING ADDITIONS AND DEDUCTIONS

Per 1,000 feet board measure. (See §1382.105 (b) (10).

For working:

1. No charge may be made for dressing to flooring, ceiling, or any other pattern for which maximum prices are established in any of the tables of the regulation.
2. Sanding flat surfaces, one side (except moulding) add $3.00.
3. Ripping add $1.50 for each cut. Product of grade before ripping to be shipped.
4. Ripped once and each piece S4S or D & M, add $6.00 to rough grade item price.
5. Resawing and surfacing:
   - Resawing 1 line $3.00
   - Resawing 2 lines 5.50
   - Surfacing 1 or 2 sides 3.00
   - Surfacing 3 or 4 sides or 1 side and 1 edge 4.50
   - Surfacing 2 sides and resawing 6.00
   - Resawing and surfacing 2 sides 6.50
6. Dadoing, add 5¢ per cut.
7. Cross cutting, add $1.50 per cut.

For condition:

8. Green, deduct $5.00.
9. Kiln drying charges.
   Graded before kiln drying—
   - 1/2" & 5/8" $3.50
   - 3/4" 3.50
   - 4/4" 4.00
   - 5/4" 5.00
   - 6/4" 5.50
   - 8/4" 6.00
   - 10/4" 7.50
   - 12/4" 9.00
10. For grading after kiln drying, add $3.00, all thicknesses, to above kiln drying charges.

For handling:

11. Cleating ends, add $3.00.
12. Bundling rough or flat dressed items, all widths, add $2.00. This addition is not permitted for flooring, ceiling, siding, partition, mouldings, battens, grounds, lath or any other item on which the cost of bundling is included in the listed price.
13. Stenciling, other than association or grade marking, add $1.50.
14. Wrapping, add $5.00.

For inspection:

15. Where official inspection is requested by the buyer and an inspection certificate is required, the seller may make an added charge which does not exceed the inspection fees and expenses charged by the association to the seller and shown on the certificate.

(b) *Table of estimated weights.* (Expressed in pounds per unit on which maximum prices in the appropriate table are based; as 1,000' board measure, 1,000 pieces, 100 linear feet, or other unit.)

	Green		Dry	
	Dressed	Rough	Dressed	Rough
4/4", 5/4" and 6/4"	4,000	5,000	2,400	3,000
8/4"	4,200	5,000	2,600	3,200
10/4" and 12/4"	4,400	5,000	2,900	3,500
16/4" and thicker	4,600	5,000	3,200	3,500
4/4" rough, resawed	------	------	------	2,800
4/4" rough resawed twice	------	------	------	2,700
4/4" S2S and resawed	------	------	2,250	------
4/4" resawed and S2S	------	------	2,000	------
8/4" rough resawed twice	------	------	------	2,400
3/8" panel	------	------	800	------
1/2" panel	------	------	1,000	------
5/8" panel	------	------	1,400	------
3/4" panel	------	------	1,600	------

	Green		Dry	
	Dressed	Rough	Dressed	Rough
Worked flooring, partition, drop siding, shiplap, moulded casing and base	------	------	2,200	------
5/8" ceiling	------	------	1,600	------
1/2" ceiling	------	------	1,300	------
3/8" ceiling	------	------	1,000	------
1/2" bevel siding	------	------	1,000	------
Bungalow siding 5/8" x 9/16"	------	------	1,100	------
Bungalow siding 11/16" x 9/16"	------	------	1,300	------
Lath 3/8"-4'	------	------	550	------
Lath 3/8"-32"	------	------	375	------
Lath 5/8"-4'	------	------	900	------
Sheathing, D & M, shiplap S4S, finished 3/4"	------	------	1,850	------
O. G. battens 2"	------	------	300	------
O. G. battens 2 1/2"	------	------	350	------
O. G. battens 3"	------	------	400	------
3/8" x 3" battens, S1S	------	------	300	------
Car siding and roofing	------	------	2,000	------

(c) *Staking and bulkheading open top cars.* When a purchase order issued by any government agency requires that lumber thinner than 5" be shipped in open top cars, a charge of $7.50 per car may be made for material and labor involved in staking, wiring and separating. A further addition of $7.00 covering all materials and labor may also be charged for each bulkhead required by, and made in conformity with, the specifications of the Mechanical Division of the Association of American Railroads.

(d) *Custom kiln drying and milling.* Where yellow cypress lumber is kiln dried or milled for the seller by a custom kiln or milling establishment and the custom kiln or milling establishment is not owned or operated by or connected with the sawmill, the seller may add the actual cost of the kiln drying or milling, under circumstances permitted in, and amounts not greater than, the maximum prices established by the applicable regulation covering custom kiln drying and/or milling services.

[§ 1382.115 added by Am. 19, effective 8-22-45]

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 17th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15213; Filed, Aug. 17, 1945; 4:44 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 53, Amdt. 50]

FATS AND OILS

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

Article IX of Maximum Price Regulation No. 53 is amended in the following respects:

1. Section 9.1 (e) is amended to read as follows:

(e) *Container differentials for coconut and palm kernel oils.* The provisions of section 9.1 (b) notwithstanding, the maximum price of imported coconut oil and palm kernel oil when sold in the following described containers shall be the price set forth for such oils in bulk plus the differentials set forth below:

	Differentials to be added to bulk price (cents per pound)
Quantity sold (returnable drums) Carlots	0.5
Carlots in more than one delivery of ten drums each	0.7
5-9 drums, one delivery	1.1
1-4 drums, one delivery	1.5

If the oil is shipped in non-returnable drums, .5 cent per pound may be added to the above price.

2. There is added to section 9.2 a new paragraph (e) to read as follows:

(e) *Container differentials for babassu oil.* The provisions of section 9.2 (b) notwithstanding, the maximum price of imported babassu oil when sold in the following described containers shall be the price set forth for such oil in tank cars plus the differentials set forth below:

	Differential to be added to tank car price (cents per pound)
Quantity sold (returnable drums) Carlots	0.5
Carlots in more than one delivery of ten drums each	0.7
5-9 drums, one delivery	1.1
1-4 drums, one delivery	1.5

If the oil is shipped in non-returnable drums, 0.5 cent per pound may be added to the above price.

This amendment shall become effective August 22, 1945.

Issued this 17th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15211; Filed, Aug. 17, 1945; 4:49 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[2d Rev. RO 3,[1] Amdt. 33]

SUGAR

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

Section 9.8 (b) is amended by deleting the first sentence and inserting in place thereof the following: "Before any deliveries may be made under this section both the transferor and the transferee must notify, in writing, the Board (or District Office) with which the transferor is registered. The notice must be given at least two weeks in advance of any delivery of sugar or ration evidences under this section."

This amendment shall become effective August 20, 1945.

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 August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15220; Filed, Aug. 17, 1945; 4:51 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 16,[2] Amdt. 64]

MEAT, FATS, FISH AND CHEESES

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

Section 7.15 (b) is amended by deleting the first sentence and inserting in place thereof the following: "Before any transfer may be made under this section both the transferor and transferee must notify, in writing, the Board (or District Office) with which the transferor is registered. The notice must be given at least two weeks in advance of any transfer of foods covered by this order or points under this section."

This amendment shall become effective August 20, 1945.

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 August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15221; Filed, Aug. 17, 1945; 4:51 p. m.]

PART 1499—COMMODITIES AND SERVICES

[RMPR 165,[3] Amdt. 1 to Rev. Supp. Service Reg. 50]

BOWLING IN DAYTON, OHIO, AREA

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.

A new subparagraph (5) is added to § 1499.648 (c) to read as follows:

(5) The Regional Administrator for Region III may issue a general area order establishing maximum prices for bowling in the Dayton, Ohio, area.

This amendment shall become effective August 22, 1945.

Issued this 17th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15234; Filed, Aug. 17, 1945; 4:49 p. m.]

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[1] 9 F.R. 13992, 14642, 15043; 10 F.R. 201, 412, 1143, 1537, 2144, 2581, 2874, 3223, 4105, 4715.

[2] 10 F.R. 2521, 2375, 3223, 3556, 3549.

[3] 10 F.R. 2037, 2250, 3925.

PART 1499—COMMODITIES AND SERVICES

[2d Rev. SR 14, Amdt. 11]

LOGGING SERVICES

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

Second Revised Supplementary Regulation 14, is amended in the following respect:

1. Section 3.1 of Article III is deleted.

This amendment shall become effective August 22, 1945.

Issued this 17th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15212; Filed, Aug. 17, 1945; 4:47 p. m.]

PART 1305—ADMINISTRATION

[Supp. Order 45, Amdt. 24]

EXEMPTION FROM PRICE CONTROL OF CERTAIN COMMODITIES AND SERVICES

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

Section 1305.59 (a) (5) is added to read as follows:

(5) Tin gas meters.

This amendment shall become effective August 23, 1945.

Issued this 18th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15295; Filed, Aug. 18, 1945; 11:59 a. m.]

PART 1305—ADMINISTRATION

[Supp. Order 108,[1] Amdt. 4]

MANUFACTURERS' MAXIMUM AVERAGE PRICES FOR CERTAIN ITEMS OF APPAREL AND APPAREL ACCESSORIES

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.

Supplementary Order 108 is amended in the following respects:

1. Section 9 (a) is amended by amending the first two paragraphs thereof to read as follows:

(a) *Persons who are unable to establish base periods under section 2.* Except in the case of transfers of business as provided in section 10, if you made no deliveries at all in a particular category between January 1, 1943 and December 31, 1944, you may not deliver any items in that category after September 30, 1945 until you have received an order from the OPA establishing a maximum average price for that category.

However, if you made your first delivery of any item in that category between December 31, 1944, and April 28, 1945, and if you file your application under this section and receive an acknowledgment from the OPA dated on or before June 20, 1945 you may deliver items in that category at ceiling prices established under the appropriate regulation without regard to the requirements of this order, until an order has been issued to you under this section: Except that, until an order is issued, you must not deliver any item in that category at a price higher than the highest maximum price you have already established for any item in that category which you delivered before April 28, 1945. If you have not received an acknowledgment of the receipt of your application dated before June 21, 1945, you may not deliver any items in the category after September 30, 1945, until an order has been issued to you under this section.

This amendment shall become effective August 15, 1945.

Issued this 15th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15223; Filed, Aug. 17, 1945; 4:45 p. m.]

PART 1305—ADMINISTRATION

[Supp. Order 126]

EXEMPTION AND SUSPENSION OF CERTAIN ARTICLES OF CONSUMER GOODS FROM PRICE CONTROL

A statement of the consideration involved in the issuance of this supplementary order, issued simultaneously herewith has been filed with the Division of the Federal Register.

ARTICLE I—EXEMPTIONS

SECTION 1. *Articles exempted from price control.* Notwithstanding the provisions of any price regulation heretofore or hereafter issued by the Office of Price Administration, all purchases, sales and deliveries of any articles of consumer goods listed in sections 2 and 3, of this order are exempt from price control.

SEC. 2. *Consumer durable goods articles.* (a) The following articles of personal accessories:

- Comb cleaners
- Comforter grippers
- Decorative combs designed for use exclusively as hair ornaments
- Hand fans
- Jewelry of the following types (including costume jewelry) except when sold with or as a part of any article subject to price control such as apparel and time pieces:
  - Bracelets
  - Brooches
  - Charms
  - Compacts and vanity cases made of precious metals (not including articles plated with precious metals)
  - Cuff links
  - Earrings
  - Lipstick holders made of precious metals (not including articles plated with precious metals)
  - Necklaces
  - Pendants
  - Pins
  - Rings
- Jewelry of the following types (including costume jewelry) except when sold with or as a part of any article subject to price control such as apparel and time pieces—Continued.
  - Watch Bracelets
  - Men's accessories, such as tie clips, money clips, key chains, watch chains, belt buckles, etc.
- Shaving equipment made of precious metals (not including shaving equipment plated with precious metals)
- Shoe horns
- Smoking equipment and accessories except tobacco, cigars, cigarettes, matches and apparel
- Wigs and toupees
- Wood hair curlers

(b) The following articles of household accessories:

- Artificial or preserved grass, plants, stems, buds, vines, fruits, flowers, petals, leaves and foods for decorative household use and store display purposes.
- Beverage coasters
- Book ends
- Bookmarks (except paper)
- Christmas decorations made of natural vegetable products such items as cones, berries, pods, leaves, etc.
- Christmas tree holders
- Christmas tree ornaments except electric light bulbs, cords and sets
- Figurines and ornamental statuary designed for ornamental use (not including articles which may be used for any other purpose)
- Glass ice balls for "chilling without diluting" food and beverages
- Hand painted pictures
- Incense burners
- Miniature furniture used as containers for flowers, candy, cigarettes, etc. (except packaging supplied by seller of the packaged article)
- Miniature size novelties made of glass, china, wood, plastic, plaster, etc., which have no tableware use and are made for collector's purposes only, including miniature size decorative glass bottles other than perfume bottles
- Mirror covered boxes when sold separately and not as part of a unit containing an article not exempt
- Mirror table plateaus
- Music boxes when sold separately and not as part of an article not exempt
- Napkin rings
- Novelty cigarette, cigar, and playing card boxes when sold separately and not as part of a set (except paper or paper board articles and packaging supplied by a seller of the packaged article)
- Novelty and decorated serving trays
- Novelty pouring and measuring caps for liquor bottles
- Novelties made of alabaster, marble, onyx, shell, bark, bone, horn, butterfly wings and gourds for decorative household use or made for collectors' purposes
- Novelty wall plaques, masks, and decorations designed solely for ornamental use, but not including articles which may be used for any purpose whatsoever other than ornamentation
- Paper weights
- Picture frames and framed pictures (except portrait photographs)
- Pin cushions
- Party novelties made in part of candy, nuts or cosmetics
- Place card holders and place cards (except paper)
- Poker chips and racks
- Portable door stops
- Reading racks (except typewriter copy holders)
- Self-feeding baby bottle holders
- Shoe racks
- Tie racks
- Wood carved figures and animals

[1] 10 F.R. 4336, 5995, 6404.

Articles of glassware, china or pottery for decorative household use (except lamp bases and articles for the preparation, storage and service of food and beverages)

(c) The following articles of housewares:

Bird houses, feeders and baths
Bird cages, stands and hooks
Bowl covers and bags made of fabric or plastic for household use in preserving food and beverages
Clothespins
Deodorizers for use in household ice boxes and refrigerators only
Dinner bells and chimes
Dog and cat beds, cushions, mattresses and diners
Housenumber markers and holders
Wood log carriers

(d) The following articles of hardware:

Aluminum horse shoes
Garden hose reels
Safety air vents for wine fermentation
Ship bells
Sleigh bells

(e) The following articles of sporting goods:

Aquatic sporting goods other than apparel and shoes
Archery equipment other than apparel
Badminton equipment other than apparel and shoes
Baseball equipment except balls, mitts, gloves, bats, apparel and shoes
Basketball equipment except apparel, shoes and basketballs
Boats, 25 ft. or less in length constructed and sold solely for use as pleasure craft, made substantially of wood or wood and canvas
New canoes and accessories except sales
Cartridge case trimmers, reloaders, swedgers and reshapers for use in hand loading ammunition
Clay pigeons and traps for releasing clay pigeons
Croquet sets and equipment
Decoys, bird and game
Field hockey equipment except apparel and shoes
Fishing tackle except rods, reels, non-metallic lines and nets
Football equipment except apparel, shoes, helmets, pads and footballs
Game calls, bird and game
Golf equipment except apparel, shoes, clubs and balls
Ice hockey equipment except apparel, skates, shoes and skate combinations
Paddle tennis equipment
Shuffleboard equipment
Soccer equipment except apparel, shoes and balls
Softball equipment except balls, mitts, gloves, bats, apparel and shoes
Squash equipment other than apparel and shoes
Table tennis equipment
Tennis equipment except rackets, balls, apparel and shoes
Toboggans, bobsleds and equipment except apparel and shoes
Volley ball equipment except apparel, shoes and balls
The following items of track and field equipment: Javelins, discus, athletic shot, toe boards, athletic hammer, vaulting poles, vaulting and jump standards

(f) The following articles of photographic equipment:

Denistometers
Diffusing Screens
Film-hanger Racks
Film sheaths
Film-slitters
Lens caps
Montage Kits
Paper safes
Plate drying racks
Plate holders
Print embossers
Print paddles
Print tongs
Projector stands
Retouching desks
Slide changers
Slide-film viewers
Stirring rods
Trimming-board guides
Tripod tips
Vignetters

(g) The following articles of household furniture:

Costumers
Folding screens
Foot stools except hassocks and ottomans for matched sets
Furniture made entirely of glass
Hand carved wood wall brackets, wall pockets and sconces. (This does not include shadow boxes, curio cabinets or other hanging wall cabinets.)
Magazine racks and baskets when sold under the following conditions:
to consumers for $5.00 or less
to retailers for $2.50 or less
to wholesalers for $2.15 or less
Plant stands and ferneries
Portable bars and back bars for household use
Sewing cabinets (except cabinets for sewing machines)
Spinning wheels
Tea wagons

(h) The following articles of floor coverings:

Rugs, the wearing surface of which is made wholly of animal skins.

(i) The following articles of toys:

Magician's tricks
Toys and games when sold under any of the following conditions:
to consumers for $.25 or less
to retailers for $.15 or less
to wholesalers for $.12 or less

(j) The following articles of professional goods:

Dental instruments and supplies for use by dentists, including, but not limited to, forceps, pliers, handpieces, sealers, elevators, impression compounds, etc., but not including fixtures and dentifrices.
Exercise machines and devices
Laboratory apparatus built to specifications of the purchaser when no more than six identical items are manufactured (except scientific instruments covered by Maximum Price Regulation No. 136)
Scientific optical instruments (except those covered by RMPR No. 136 and binoculars, monoculars, field glasses and photographic equipment)
Surgical instruments or machines for use by physicians, surgeons or hospitals, including, but not limited to, forceps, clamps, surgical needles, knives, retractors, dilators, cardiographs, etc. But not including hospital or office furniture, or surgical supplies such as bandages, adhesive tape, etc.

(k) The following articles of equipment and supplies:

Advertising novelties, other than paper (such as: pens, pencils, tooth picks, knives, cigarette lighters, leather backed calendar pads, writing kits, playing cards, thermometers, barometers, hydrometers) which are sold to an advertiser who gives them away for purposes of publicity without cost to the recipient. These articles must be imprinted with the name of the advertiser or the name of the recipient before delivery by the manufacturer.
Automatic rotary cookers
Cemetery flower vases with invertible insert, and designed to be so placed into the ground that the top of the vase is flush with the ground level
Coin operated machines including, but not limited to, scales, vending machines, amusement machines, music machines
Electrically operated map cases
Florists' foliage, decorative and trimming products
Metal bindings or slides for use on maps, map cases, charts, calendars, tariff sheets, advertising matter, etc.
Mineral, geological, botanical and zoological specimens and microscopic slides for educational purposes
Miniature and scale model furniture sold for use in sales promotion
Records or electrical transcriptions of special studio programs or of live commercial radio broadcast programs when sold to advertising agencies, advertisers, radio broadcast stations, commercial radio program producers, or participating artist, for rebroadcast, advertising, promotion, or reference purposes only, and not for sale to the general public
Signs, advertising, street, etc.
Three dimensional sculptured or cast anatomical models (human, botanical, zoological) used for educational purposes
Tax and payroll calculators, non-mechanical, which use charts to indicate or compute taxes and payrolls
Wire forms for floral wreaths and wire easels for floral displays

(l) The following miscellaneous articles:

Decorative and memorial tablets and plaques
Wood, leather, metal, cloth, paper or pottery souvenirs on which have been printed, engraved, stamped, or burned the names or pictures of cities, towns, camp, resorts, or states which are sold only as souvenir items.

SEC. 3. *Leather, fur and fiber articles.*
Dressed Pony Hair
Dressed Badger Hair

ARTICLE II—SUSPENSION

SEC. 6. *Articles suspended from price control.* Notwithstanding the provisions of any price regulation heretofore or hereafter issued by the Office of Price Administration, price control is suspended as to all purchases, sales, and deliveries of any article of consumer goods listed in sections 8 and 9 of this order. These suspensions are for an indefinite period of time except when it is otherwise specifically provided by the Administrator.

SEC. 8. *Leather and fur and fiber articles.* (a) Furs and peltries of the following kinds:

Alaska Fox, Blue and White
Alaska Seal skin
Fox, Silver
Mink

(b) Furs and peltries heretofore subject to Maximum Price Regulation No. 541 other than the following:

Cat, Spotted, South American (including Brazilian and Mexican)
Fox, Gray
Hare
Kid, African (Eritrean)
Kid, Indian
Lamb, Indian "Bombay"
Lamb, Indian Moire (also known as Indian Broadtail)
Lamb, Lincoln
Lamb, Mouton
Marmot
Muskrat
Opossum, North American
Pony
Rabbit
Raccoon
Skunk
Squirrel
Wolf

SEC. 9. *Apparel articles.* (a) Fur garments (garments of which the entire external surface, except for trimming, is made of fur), fur shells or fur garments and fur trimmings and collars, other than such articles made from the following furs and peltries.

Cat, Spotted, South American (including Brazilian and Mexican)
Fox, Gray
Hare
Kid, African
Lamb, Indian "Bombay"
Lamb, Indian Moire (also known as Indian Broadtail)
Lamb, Lincoln
Lamb, Mouton
Marmot
Muskrat
Opossum
Pony
Rabbit
Raccoon
Skunk
Squirrel
Wolf

ARTICLE III—GENERAL PROVISIONS

SEC. 11. *Articles not affected by this order.* The provisions of this order do not exempt or suspend from price control articles which are not listed, although such articles may have incorporated in them or to be sold with, articles which are exempted or suspended from price control.

SEC. 12. *Records.* Exemption or suspension from price control shall not affect the responsibility of a person to prepare and preserve records which prior to exemption or suspension, were required to keep under the provisions of the applicable price regulation or regulations.

Records of individual transactions after exemption or during a period of suspension need not be retained. However, persons manufacturing articles which, except for exemption or suspension, are covered by Maximum Price Regulation No. 188 are required to continue to file copies of catalogues, price lists, notifications to the trade and changes thereof in accordance with the provisions of § 1499.159d of that regulation.

SEC. 13. *Definitions.* For the purpose of this supplementary order:

(a) "Person" means an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of the foregoing.

(b) "Price regulation" means a price schedule effective in accordance with section 206 of the Emergency Price Control Act of 1942 as amended, a maximum price regulation or temporary maximum price regulation, heretofore or hereafter issued, or any amendment or supplement thereto or order thereunder heretofore or hereafter issued.

SEC. 14. *Relationship between this order and Supplementary Order 45.* The provision of this supplementary order supersedes the provision of Supplementary Order 45 as to any article listed in this order.

SEC. 15. *Geographical applicability.* The provisions of this order shall be applicable to purchases, sales and deliveries in the forty-eight states of the United States and the District of Columbia.

This supplementary order is effective on the 15th day of August 1945.

Issued this 15th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15137; Filed, Aug. 17, 1945; 11:15 a. m.]

PART 1305—ADMINISTRATION

[Supp. Order 127]

EXEMPTION FROM PRICE CONTROL OF CERTAIN COMMODITIES AND SERVICES IN TERRITORIES AND POSSESSIONS OF UNITED STATES

A statement of the considerations involved in the issuance of this supplementary order, issued simultaneously herewith, has been filed with the division of the Federal Register.

Sec.
1.1 Geographical applicability.
1.2 Nature of order.
1.3 Exemption from price control of certain commodities and services.

AUTHORITY: § 1305.155 issued under 56 Stat. 23.765; 57 Stat. 566; Pub. Law 383, 78th Cong.; Pub. Law 108, 79th Cong.; E.O. 9250; 7 F.R. 7871; E.O. 9328; 8 F.R. 4681.

SECTION 1.1 *Geographical applicability.* This order shall apply in the Territories and Possessions of the United States.

SEC. 1.2 *Nature of order.* This order grants exemption from maximum price control of the commodities and services specified.

SEC. 1.3 *Exemption from price control of certain commodities and services*—(a) *General.* Notwithstanding the provisions of any regulation or order issued prior to the effective date of this order by the Office of Price Administration, all sales by any persons of the following listed commodities are exempt from price control, except as otherwise provided herein:

(1) The following items in the notions category:

Tie racks, shoe racks
Pin cushions
Shoe horns
Wigs and toupees
Wood hair curlers
Comforter grippers
Comb cleaners

(2) The following items in the household accessories category:

Book ends, portable door stops, and paper weights
Reading racks, but not including typewriter copy holders
Mirror table plateaus
Beverage coasters
Dinner bells and chimes
Wood carved figures and animals
Music boxes
Table decorations consisting of artificial flowers, artificial fruit, or leaves only
Artificial stem flowers for decorative household use, including artificial petals and leaves
Place card holders
Figurines and ornamental statuary designed for purely ornamental use, but not including articles which may be used for any other purpose whatsoever although they are in the shape of figurines
Novelty wall plaques, masks, and decorations designed for purely ornamental use, but not including framed pictures or articles which may be used for any purpose whatsoever other than ornamentation
Novelty glass ice balls for "chilling without diluting" food and beverages
Miniature size novelties made of glass, china, wood, plaster, etc., which have no tableware use and are made for collectors' purposes only, including miniature size decorative glass bottles other than perfume bottles
Self-feeding baby bottle holders
Wood log carriers
Incense burners
Deodorizers for use in ice boxes and refrigerators only.
Cigarette urns
Novelty cigarette boxes (other than paper or paperboard) when sold separately and not as part of a set.
Custom made picture frames, when no more than four frames are made to the same specifications for any one customer.
Hand decorated used bottles
Decorative place cards (other than paper)
Poker chip racks
Miniature furniture used as containers for flowers, candy, cigarettes, etc.
Bird houses, feeders, and baths
Bookmarks (except paper)
Book ends and ash trays, when made from worn baby shoes.
Napkin rings

(3) The following miscellaneous items:

Three dimensional sculptured or cast anatomical models (human, botanical, zoological) used for educational purposes.
Floor-sweeping compounds
Reagent chemicals, when sold for the purposes of scientific and medical research, for analytical and educational uses, and for quality control of industrial products.
Sphagnum moss and peatmoss
Florists' foliage, decorative and trimming products
Wrought iron fences
Wrought iron balustrades
Lightning rods
Weathervanes
Cast-iron cornices
Steel or iron marquees
Ornamental iron brackets
Whole crab and shrimp meal
Ground peanut hay
Architectural Terra Cotta
Guinea pig complement
Changeable sign letters, and equipment for mounting such letters on theater marquees and in theater lobbies

Theater lobby display signs and transparencies, and equipment for mounting such signs and transparencies
Novelty pouring and measuring caps for liquor bottles
Decorative combs designed for use exclusively as hair ornaments
Cemetery flower vases with invertible insert, and designed to be so placed in the ground that the top of the vase is flush with the ground level
Costume jewelry when made from nuts, seeds, pods or other natural vegetable products except wood
Hand painted pictures
Shaving equipment made of precious metals (not including shaving equipment plated with precious metals)
Advertising thermometers
Christmas decorations when made of natural vegetable products such as cones, berries, pods, leaves, etc.
Cartridge case trimmers for use in hand loading ammunition
Toys and games when sold under any of the following conditions:
(1) to consumers for $.10 or less
(2) to retailers for $.06 or less
(3) to wholesalers for $.05 or less
Ceramic decorative tiles for use as table ornaments
Stamped envelopes sold to and by the Post Office Department of the United States Government
Hand fans
Novelties made of alabaster, marble, onyx, shell, bark, bone, horn, butterfly wings and gourds
Artificial or preserved grass, plants, stems, vines, fruits, flowers, leaves and foods
Aluminum horse shoes
Safety air vents for wine fermentation
Bird cages and bird cage stands
Party novelties made in part of candy, nuts or cosmetcs
Wire forms for floral wreaths and wire easels for floral displays
Ship bells
Sleigh bells
Miniature and scale model furniture sold for use in sales promotion
Mineral, geological, botanical and zoological specimens and microscopic slides for educational purposes.
Dog and cat beds, cushions, mattresses and diners.
Machine banded wood pressure pipe
Wire-bound wood pressure pipe
Continuous stave wood pipe
Solid bored wood pressure pipe, machine banded or wire-wound
Wood lined pressure pipe
Decorative and memorial tables and plaques
Tax and payroll calculators, nonmechanical which use charts to indicate or compute taxes and payrolls
Laboratory apparatus built to specifications of the purchaser when no more than six identical items are manufactured (except scientific instruments covered by Maximum Price Regulation No. 136)
Wood or metal souvenirs on which have been printed, engraved or burned the names of cities, towns or states and which are sold only as souvenir items.
Electrically operated map cases
Advertising thermometers, barometers and hydrometers
Advertising novelties, other than paper (such as: pens, pencils, tooth picks, knives, cigarette lighters, leather backed calendar pads, writing kits, playing cards) which are sold by a manufacturer to an advertiser who gives them away for purposes of publicity without cost to the recipient. These articles must be imprinted with the name of the advertiser or the name of the recipient before delivery by the manufacturer.
Mirror covered boxes
Hand carved wood wall brackets, wall pockets and sconces. (This does not include shadow boxes, curio cabinets or other hanging wall cabinets)
Novelty cigar and playing card boxes (except original packaging supplied by the manufacturer of the commodity.)
New canoes
Magicians' tricks
Records or electrical transcriptions of special studio programs or of live commercial radio broadcast radio programs when sold to advertising agencies, advertisers, radio broadcast stations, commercial radio program producers, or participating artist, for rebroadcast, advertising, promotion, or reference purposes only, and not for sale to the general public.
Boats, 25 ft. or less in length constructed and sold solely for use as pleasure craft, made substantially of wood or wood and canvas, except rowboats and boats with inboard motors.

(b) *Special provisions for the Territory of Hawaii.* The provisions herein with respect to the following listed articles shall not be applicable in the Territory of Hawaii:

Beverage Coasters
Sea Shells
Tie Racks
Shoe Racks
Hand Fans
Poker Chip Racks
Cigarette Urns
Novelty Cigarette Boxes
Custom-Made Picture Frames
Costume Jewelry
Toys and Games
Hand painted pictures other than originals.

This Supplementary Order 127 shall become effective August 15, 1945.

Issued this 15th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15224; Filed, Aug. 17, 1945; 4:45 p. m.]

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

[RMPR 143,[1] Incl. Amdts. 1-8]

WHOLESALE PRICES FOR NEW RUBBER TIRES AND TUBES

This compilation of Revised Maximum Price Regulation 143 includes Amendment 8, effective August 23, 1945. The text added or amended by Amendment 8 is underscored. Deletions and changes in tables are indicated by notes.

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended. A statement of the considerations involved in the issuance of this regulation is issued simultaneously herewith and has been filed with the Division of the Federal Register.[2]

Such specifications and standards as are used in this regulation were, prior to such use, in general use in the trade or industry affected or have previously been promulgated and their use lawfully required by another Government agency.

§ 1315.1501 *Maximum wholesale prices for new rubber tires and tubes.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, Revised Maximum Price Regulation 143 (Wholesale Prices for New Rubber Tires and Tubes), which is annexed hereto and made a part hereof, is hereby issued.

Sec.
1. What this regulation covers.
2. Prohibition against sales at prices above the maximum.
3. Sales by manufacturers and private brand owners.
4. Sales by sellers other than brand owners.
5. Manufacturers' sales to brand owners and other cost-plus sales.
6. "Factory seconds" and "factory rejects."
7. Tires and tubes which cannot be priced under any other section.
8. Federal and State taxes.
9. Adjustable pricing.
10. Records.
11. Licensing.
12. Evasion.
13. Enforcement.
14. Petitions for amendment.
15. Applications for adjustment.
Appendix I.
Appendix II.

AUTHORITY: § 1315.1501 issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; Pub. Law 103, 79th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4631.

SECTION 1. *What this regulation covers*—(a) *Transactions covered.* This regulation applies to all wholesale sales of new rubber tires and tubes for automobiles, trucks, busses, trailers, off-the-road equipment, farm implements, tractors, industrial equipment, motorcycles and aircraft. "Rubber" means substitute rubber and all forms and types of rubber, including scrap, synthetic, balata, and reclaimed rubber. "Synthetic rubber tires and tubes" means tires and tubes which contain any synthetic rubber and which are marked with the symbols designated by the War Production Board, Rubber Bureau, to identify them as containing synthetic rubber. A tire or tube, other than aircraft tires or tubes, is "new" if it has been used less than 1,000 miles. An aircraft tire or tube is "new" if it has never been used. "Wholesale sale" means a sale to a buyer who purchases for resale and not for his own use. New tires which the manufacturer or brand owner has found defective and not repairable and which such manufacturer or brand owner has slashed or otherwise mutilated prior to his delivery to any person shall be deemed scrap rubber and the maximum prices thereof shall be determined in accordance with the provisions of Revised Price Schedule 87.[3]

[Paragraph (a) amended by Am. 4, 10 F.R. 3013, effective 3-26-45 and Am. 8, effective 8-23-45]

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[1] 9 F.R. 4286.

[2] Statements of the Considerations are also issued simultaneously with amendments. Copies may be obtained from the Office of Price Administration.

[3] 9 F.R. 344, 3852, 4879; 10 F.R. 2516.

(b) *Certain transactions not covered.* (1) Maximum Price Regulation 415[4] covers sales to any agency of the United States Government.

(2) The Second Revised Maximum Export Price Regulation[5] covers export sales and sales to exporters.

(c) *Relation to other regulations.* This regulation supersedes any other regulation issued by the Office of Price Administration, as to transactions covered by this regulation.

(d) *Geographical applicability.* This regulation applies in the 48 states of the United States, the District of Columbia, and the territories and possessions of the United States. However, as to sales in Puerto Rico, all references in this regulation to March 1942 shall be changed to April 10 to May 10, 1942, inclusive.

SEC. 2. *Prohibition against sales at prices above the maximum.* On and after the effective date of this regulation, no person shall sell or deliver new rubber tires or tubes at wholesale, and no person shall buy or receive such tires or tubes in the course of trade or business, at a price higher than the maximum price fixed by this regulation, regardless of any contract or other obligation. No person shall agree, offer, solicit or attempt to do any of the foregoing. Lower prices may, of course, be charged.

SEC. 3. *Sales by manufacturers and private brands owners*—(a) *What this section covers.* This section covers all wholesale sales by manufacturers and private brand owners except sales of factory seconds and factory rejects and sales by manufacturers to brand owners and other sales under cost-plus contracts. (Sales of factory seconds and factory rejects are covered by section 6; sales by manufacturers to brand owners and other sales under cost-plus contracts are covered by section 5.)

[Paragraph (a) amended by Am. 4, 10 F.R. 3013, effective 3-26-44; Am. 5, 10 F.R. 3947, effective 4-16-45; and Am. 6, 10 F.R. 3979, effective 4-15-45]

(b) *Maximum prices.* (1) This regulation does not require sellers and buyers to quote or compute wholesale selling prices by any particular method. The only restriction resulting from this regulation is that the net wholesale selling price, expressed in dollars and cents, when computed or quoted by the seller and buyer by the method chosen by them, shall not exceed the net wholesale price, expressed in dollars and cents, resulting from the application of the provisions of this regulation. (For example, a buyer and seller may agree to compute wholesale prices for synthetic rubber passenger car tires by applying discounts to the maximum retail prices fixed by Section 16 of Revised Maximum Price Regulation 528 for such tires: *Provided,* That wholesale prices so computed do not exceed those determined under this section.) Prices lower than the maximum prices may, of course, be offered, demanded, charged or paid at all times and under any circumstances.

(2) (i) *Aircraft tires and tubes.* The maximum wholesale price shall be determined by using each seller's own percentage discount. Such discount shall be determined by computing the dollar-and-cent difference between the highest net wholesale price charged the particular class of buyer on deliveries made during January 1945 (if no delivery was made during January 1945, to a particular class, use the highest net wholesale price offered to that class during January 1945), and the maximum retail price as established by Revised Maximum Price Regulation 528 on that size and type of tire or tube. For any size which the brand owner did not deliver or offer for delivery during January 1945, to a buyer of a particular class, he shall use the discount computed as above provided for the most comparable size in the same brand and type.

(ii) *All other tires and tubes.* The maximum wholesale price shall be determined by using the percentage discount which the seller had in effect to buyers of the same class during March 1942, on sales of each particular size, type, and brand of tire or tube. Each discount used shall be expressed as a percentage of the maximum retail price in effect during March 1942, and shall be determined by computing the dollar-and-cent differences between the highest net wholesale price charged the particular class of buyer on deliveries made during March 1942 (if no delivery was made during March 1942, to a particular class, use the highest net wholesale price offered to that class during March 1942), and the maximum retail price in effect during March 1942, on that size, type, and brand of tire or tube. For any size which the brand owner did not deliver or offer for delivery during March 1942, to a buyer of a particular class, he shall use the discount computed as provided above for the most comparable size in the same brand and type.

"Maximum retail price" as used in this regulation does not include the 16 percent increase resulting from the dealer tire return plan.

(3) The discounts under (2) above shall be used as follows to determine the applicable maximum wholesale prices:

(i) *Passenger car and motorcycle tires.* The discounts to be used shall be the discounts computed under (2) above for each size in the seller's 100-level brand which he sold during March 1942. "100-level brand" means the seller's brand which during March 1942 had a retail maximum price for the 6.00-16, four ply, passenger car tire nearest $14.75, for a manufacturer's brand, or $13.25 for a private brand, and in the case of motorcycle tires, the seller's brand which had a retail maximum price for the 4.50-18, four ply tire nearest $10.80. To determine the maximum wholesale price for each size of tire, the 100-level discounts shall be applied to the prices listed in Appendix I of this regulation. However, the maximum wholesale price may be increased by an amount not to exceed the amount specified in Appendix I of this regulation for each size and ply of tire.

(ii) *Passenger car and motorcycle tubes.* The discounts to be used shall be the discounts computed under (2) above for each size in the seller's brand whose maximum retail price, in the case of passenger car tubes, was nearest $3.65 for the 6.00-16 size, and in the case of motorcycle tubes, was nearest $2.20 for the 4.50-18 size. To determine the wholesale maximum price, these discounts shall be applied to the maximum retail prices fixed by Section 16 of Revised Maximum Price Regulation 528 for such tubes.

(iii) *Tires and tubes other than passenger car and motorcycle.* The discounts to be used shall be the discounts determined under (2) above for the same size, type, and brand of tire or tube as the tire or tube being priced. To determine the maximum wholesale price these discounts shall be applied to the maximum retail price fixed by Section 16 of Revised Maximum Price Regulation 528 for the tire or tube being priced. However, in the case of such tires (except farm tractor, implement and aircraft tires), the maximum wholesale price may be increased by an amount not to exceed 5 per cent of the maximum retail price. (No adjustment resulting in a higher wholesale price may be made in the case of tubes or farm tractor, implement and aircraft tires.)

[Paragraph (b) amended by Am. 4, 10 F.R. 3013, effective 3-26-45 and Am. 8, effective 8-23-45]

(c) [Deleted]

[Paragraph (c) deleted by Am. 8, effective 8-23-45]

(d) [Deleted]

[Paragraph (d) amended by Am. 4, 10 F.R. 3013, effective 3-26-45 and deleted by Am. 8, effective 8-23-45]

(e) [Deleted]

[Paragraph (e) amended by Am. 2, 9 F.R. 12270, effective 10-14-44; Am. 3, 9 F.R. 14724, effective 12-15-44; Am. 4, 10 F.R. 3013, effective 3-26-45; Am. 6, 10 F.R. 3979, effective 4-15-45 and deleted by Am. 8, effective 8-23-45]

SEC. 4. *Sales by sellers other than brand owners*—(a) *What this section covers.* This section covers all wholesale sales by sellers other than brand owners,

[4] 10 F.R. 3082.

[5] 8 F.R. 4132, 5987, 7662, 9998, 15193; 9 F.R. 1036, 5435, 5923, 7201, 9835, 11273, 12919, 14436; 10 F.R. 863, 923, 2432, 6590, 8746, 8611.

except sales of factory seconds and factory rejects. (Sales of factory seconds and factory rejects are covered by section 6.)

[Paragraph (a) amended by Am. 4, 10 F.R. 3013, effective 3-26-45 and Am. 6, 10 F.R. 3979, effective 4-15-45]

(b) *Method of quoting or computing prices.* This regulation does not require sellers and buyers to quote or compute wholesale selling prices by any particular method. The only restriction resulting from this regulation is that the net wholesale selling prices, expressed in dollars and cents, when computed or quoted by the seller and buyer by the method chosen by them, shall not exceed the net wholesale price, expressed in dollars and cents, resulting from the application of the provisions of this regulation. (For example, a buyer and seller may agree to compute wholesale prices for synthetic rubber passenger car tires by applying discounts to the maximum retail prices fixed by section 16 of Revised Maximum Price Regulation 528 for such tires, provided that wholesale prices so computed do not exceed those determined under this section.) Prices lower than the maximum prices may, of course, be offered, demanded, charged or paid at all times and under any circumstances.

[Paragraph (b) amended by Am. 4]

(c) *Maximum prices.* (1) The maximum wholesale price for sales of synthetic rubber passenger car or motorcycle tires shall be the price listed in Appendix II of this regulation for the respective size, type, and ply.

(2) The maximum wholesale price for sales of all other tires and all tubes shall be determined by deducting the following minimum discounts from the maximum retail prices fixed by section 16 of Revised Maximum Price Regulation 528 for the particular size, type and ply:

	Percent
All tires except aircraft	25
Aircraft tires	24
All tubes except farm tractor and aircraft	35
Farm tractor tubes	25
Aircraft tubes	25-5

[Subparagraph (2) amended by Am. 8, effective 8-23-45]

[Paragraph (c) amended by Am. 1, 9 F.R. 7260, effective 7-5-44; Am. 2, 9 F.R. 12270, effective 10-14-44; Am. 3, 9 F.R. 14724, effective 12-15-44; Am. 4, 10 F.R. 3013, effective 3-26-45; and Am. 6, 10 F.R. 3979, effective 4-15-45]

(d) *Other discounts.* (i) A seller who, prior to the effective date of this revised regulation, had established under Maximum Price Regulation 143 a maximum wholesale price to a particular buyer which represented a smaller discount (excluding any add-on) than the applicable minimum discount set forth in (c) above, may determine maximum wholesale prices to that buyer for any brand by using such lower discount instead of the discount specified in (c), provided he files with the District Office of the Office of Price Administration for the district in which he is located, on or before August 15, 1944, a report including the following information:

[Above paragraph amended by Am. 1, 9 F.R. 7260, effective 7-5-44]

(i) The name and address of the buyer.

(ii) The smallest discount or discounts that he proposes to give the particular buyer on future purchases of tires and tubes.

(iii) The smallest legal discount given this buyer prior to the effective date of this regulation, and the date of the last such sale.

(iv) The largest discount that he was required, under Maximum Price Regulation 143, to give to this particular buyer on any brand of tires and on any brand of tubes actually sold to him prior to the effective date of this revised regulation.

(v) A statement that the discount reported under (iii) above was properly determined under Maximum Price Regulation 143 prior to the effective date of this revised regulation.

(2) The Price Administrator or any Regional Administrator, or any District Director so authorized by his Regional Administrator, may disapprove or adjust discounts reported under this paragraph upon a determination that such discounts were not properly established under Maximum Price Regulation 143 prior to the effective date of this revised regulation, or that the discounts reported yield higher maximum prices than those applicable to the bulk of the seller's sales to the particular buyer prior to the effective date of this revised regulation.

SEC. 5. *Manufacturers' sales to brand owners and other cost-plus sales*—(a) *Applicability of this section.* This section covers sales of new rubber tires or tubes (whether they are made of natural, synthetic, or reclaimed rubber) by the manufacturer to the brand owner of the tires or tubes, even though the purchasing brand owner may also be a tire or tube manufacturer. This section also covers sales to any buyer to whom the seller was selling tires or tubes pursuant to a cost-plus contract during March 1942. This section does not cover factory second or factory reject tires and tubes, which are covered by section 6.

[Paragraph (a) amended by Am. 4, 10 F.R. 3013, effective 3-26-45]

(b) *Maximum prices.* A manufacturer may determine maximum prices under this section for sales to a particular buyer pursuant to any one of the methods set forth in subparagraphs (1), (2), (3), (7) or (8) below. However, after selecting any one of these methods for determining maximum prices for sales to a particular buyer, the manufacturer may not use another method for determining maximum prices to that buyer without written permission to do so from the Office of Price Administration, Washington, D. C.

[Above paragraph amended by Am. 5, 10 F.R. 3947, effective 4-16-45 and Am. 8, effective 8-23-45]

(1) *Fixed price per tire or tube.* The maximum wholesale prices under this subparagraph shall be determined upon the manufacturer's first sale or delivery of each size and type of tire or tube to the particular buyer by applying to the cost (determined according to subparagraph (5)) of the particular size and type of tire or tube the percentage mark-up (determined according to subparagraph (6)) applicable to that buyer. The price so established shall be the maximum wholesale price for all deliveries of that size and type of tire or tube to that buyer for a period, agreed upon by the seller and buyer, of not less than three months or more than six months. The manufacturer must report such prices to the Office of Price Administration, Washington, D. C., as required by paragraph (c). At least thirty days before the end of the first period agreed upon by the seller and the buyer, and at least thirty days before the end of each subsequent period, the manufacturer must file another report containing the information required by paragraph (c) (1) (vi), and must determine his maximum prices for each subsequent period on the basis of the unit costs filed in such report.

(2) *Aggregate prices for all sales during an accounting period.* The aggregate maximum prices for all sales during an accounting period agreed upon by the buyer and seller (not less than three months nor more than one year) of all types and sizes of tires or tubes to that buyer during that period, shall be determined by applying to the aggregate costs (determined according to subparagraph (5)) the percentage mark-up (determined according to subparagraph (6)) applicable to that buyer. The seller must file a report with the Office of Price Administration in accordance with paragraph (c) and thereafter the seller may not change the accounting period without written permission to do so from the Office of Price Administration, Washington, D. C.

(3) *Freeze of March 1942 cost-plus contracts.* If during March 1942, the seller had in effect with a particular buyer a written cost-plus contract, he may file a copy of such contract with the Office of Price Administation for approval. Such contract, if approved by the Office of Price Administration, shall determine his maximum prices for sales to that buyer. The Office of Price Administration will approve such a contract if it is consistent with the requirements of this regulation in regard to costs, mark-up and accounting period.

(4) *Limitation on prices determined under (1) to (3) above.* Notwithstanding the provisions of (1) to (3) above, a maximum price determined under this section may not exceed the maximum price of the seller to his lowest price class of buyer on sales of his own (manufacturer's) brand unless the seller receives written permission from the Office of Price Administration, Washington, D. C., to apply subparagraphs (1) to (3) without this limitation. Such permission will be granted only if the seller shows that such action is consistent with the normal relationship between the seller's

prices on sales of his own brand to his lowest price class of buyer and his prices to the particular buyer for whom a price is being determined under this section. If the seller has elected to determine his price under (1) above, no individual size or type of tire or tube may be sold at a price which exceeds the limitations imposed by this subparagraph (4). If the seller has elected to determine his maximum prices under (2) or (3) above, the aggregate amount collected during the accounting period may not exceed the aggregate price resulting from the limitation imposed by this subparagraph.

If the buyer receives from the seller a written statement that the price charged does not exceed the maximum price permitted by this subparagraph, the buyer shall be deemed to have complied with this subparagraph.

(5) *Computation of cost.* The cost of any particular size or type of tire or tube or the aggregate costs for all types and sizes delivered to a particular buyer shall be the sum total of direct labor cost, direct material cost including waste, factory overhead, warehousing and shipping expense, administrative expense, and other commercial expense. The method of computing costs shall be the same method actually used during the ninety day period selected under subparagraph (6). If the seller elects to determine his maximum price under (1) above, the cost shall be the actual costs of producing and selling the tire or tube to the particular buyer for the last complete quarter prior to the filing of the report required by this section. If the seller made no sales to the particular buyer during the last complete quarter prior to the filing of such report, he shall use estimated current costs of producing and selling the tires or tubes to the particular buyer rather than actual costs. However, within sixty days after the first three months of actual production of the tires or tubes for the particular buyer, the seller must file the report required by paragraph (c) using actual costs for the three-month period. If the seller elects to determine his maximum price under (2) above, the cost shall be the aggregate actual costs of producing and selling all tires and tubes sold to the particular buyer during the accounting period for which a maximum aggregate price is being determined.

(6) *Computation of mark-up.* The percentage mark-up to be applied under (1) or (2) above shall be the average mark-up on all sales of tires and tubes to the particular buyer during any ninety-day period between July 1, 1941, and December 31, 1941. The mark-up shall be determined by subtracting from the total aggregate net sales of tires and tubes to the particular buyer during the period selected, the total actual aggregate costs as described in subparagraph (5) above, and expressing the remainder as a percentage of the total aggregate costs. If the seller made no sales to the particular buyer between July 1, 1941, and December 31, 1941, he shall use a percentage mark-up consistent with percentage mark-ups determined under this section.

(7) *Optional pricing for sales of tubes.* Notwithstanding any other provision of this paragraph, a manufacturer may determine his maximum price for sales of new rubber tubes to the brand owner of the tubes by deducting a minimum discount of sixty percent from the maximum retail price of each tube of a given size and type determined in accordance with section 16 of Revised Maximum Price Regulation 528.

[Subparagraph (7) added by Am. 5, 10 F.R. 3947, effective 4-16-45]

(8) Notwithstanding any other provision of this paragraph a manufacturer, upon written agreement with the brand owner, may establish the maximum price for sales of new rubber tires to the brand owner of the tires at the same level as the maximum price of the seller to his lowest price class of buyer on sales of his own (manufacturer's) brand. A copy of this agreement must be filed with the Office of Price Administration, Washington, D. C.

[Subparagraph (8) added by Am. 8, effective 8-23-45]

(c) *Reports and approvals of prices.* (1) A manufacturer who determines any maximum prices under paragraph (b) (1) of this section shall file the report required by this paragraph with the Office of Price Administration, Washington, D. C., within thirty days after the effective date of this regulation or within ten days after the particular buyer first agrees to buy tires or tubes for which a maximum price must be determined under this section, whichever is later.

A manufacturer may not accept payment for any such tires or tubes (unless specifically authorized to do so by the Office of Price Administration) until the reported maximum prices are approved by the Office of Price Administration. The reported maximum prices, however, shall be deemed to be approved unless within twenty days after the mailing of the report (or within twenty days after the mailing of any additional information which may have been requested), the Office of Price Administration notifies the manufacturer that his reported maximum prices have been disapproved or that action thereon has been deferred pending receipt of further information. The Office of Price Administration may approve or disapprove, and may at any time after approval, correct maximum prices reported under this section so as to make them consistent with the level of maximum prices established by this section.

The report to be filed by the manufacturer shall contain the following information:

(i) Name and address of the brand owner, and the brand or brands of tires or tubes being priced.

(ii) Total aggregate net sales of tires and tubes to the particular brand owner during any ninety-day period between July 1, 1941, and December 31, 1941 (specifying the ninety-day period used).

(iii) Total actual aggregate costs applicable to sales reported in (ii) above showing as separate sub-totals:

(*a*) Total factory costs.
(*b*) Total warehousing and shipping expense.
(*c*) Total administrative expense.
(*d*) Total other commercial expense, if any.

(iv) A description of the method used in determining items (*b*), (*c*); and (*d*) under (iii) above.

(v) The percentage mark-up on cost resulting from sales during period selected in (ii) above. (If the seller made no sales to the particular buyer between July 1, 1941, and December 31, 1941, he shall report the mark-up requested and state why it is consistent with other mark-ups determined to this section.)

(vi) Unit costs (showing same sub-totals required in (iii) above) for each size and type of tire or tube for which a maximum price is being determined. The costs reported shall be actual costs of producing and selling the tire or tube to the particular buyer for the last complete quarter prior to the filing of the report, computed by the same method of computing costs as the method actually used during the ninety-day period reported under (ii). If no sales were made to the particular buyer during that quarter, estimated current production and sales expenses shall be reported for each size. If estimated costs must be used, the information required by this subdivision (vi) shall be refiled with the Office of Price Administration not later than sixty days after the first three months of production and sales to the particular buyer. At the time of refiling, actual costs for the three-month period shall be reported for each size and type of tire or tube, and new prices must be reported based on such actual costs.

(2) A manufacturer who determines any maximum prices under subparagraph (b) (2) of this section shall submit reports as required under subparagraph (1) above, but need not include the information required by subdivision (vi).

(d) *Records required by this section.* Any manufacturer who determines any maximum prices under paragraph (b) (2) or (b) (3) of this section shall keep for inspection by the Office of Price Administration so long as the Emergency Price Control Act of 1942, as amended, remains in effect, accurate records for each particular buyer whose maximum prices are determined under this section. The records shall include total aggregate costs showing sub-totals for factory costs, warehousing and shipping expense, administrative expense, and other commercial expense, computed by the same method of computing costs as the method actually used during the ninety-day period reported under (c). The requirements of this paragraph (d) are in addition to the record requirements set forth in section 10 for all sellers at wholesale.

SEC. 6. *"Factory seconds" and "factory rejects".* (a) A "factory second" tire or tube is a new tire or tube which the manufacturer or brand owner has found to be defective in his final inspection and from which the brand name has been removed by the manufacturer or brand owner, or upon which he has placed a special identifying mark. "Factory second" also includes any damaged new tire which has been reclassified as a

Grade III tire under OPA tire rationing regulations. Notwithstanding the provisions of sections 3, 4, and 5 of this revised regulation, the maximum prices for factory second tires and tubes shall be determined by deducting the following minimum discounts from the maximum wholesale price (including any increase permitted by section 3 or 4) which would apply if the tire or tube were not a factory second:

	Percent
All tubes	25
Passenger car tires	25
All other tires	20

(b) A "factory reject" tire or tube is a new tire or tube which the manufacturer, prior to delivery to any person, has prominently branded in the case of a tire, or stamped in the case of a tube, with the word "Reject"; and, in the case of a tire, requires a reliner, sectional (or reinforcement) repair, or a complete or partial new tread to be made serviceable.

(1) Notwithstanding the provisions of sections 3, 4, and 5 of this revised regulation, the maximum prices for factory reject tires and tubes which have been repaired in accordance with the quality specifications in section 15 of Revised Maximum Price Regulation 528, shall be determined by computing the price for each tire or tube in accordance with (a) of this section, as though such tire or tube were a factory second, and deducting from such factory second price, an additional minimum discount of 25 percent of the maximum price which would apply if the tire or tube were a factory second.

(2) Notwithstanding the provisions of sections 3, 4, and 5 of this revised regulation the maximum prices for factory reject tires and tubes which have not been repaired in accordance with the quality specifications in section 15 of Revised Maximum Price Regulation 528, shall be determined by computing the price for such tire or tube in accordance with (1) above, as though such tire or tube were a repaired factory reject and deducting from such repaired factory reject price an additional minimum discount of 40 percent of the maximum price which would apply if the tire or tube were a repaired factory reject.

[Sec. 6 amended by Am. 4, 10 F.R. 3013, effective 3-26-45]

SEC. 7. *Tires and tubes which cannot be priced under any other section.* (a) The maximum wholesale price for sales of tires or tubes which cannot be priced under any other section shall be a price consistent with the level of maximum wholesale prices fixed by this regulation, specifically authorized by the Office of Price Administration or calculated by the seller after specific authorization from the Office of Price Administration. In each case covered by this section, the seller must file with the Office of Price Administration, Washington, D. C., a report containing the following information before offering the tires or tubes for sale:

(1) A description of the tire or tube for which a maximum price is sought, including the type, brand name, size, number of plies, and construction.

(2) A statement of the reasons why such tires or tubes cannot be priced under any other section.

(3) A proposed maximum retail price, and proposed maximum wholesale prices for all classes of buyers for whom maximum wholesale prices are to be established.

(4) A description of the proposed pricing method and a statement of the reasons why he believes that the use of this method will result in maximum prices which are consistent with the level of maximum wholesale prices fixed by this regulation.

(b) No seller required to report a maximum price under this section may offer the tires or tubes for sale (unless specifically authorized to do so by the Office of Price Administration) until the proposed maximum price is approved by the Office of Price Administration. The proposed maximum price, however, shall be deemed to be approved unless, within twenty days after mailing of the report (or within twenty days after the mailing of all additional information which may have been requested), the Office of Price Administration notifies the seller that his proposed maximum price has been disapproved or that action thereon has been deferred pending receipt of further information.

(c) The Office of Price Administration may approve or disapprove, and may at any time after approval, correct maximum wholesale prices proposed or established under this section so as to bring them into proper relationship with the level of maximum wholesale prices otherwise established by this regulation, and in connection with the approval or correction of such prices may issue orders establishing maximum prices for retail sales as well.

SEC. 8. *Federal and State taxes.* The Federal excise tax on new tires and tubes, if stated separately by the seller, may be added to the maximum wholesale prices of any new tires and tubes. Any other tax upon, or incident to, the sale, delivery, or processing or use of a tire or tube, imposed by any statute of the United States or statute or ordinance of any state or subdivision thereof, shall be treated as follows: If the statute or ordinance imposing such tax does not prohibit the seller from stating and collecting the tax separately from the purchase price and the seller does state it separately, the seller may collect, in addition to the maximum price, the amount of the tax actually paid by him or an amount equal to the amount of tax paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased.

SEC. 9. *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purpose of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration to whom the authority to grant such authorization has been delegated. The authorization will be given by order.

SEC. 10. *Records.* Every person making a sale or purchase subject to this regulation, of new rubber tires or tubes, shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, accurate records of each such sale or purchase showing the date, the name and address of the buyer and seller, the price paid or received, the quantity of each brand, type, and size of new rubber tires or tubes sold or purchased, and whether made of natural or synthetic rubber.

SEC. 11. *Licensing.* The provisions of Licensing Order No. 1,[7] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of this license or of one or more maximum price regulations. A person whose license is suspended may not, during the period of suspension, make any sales for which his license has been suspended.

SEC. 12. *Evasion.* The price limitations set forth in this regulation shall not be evaded by direct or indirect methods in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of any tire or tube, alone or with any other commodity, or by way of commission, service, transportation or other charge, or by tying agreement or other trade understanding, or by making the terms and conditions of sale more burdensome to buyers than those available or in effect during March 1942, or by any other means. The substitution of a standard warranty, in line with that generally prevailing in the industry, for a road hazard warranty given with the sale of a tire or tube covered by this regulation, is not considered an evasion under this section.

[Last sentence added by Am. 8, effective 8-23-45]

SEC. 13. *Enforcement.* Persons violating any provisions of this regulation are subject to the criminal penalties, civil enforcement actions, license suspension proceedings, and suits for treble damages provided by the Emergency Price Control Act of 1942, as amended.

SEC. 14. *Petitions for amendment.* Any person seeking an amendment of any provisions of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.[8]

SEC. 15. *Applications for adjustment.* This section applies to a brand owner

[7] 8 F.R. 13240.
[8] 9 F.R. 10476, 13715.

whose wholesale maximum prices are out of line with the level of maximum wholesale prices established for brand owners generally. Notwithstanding any other provisions of this regulation, the maximum wholesale prices for sales by such a brand owner may be determined under section 7 of this regulation. The brand owner must make application to the Office of Price Administration, Washington, D. C., as required by section 7.

APPENDIX I—TABLES FOR DETERMINATION OF MAXIMUM WHOLESALE PRICE FOR PASSENGER CAR AND MOTORCYCLE TIRES SOLD BY MANUFACTURERS AND BRAND OWNERS UNDER SECTION 3

TABLE 1—PASSENGER CAR TIRES

Size [1]	4-ply tire [2] discount base	Maximum wholesale increase	6-ply tire [3] discount base	Maximum wholesale increase
4.00-15	$7.80	$0.25		
4.25/4.50-12	9.10	.25		
4.40/4.50/4.75/5.00-21 [4]	11.04	.31	$13.49	$0.41
4.50/4.75/5.00-20 [4]	12.25	.35	14.50	.45
4.75/5.00-19	11.05	.35	14.15	.40
5.00-15	10.70	.30		
5.00-16	10.80	.30		
5.00-17	11.70	.35		
5.25-21	15.55	.45	19.40	.60
5.25/5.50-17	13.55	.40	16.90	.50
5.25/5.50-18	12.35	.35	15.46	.44
5.25/5.50-19	15.65	.45	18.80	.55
5.25/5.50-20	16.75	.50	20.45	.60
*5.50-15	12.48	.37		
5.50-16	13.15	.40	16.45	.50
6.00-16	14.75	.45	18.45	.55
6.00/6.50-17	16.00	.50	20.48	.62
6.00/6.50-18	17.25	.50	21.60	.65
6.00/6.50-19	17.68	.52	21.05	.65
6.00/6.50-20	18.00	.55	21.97	.68
6.25-16	16.60	.50	20.85	.65
6.25/6.50-16	17.90	.55	22.45	.65
6.50-15	17.50	.55	21.90	.65
6.50-16	17.90	.55	22.45	.65
7.00-15	19.80	.60	24.75	.75
7.00-16	20.30	.60	25.40	.75
7.00-17	21.94	.66	27.30	.80
7.50-15	24.85	.75	31.00	.95
7.50-16	25.75	.75	32.25	.95
7.50-17			37.15	1.10
8.25-16			37.25	1.10
30 x 3½	9.39	.26	10.50	.30
14" Jumbo			33.25	1.00
15" Jumbo			36.65	1.10

[1] Tire with a single size marking must take discount base of that single size if listed. If not listed, they take the discount base of the combination size in which that single size appears.

[2] The discount base and maximum wholesale increase of a 5-ply tire shall be 115 percent of the discount base and maximum wholesale increase of a 4-ply tire of the same size.

[3] The discount base and maximum wholesale increase of a 7-ply tire shall be 107 percent of the discount base and maximum wholesale increase of a 6-ply tire of the same size.

[4] Any combination size not specifically listed but included in this combination size shall take the discount base shown for this combination.

[*Item added by Am. 8, effective 8-23-45]

[Footnotes 2 and 3 amended by Am. 7, 10 F.R. 6514, effective 6-6-45]

TABLE 2—MOTORCYCLE TIRES

Size	2-ply tire discount base	Maximum wholesale increase	4-ply tire discount base	Maximum wholesale increase
3.20-18	$8.09	$0.26	$8.48	$0.27
*3.50-18			8.88	.27
3.85-18	9.17	.28	9.61	.29
3.85-20			10.38	.32
4.00-18	9.40	.30	9.85	.30
4.00-19	9.68	.27	10.15	.30
4.50-18	10.15	.30	10.80	.30
4.50-19	10.53	.32	11.04	.31
5.00-16	11.40	.35	11.95	.35

[*Item added by Am. 8, effective 8-23-45]

["Synthetic rubber" deleted from Appendix heading and table headings by Am. 8, effective 8-23-45]

[Appendix I amended by Am. 5, 10 F.R. 3947, effective 4-16-45 and Am. 6, 10 F.R. 3979, effective 4-15-45]

APPENDIX II—MAXIMUM WHOLESALE PRICES FOR SYNTHETIC PASSENGER CAR AND MOTORCYCLE TIRES SOLD BY PERSONS OTHER THAN BRAND OWNERS UNDER SECTION 4

TABLE 1—SYNTHETIC RUBBER PASSENGER CAR TIRES

Size [1]	4-ply [2] tire price	6-ply [3] tire price
4.00-15	$5.71	
4.25/4.50-12	6.62	
4.40/4.50/4.75/5.00-21 [4]	8.04	$9.85
4.50/4.75/5.00-20 [4]	8.93	10.60
4.75/5.00-19	8.09	10.31
5.00-15	7.79	
5.00-16	7.86	
5.00-17	8.54	
5.25-21	11.34	14.18
5.25/5.50-17	9.89	12.33
5.25/5.50-18	9.00	11.26
5.25/5.50-19	11.41	13.71
5.25/5.50-20	12.23	14.92
*5.50-15	9.11	
5.50-16	9.61	12.02
6.00-16	10.78	13.47
6.00/6.50-17	11.70	14.96
6.00/6.50-18	12.58	15.77
6.00/6.50-19	12.90	15.39
6.00/6.50-20	13.15	16.06
6.25-16	12.12	15.25
6.25/6.50-16	13.08	16.37
6.50-15	12.80	15.98
6.50-16	13.08	16.37
7.00-15	14.46	18.08
7.00-16	14.81	18.53
7.00-17	16.02	19.91
7.50-15	18.15	22.65
7.50-16	18.78	23.53
7.50-17		27.11
8.25-16		27.18
30 x 3½	6.83	7.65
14" Jumbo		24.28
15" Jumbo		26.76

[1] Tires with a single size marking must take the maximum price of that single size if listed. If not listed, they take the maximum price of the combination size in which that single size appears.

[2] Maximum price of a 5-ply tire shall be 115% of the maximum price of a 4-ply tire of the same size.

[3] Maximum price of a 7-ply tire shall be 107% of the maximum price of a 6-ply tire of the same size.

[4] Any combination size not specifically listed but included in this combination size shall take the maximum price shown for this combination.

[*Item added by Am. 8, effective 8-23-45]

TABLE 2—SYNTHETIC RUBBER MOTORCYCLE TIRES

Size	2-ply tire price	4-ply tire price
3.20-18	$5.92	$6.21
*3.50-18		6.49
3.85-18	6.70	7.02
3.85-20		7.53
4.00-18	6.88	7.20
4.00-19	6.98	7.41
4.50-18	7.41	7.86
4.50-19	7.69	8.04
5.00-16	8.33	8.72

[*Item added by Am. 8, effective 8-23-45]

[Appendix II added by Am. 6, 10 F.R. 3979, effective 4-15-45]

This regulation shall become effective in the District of Columbia and the 48 states of the United States May 1, 1944.

This regulation shall become effective in the territories and possessions June 14, 1944.

[Revised Maximum Price Regulation 143 originally issued April 20, 1944] [Effective dates of amendments are shown in notes following the parts affected]

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

Issued this 18th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15283; Filed, Aug. 18, 1945; 11:55 a. m.]

PART 1346—BUILDING MATERIALS

[RMPR 206, Amdt. 13]

VITRIFIED CLAY SEWER PIPE AND ALLIED PRODUCTS

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

Revised Maximum Price Regulation 206 is amended in the following respects:

1. Section 1.4 (c) is amended to read as follows:

(c) *Maximum Price Regulation No. 188 as amended.* The provisions of this revised regulation supersede Maximum Price Regulation 188, as amended, with respect to all sales and deliveries made by manufacturers where the shipment originates at the factory. New products falling within the definition of sewer pipe products, but which cannot be priced under the provisions of this Revised Maximum Price Regulation 206, shall be priced in accordance with the pricing provisions of Maximum Price Regulation No. 592.

2. Section 4.3 is amended to read as follows:

SEC. 4.3 *Requirement for maintenance of standard quality in sewer pipe products.* If the quality of any seller's vitrified clay sewer pipe and allied products is reduced below the standards or quality in effect during the year 1941, the product must be considered to be a new product within the meaning of this regulation, and a maximum price for such products must be determined in accordance with the provisions of section 6 and sections therein referred to, of Maximum Price Regulation No. 592 (Specified Construction Materials and Refractories).

This amendment shall become effective August 23, 1945.

Issued this 18th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15288; Filed, Aug. 18, 1945; 11:58 a. m.]

PART 1346—BUILDING MATERIALS

[MPR 276, Amdt. 5]

ASPHALT TILE

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 276 is amended in the following respects:

1. Section 1346.315 (g) is amended to read as follows:

(g) The proposed change of any style number or designation listed herein shall be reported to the Office of Price Administration, Building Materials Price Branch, Washington 25, D. C., at least 10 days prior to the use of any such changed style number or designation. If a change in product results, or if a new product is being produced by the manufacturer, a maximum price therefor must be established under section 6 and sections therein referred to of Maximum Price Regulation No. 592 (Specified Construction Materials and Refractories).

2. Section 1346.315 (h) is amended to read as follows:

(h) Any decrease in the quality of any asphalt tile product subject to this regulation below that in effect by each manufacturer during March 1942 shall be deemed to result in a new or changed article for which a maximum price must be established under section 6, and sections therein referred to, of Maximum Price Regulation No. 592.

This amendment shall become effective August 23, 1945.

Issued this 18th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15289; Filed, Aug. 18, 1945; 11:58 a. m.]

PART 1346—BUILDING MATERIALS

[MPR 466, Amdt. 4]

ASBESTOS-CEMENT BUILDING MATERIALS

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 466 is amended to delete all references therein to "§ 1499.154, and sections therein referred to, of Maximum Price Regulation 188 (Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel)", and to substitute in their stead "section 6, and sections therein referred to, of Maximum Price Regulation No. 592 (Specified Construction Materials and Refractories)."

This amendment shall become effective August 23, 1945.

Issued this 18th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15290; Filed, Aug. 18, 1945; 11:59 a. m.]

PART 1346—BUILDING MATERIALS

[MPR 544, Amdt. 1]

FLAMEPROOF COTTON INSULATION

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 2.3 is amended to read as follows:

SEC. 2.3 *Pricing of flameproof cotton insulation not specifically covered by this regulation.* The maximum prices for any flameproof cotton insulation which is offered for sale on and after July 11, 1944, the effective date of this regulation, and for which no maximum price has been established by this regulation, shall be determined in accordance with section 6, and sections therein referred to, of Maximum Price Regulation No. 592 by manufacturers, and §§ 1499.2 and 1499.3 of the General Maximum Price Regulation by persons other than manufacturers.

This amendment shall become effective August 23, 1945.

Issued this 18th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15287; Filed, Aug. 18, 1945; 11:53 a. m.]

PART 1346—BUILDING MATERIALS

[RPS 45, Amdt. 7]

ASPHALT OR TARRED ROOFING PRODUCTS

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

1. The last paragraph of § 1346.63 (f) is amended to read as follows:

For all asphalt or tarred roofing products not expressly listed in this section and which cannot be priced under the above provisions, the maximum prices shall be determined in accordance with section 6 and sections therein referred to of Maximum Price Regulation No. 592 (Specified Construction Materials and Refractories).

2. The last paragraph of § 1346.64 (f) is amended to read as follows:

For all asphalt or tarred roofing products not expressly listed in this section and which cannot be priced under the above provisions, the maximum prices shall be determined in accordance with section 6 and sections therein referred to of Maximum Price Regulation No. 592 (Specified Construction Materials and Refractories).

This amendment shall become effective August 23, 1945.

Issued this 18th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15291; Filed, Aug. 18, 1945; 11:58 a. m.]

PART 1362—CERAMIC PRODUCTS

[MPR 416, Amdt. 7]

BASIC REFRACTORY PRODUCTS

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

Maximum Price Regulation 416 is amended in the following respects:

1. Section 1.4 (e) is amended to read as follows:

(e) *General Maximum Price Regulation and Maximum Price Regulation No. 188.* The provisions of the General Maximum Price Regulation and Maximum Price Regulation 188 are superseded by this regulation with respect to sales or deliveries of basic refractory products which are subject to this regulation. However, Maximum Price Regulation No. 592 is applicable to the pricing of new basic refractory products as set forth in Articles IV to VI, inclusive.

2. Section 4.1 is amended to read as follows:

SEC. 4.1 *Application.* The provisions of this article shall apply to sales by all persons of basic refractory brick shipped from Plymouth Meeting or Chester, Pennsylvania, or Baltimore, Maryland.

However, this regulation does not apply to sales of refractory brick not listed in section 4.4, except to the extent that such sales exceed $50,000 worth of unlisted basic refractory brick during a period of one year from the effective date of this regulation (and for each successive year thereafter) or that such sales exceed 150 tons of any kind of unlisted basic refractory brick during such periods.

If a contemplated sale of any unlisted basic refractory brick would exceed either of these limits, the manufacturer, before offering such brick for sale, must apply to the Office of Price Administration for a price under section 6 of Maximum Price Regulation No. 592.

3. Section 4.7 is amended to read as follows:

SEC. 4.7 *Changes in quality and new products.* All manufacturers of basic refractory brick shall continue the same quality of basic refractory brick listed in section 4.4, hereof, as supplied to each class of customer during the first quarter of 1942. Each manufacturer may increase or decrease the ingredients used in the production of an established brand of basic refractory brick, or in the production of a new basic refractory brick in an amount not to exceed 15 percent, up or down, of a base of 100 percent of each of the ingredients which were used during the first quarter of 1942 in the established brand without having the brick considered as a new product which requires special pricing by the Office of Price Administration. However, the manufacturer may apply to the Office of Price Administration for the pricing of any new brick or any established brick which has been altered or changed within the limits of the aforesaid 15 percent in accordance with section 6 of Maximum Price Regulation No. 592. The increase or decrease of ingredients shall not limit the manufacturer in changing the type of grinding, burning, or any other factor in the manufacture of basic refractory brick.

If the change in the ingredients exceeds the 15 percent limit, such brick

shall be considered a new product, and the manufacturer must establish a price for it in accordance with section 6 of Maximum Price Regulation No. 592 before offering the brick for sale.

This amendment shall become effective August 23, 1945.

Issued this 18th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15285; Filed, Aug. 18, 1945; 11:57 a. m.]

PART 1377—LUMBER DISTRIBUTION

[2d Rev. MPR 215, Amdt. 11]

DISTRIBUTION YARD SALES OF SOFTWOOD

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

Second Revised Maximum Price Regulation 215 is amended in the following respects:

1. The list of maximum price regulations in section 3 (b) is amended by deleting "Yellow Cypress Lumber—MPR 513 (Except Table I)" and adding the following:

Southern Hardwood Lumber—RMPR 97—Yellow Cypress Lumber—Tables in Section 1382.115 Appendix D. (Except Table 1.)

2. The list of "Upper bracket" items in section 5 (d) is amended by correcting the heading "MPR 513–Yellow Cypress" to read "RMPR 97—Yellow Cypress."

3. Section 7 (a) (15) is amended by correcting the heading "Yellow Cypress Lumber—MPR 513 to read "Yellow Cypress Lumber–RMPR 97."

This amendment shall become effective August 22, 1945.

Issued this 17th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15293; Filed, Aug. 18, 1945; 12:00 m.]

PART 1381—EASTERN SOFTWOODS AND MILLWORK

[MPR 513,[1] Revocation]

YELLOW CYPRESS LUMBER

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

Maximum Price Regulation 513 and all amendments issued thereunder are revoked subject to the provisions of Supplementary Order No. 40.

This amendment shall become effective August 22, 1945.

Issued this 17th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15292; Filed, Aug. 18, 1945; 11:59 a. m.]

[1] 9 F.R. 2026, 3459, 3652.

PART 1382—HARDWOOD LUMBER

[MPR 146,[1] Amdt. 21]

APPALACHIAN HARDWOOD LUMBER

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 146 is amended in the following respects:

1. Section 1382.2 is amended to read as follows:

§ 3182.2 *Less than maximum prices.* Lower prices than those set forth in this regulation may be charged, demanded, paid or offered.

2. In § 1382.8 (a) (3), subdivision (i) is amended to read as follows:

(i) Produced from the botanical species of yellow poplar (liriodendron tulipifera), tough white ash (Fraxinus americana), beech (Fagus americana), soft maple (Acer rubrum), butternut (Juglans cinerea) chestnut (Castanea dentata), hard maple (Acer saccharum), and the botanical species included in the genera of red oak and white oak (Quercus), hickory (Hicoria), basswood (Tilia), birch (Betula), buckeye (Aesculus), cherry (Prunus) and yellow cypress lumber (which includes all items of cypress lumber of any species of cypress other than tidewater red cypress) only when sold "ungraded" by small mills duly authorized to sell Appalachian hardwood lumber in this manner under § 1382.15 of this regulation; (For provisions regarding the sale of yellow cypress in any other manner see Revised Maximum Price Regulation 97); and all other hardwood species; and

3. In § 1382.11 (b), subparagraph (24), White Oak or Red Oak—Structural Stock or Sound Square Edge, the note entitled "Prices for specific sizes not in schedule" is amended to read as follows:

Prices for specific sizes not in schedule. The maximum price for material of a length not included in this schedule shall be determined by adding to the maximum price for the next shorter length the proportionate amount of the difference between the maximum price of such next shorter length and the maximum price of the next longer length.

In the case of any item 2" or thicker and wider than 6", for which the thickness or the width is not included in the schedule, the maximum price shall be the maximum price for the material of the next greater thickness or width.

The maximum prices set forth above supersede the maximum prices for like material authorized for individual sellers under the special pricing provisions of this regulation.

4. In § 1382.11 (b), subparagraph (25), White Oak or Red Oak—Freight Car Stock, Common Dimension, Mine Car Lumber, the note entitled "Prices for specific sizes not in schedule" is amended to read as follows:

Prices for specific sizes not in schedule. The maximum price for material of a length not included in this schedule shall be determined by adding to the maximum price for the next shorter length the proportionate amount of the difference between the maximum price of such next shorter length and the maximum price of the next longer length.

In the case of any item 2" or thicker and wider than 6", for which the thickness or the width is not included in the schedule, the maximum price shall be the maximum price for the material of the next greater thickness or width.

The maximum prices set forth above supersede the maximum prices for like material authorized for individual sellers under the special pricing provisions of this regulation.

[1] 9 F.R. 3313, 10982.

5. In § 1382.11 (e), subparagraph (7) is amended to read as follows:

(7) *Custom-kiln and milling.* Where Appalachian hardwood lumber is kiln dried or milled for the seller by a custom-kiln or milling establishment, and the custom-kiln or milling establishment is not owned or operated by, or connected with, the sawmill, the seller may add the actual cost of the kiln drying or milling, under circumstances permitted in, and in amounts not greater than, the maximum prices established by, the applicable regulation covering custom kiln drying and/or milling services.

6. In § 1382.14 (a) (2), subdivision (viii), Bevel and drop siding, is deleted and subdivisions (ix) through (xiv) are redesignated (viii) through (xiii) inclusive, respectively.

7. In § 1382.15, an undesignated paragraph is added immediately preceding paragraph (a) to read as follows:

Yellow cypress lumber sold by a small mill duly authorized by the Office of Price Administration under this section to sell graded Appalachian hardwood lumber either on its own inspection as provided in the preceding paragraph or under the conditions provided in paragraph (b) below, must be sold under the appropriate provisions of Revised Maximum Price Regulation 97. (Note that maximum prices of graded yellow cypress sold by small mills on grades determined by National Hardwood Lumber Association inspection or on authorized buyer's inspection are established in § 1382.113 of Revised Maximum Price Regulation 97).

8. In § 1382.15, paragraph (a) is amended to read as follows:

(a) *Ungraded hardwood lumber; maximum prices.* The maximum prices for 1,000 feet board measure for the full product of the logs of ungraded Appalachian hardwood lumber, including yellow cypress lumber, produced by small mills, of any species or combination of species in green or dry condition are as follows:

Lumber cut to dry to:	
Thicknesses of 1", 1¼" and 1½"	$36.50
Thickness of 2"	33.00
Thicknesses over 2"	32.00

This amendment shall become effective August 22, 1945.

Issued this 17th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15294; Filed, Aug. 18, 1945; 12:00 m.]

PART 1400—TEXTILE FABRICS: COTTON, WOOL, SILK, SYNTHETIC AND ADMIXTURES

[MPR 478, Amdt. 6]

COATED AND COMBINED FABRICS

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 478 is amended in the following respects:

1. August 27, 1945, is substituted for August 13, 1945, for effective date for Amendment 5 to Maximum Price Regulation 478.

2. August 27, 1945, is substituted for August 13, 1945, where the latter date appears in section 9 (f).

3. September 27, 1945, is substituted for September 13, 1945, where the latter date appears in section 9 (g).

This amendment shall become effective as of August 13, 1945.

Issued this 14th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15086; Filed, Aug. 14, 1945; 4:40 p. m.]

PART 1404—RATIONING OF FOOTWEAR

[RO 17,[1] Amdt. 109]

SHOES

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

Ration Order 17 is amended in the following respects:

1. Section 2.22 (f) (1) and (2) are amended to read as follows:

(1) *Age restriction.* Any establishment which has men's and women's shoes which were manufactured before March 1, 1944 and which cannot reasonably be sold for ration currency may transfer them without ration currency in accordance with the provisions of this paragraph.

(2) *Ration-free period.* During the period from August 17 to September 29, 1945, inclusive, any establishment may transfer without ration currency any shoes described in section 2.22 (f) (1).

2. Section 2.22 (f) (6) is amended to read as follows:

(6) *Advertising.* When such shoes are offered for sale to consumers in any advertisement or notice, they shall be referred to as "OPA Release No. 107. Ration-free from August 17 to September 29, 1945, inclusive.

This amendment shall become effective August 17, 1945.

Issued this 15th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15222; Filed, Aug. 17, 1945; 4:45 p. m.]

[1] 10 F.R. 6960, 7537, 8576, 8747, 8748.

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Control Order 1,[1] Amdt. 16]

LIVESTOCK SLAUGHTER AND MEAT DISTRIBUTION

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

Control Order 1 is amended in the following respects:

1. The text of section 23 (g) (2) is redesignated section 23 (g) (2) (i).

2. Section 23 (g) (2) (i) is amended by substituting for the first sentence the following: "If a slaughterer customarily keeps combined records of meat and other items he may make deliveries of meat, and make his reports and keep his records, under this section, as if all the deliveries covered by those records were of meat only, but only if the items other than meat covered by such records do not exceed 5% by weight of the total, and not more than 2% of the total, by weight, consists of items which are not meat under this section and are not rationed under Revised Ration Order 16."

3. Section 23 (g) (2) (ii) is added to read as follows:

(ii) A slaughterer who has more than one Class 1 or Class 2 slaughtering establishment may, for the purposes of this section, group two or more of them together and treat the group as one slaughtering establishment, if he customarily maintains a central office for the group, at which he keeps combined records of the inventory, production, acquisitions, and transfers of meat of all the establishments in the group. If he is a Class 1 or Class 2A slaughterer as to any of the establishments included in the group, he shall, for the purposes of this section, be considered a Class 1 or Class 2A slaughterer as to the group; otherwise he shall be considered a Class 2B slaughterer as to the group. If a slaughterer wishes to operate under this provision, he must submit a written notice stating that he proposes to operate under it, and giving the names and addresses of the slaughtering establishments which he proposes to treat as a group under this section, and the name and address of the central office at which he keeps the combined records for the group. If he is a Class 1 or Class 2A slaughterer as to the group, he must submit the notice to the Washington Office. If he is a Class 2B slaughterer as to the group, he must submit the statement to the District Office for the area in which the central office for the group is located. After giving such notice, such group of establishments shall, for the purposes of this section, be treated as one slaughtering establishment at the central office maintained by him for the group. However, if after giving such notice he wishes to treat separately, under this section, one or more of the establishments included by him in the group, he must apply for, and obtain permission to do so from, the same office to which he gave the notice mentioned above. Such permission will be granted only if and to the extent consistent with the maintenance of the same distribution pattern with respect to the slaughterer's meat as he had during his first three full reporting periods in 1944.

This amendment shall become effective on August 22, 1945.

NOTE: The 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 18th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15278; Filed, Aug. 18, 1945; 11:54 a. m.]

[1] 10 F.R. 4005.

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Control Order 1, Amdt. 3 to Supp. 1]

LIVESTOCK SLAUGHTER AND MEAT DISTRIBUTION

Paragraph (c) of Table I in Supplement No. 1 to Control Order 1 is amended to read as follows:

(c) For quota periods beginning on or after July 29, 1945:

	Percent
Cattle	100
Calves	75
Sheep and lambs	110
Swine	60

This amendment shall become effective as of July 29, 1945.

Issued this 18th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15279; Filed, Aug. 18, 1945; 11:54 a. m.]

PART 1408—GLASS AND GLASS CONTAINERS

[MPR 175, Amdt. 3]

ROUGH ROLLED, FIGURED, WIRE AND HEAT ABSORBING ROLLED GLASS

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 1403.12 (g) (2) is amended to read as follows:

(2) If any change in tolerance is made from that in effect for each manufacturer on October 1, 1941, the resulting product shall be deemed to be a new product and must be priced in accordance with section 6 and sections therein referred to of Maximum Price Regulation No. 592 (Specified Construction Materials and Refractories).

This amendment shall become effective August 23, 1945.

Issued this 18th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15286; Filed, Aug. 18, 1945; 11:57 a. m.]

PART 1420—BREWERY, DISTILLERY AND WINERY PRODUCTS

[RMPR 259,[1] Incl. Amdts. 1–7]

MALT BEVERAGES

This compilation of Revised Maximum Price Regulation 259, includes Amendment 7, effective August 23, 1945. The text added or amended by Amendment 7 is underscored. Redesignations are indicated by notes.

A statement of the considerations involved in the issuance of this regulation has been issued and filed with the Division of the Federal Register.[2]

ARTICLE I—EXPLANATION OF THIS REGULATION

Sec.
1.1 Purpose of this regulation.
1.2 General definitions.

ARTICLE II—GENERAL PRICING PROVISIONS FOR BREWER'S SALES OF DOMESTIC MALT BEVERAGES

2.1 Explanation of certain terms used in this article.
2.2 Brewer's basic pricing methods.
2.3 Brewer's notification of price adjustment.
2.4 Brewer's pricing method for sales to a new class of purchasers.
2.5 Brewer's pricing method where the container size is different than in the base period.
2.6 Brewer's pricing methods for sales of a domestic malt beverage of a brand and type that cannot be priced under section 2.2.
2.7 Brewer's changes in container and case practices.
2.8 Federal and state taxes.
2.9 Brewer's individual applications for maximum prices.
2.10 Adjustment of brewer's maximum prices.
2.11 Transfers of business or assets.
2.12 Brewer's reports of maximum prices.

ARTICLE III—IMPORTED MALT BEVERAGES

ARTICLE IV—GENERAL PRICING PROVISIONS FOR WHOLESALERS' AND RETAILERS' SALES OF DOMESTIC MALT BEVERAGES

4.1 Determination of "cost of acquisition" used in figuring maximum prices by wholesalers and retailers for sales of domestic malt beverages in bottles and cans.
4.2 Maximum prices for sales per case by wholesalers.
4.3 Maximum prices for sales of domestic malt beverages in bottles or cans by retailers and wagon vendors.
4.4 Changes in wholesalers' and retailers' maximum prices.
4.5 Sales of domestic malt beverages in barrels by wholesalers and retailers.
4.6 Sales and gross receipts taxes.
4.7 Wholesalers' and retailers' individual application for maximum prices.
4.8 Sales by a brewer's branch, a sole distributor or a bottling wholesaler.

ARTICLE V—MISCELLANEOUS PROVISIONS

Sec.
5.1 Units of sale and fractions of a cent.
5.2 Container and case deposits.
5.3 Payment of brokerage.
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5.5 Adjustable pricing.
5.6 Export sales.
5.7 Records which must be kept.
5.8 Sales slips and receipts.
5.9 Compliance with this regulation.
5.10 Prior regulations, orders and interpretations superseded.
5.11 Compliance with other laws, ordinances, and regulations.
5.12 Petitions for amendment.
5.13 Applicability.

APPENDIX A

AUTHORITY: § 1420.51 issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; Pub. Law 108, 79th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

ARTICLE I—EXPLANATION OF THIS REGULATION

SECTION 1.1 *Purpose of this regulation.* This regulation is designed to establish maximum prices and pricing methods for all sales of domestic malt beverages except the following:

(a) Sales subject to restaurant maximum price regulations of the Office of Price Administration or sales for which orders heretofore or hereafter issued and effective under General Order No. 50,[3] with respect to sales for on-premise consumption only, fix maximum prices or provide a pricing method.

[Paragraph (a) amended by Am. 3, 10 F.R. 2585, effective 3–7–45]

(b) Sales for which orders heretofore or hereafter issued and in effect pursuant to Revised General Order No. 51[4] fix specific dollars and cents maximum prices or provide a pricing method in a particular region or community.

[Above paragraph amended by Am. 3]

Maximum prices for sales of imported malt beverages are not established by this regulation at the present time. Pending issuance of an amendment adding prices for sales of imported malt beverages, sellers shall continue to price those sales according to applicable regulations and orders of the Office of Price Administration.

SEC. 1.2 *General definitions*—(a) *Malt beverage.* "Malt beverage" means any beverage made by the alcoholic fermentation of an infusion or decoction, or combination of both, in potable brewing water, of malted barley with hops, or their parts, or their products, and with or without other malted cereals, and with or without the addition of unmalted or prepared cereals, other carbohydrates or products prepared therefrom, and with or without the addition of carbon dioxide, and with or without other wholesome products suitable for human food consumption.

"Domestic malt beverage" means a malt beverage produced within continental United States.

"Imported malt beverage" means a malt beverage produced in a territory or possession of the United States or in a foreign country.

(b) *Type.* "Type," with reference to a malt beverage, means the class thereof as recognized under the provisions of Regulations No. 7, as amended, issued under the Federal Alcohol Administration Act, as amended, to wit: beer, ale, porter, stout, etc., except that "beer" includes lager and lager beer. In determining type of a malt beverage for the purposes of this regulation, class subdivisions under Regulations No. 7 shall be disregarded.

(c) *Barrel.* "Barrel" means a container for malt beverages having a capacity of 31 U. S. standard gallons of 128 fluid ounces. Fractions of a barrel, referred to in this regulation, are fractions of a barrel as so defined.

(d) *Case.* "Case" means a carton or box used for shipping or delivery of malt beverages in bottles or cans.

(e) *Container size.* "Container size" means the particular weight or unit in which malt beverages are sold.

(f) *Brand.* "Brand" means the distinctive name of a malt beverage as shown on its label. It also includes other words, lettering, or figures used on that label in association with the name for the primary purpose of giving the malt beverage a distinctive identity in the mind of a consumer.

(g) *Person.* "Person" means an individual, corporation, partnership, association, or any other organized group of persons and their legal successors or representatives. The term includes the United States, its agencies, other governments, their political subdivisions and their agencies.

(h) *Brewer.* "Brewer" means the person who is the manufacturer of a domestic malt beverage being priced.

(i) *Wholesaler.* "Wholesaler" means a person licensed as a wholesaler under applicable laws, statutes or regulations and engaged in the business of buying and selling malt beverages without changing the form thereof primarily to persons other than consumers, but who when licensed and permitted by applicable State or local statute or ordinance to do so, may also sell such malt beverages to consumers. The term "wholesaler", as used in this regulation means a "distributor".

[Paragraph (i) amended by Am. 3, 10 F.R. 2585, effective 3–7–45]

(j) "Primary wholesaler" means a wholesaler who during the calendar year 1944 sold to other wholesalers not less than 10 percent of the total number of cases of domestic malt beverages sold by him. However, no wholesaler may price any sales of domestic malt beverages as a primary wholesaler unless he is authorized to do so by the Regional Administrator having jurisdiction of the area in which he has his principal place of business in the manner provided herein.

Before any wholesaler is authorized to sell or offer to sell an item or items of domestic malt beverages as a primary wholesaler he shall make application in writing to the Regional Administrator of the Office of Price Administration having jurisdiction of the area in which he has his principal place of business for authorization to sell an item or items of domestic malt beverages as a primary whole-

[1] 9 F.R. 14537.

[2] Statements of the Considerations are also issued simultaneously with amendments. Copies may be obtained from the Office of Price Administration.

[3] 8 F.R. 4808.

[4] 9 F.R. 408, 11982; 10 F.R. 9299.

saler and must receive authorization by order or otherwise before he may sell as a primary wholesaler.

The application shall contain the following information:

1. Name of applicant and address of principal place of business. (If applicant has branch warehouses and desires to qualify these branches as "primary wholesalers" then separate applications must be submitted for each branch.)
2. The total number of cases of each brand of domestic malt beverages which applicant sold to all classes of purchasers during the calendar year 1944.
3. The total number of cases of each brand of domestic malt beverages which applicant sold to other wholesalers during the calendar year 1944.
4. The name and address of each wholesaler to whom he sold during the calendar year 1944 and the number of cases of each brand sold to each wholesaler in 1944.
5. The names and addresses of the wholesalers to whom he proposes to sell as a "primary wholesaler" and the brands he intends to sell to each of them.
6. Any other pertinent information applicant desires to submit:

Regional Administrators are hereby authorized to grant authority by order to applicants to price their sales as primary wholesalers. If within 30 days after receipt of the application by the appropriate Regional Office of the Office of Price Administration the applicant shall not receive written notice of denial of the application, the authority requested therein shall be deemed granted. The authority so granted may be revoked at any time by order issued by the appropriate Regional Office of the Office of Price Administration. Any District Director of the Office of Price Administration if authorized by order of his Regional Administrator shall have and may exercise like authority with respect to applications filed under this section.

Any wholesaler who qualified and sold domestic malt beverages as an importing wholesaler prior to July 31, 1945 may upon filing an application for authority to sell as a primary wholesaler with the appropriate field office continue to price his sales of domestic malt beverages as a primary wholesaler for such time until his application is either granted or denied notwithstanding the provisions of this section.

[Paragraph (j) added by Am. 3, and amended by Am. 6, 10 F.R. 9336, effective 7-31-45]

[Paragraph (k) added by Am. 3 and revoked by Am. 6]

(k) *Retailer.* "Retailer" means a person licensed as a retailer under applicable laws, statutes or regulations and engaged in the business of buying and selling malt beverages, without changing the form thereof, primarily to consumers.

[Paragraph (k), originally (j) redesignated and amended by Am. 3, redesignated by Am. 6]

(l) *Consumer.* "Consumer" means a person who purchases the malt beverage being priced for consumption.

[Paragraph (l), originally (k), redesignated by Am. 3 and Am. 6]

(m) *Wagon vendor.* A "wagon vendor" means a person who obtains his entire supply of one or more items of domestic malt beverages from a brewer and resells only to consumers from a vehicle owned and operated by him or his employees, and who prior to December 18, 1944 operated in the same manner.

[Paragraph (m) added by Am. 7, effective 8-23-45]

(n) *Sale.* "Sale" includes transfer of title, disposition, exchange, barter, delivery, lease and other transfers, and contracts or offers to do any of these things. The term "sell," "seller," "buy," "buyer," "purchase" and "purchaser" shall be construed accordingly.

(o) *Price.* "Price" means the consideration requested or received in connection with the sale of a malt beverage.

[Paragraphs (n) and (o), originally (l) and (m) redesignated by Am. 3, Am. 6 and Am. 7]

(p) *Transportation charges.* "Transportation charges" except as otherwise expressly provided, means the lawful charges for the movement of the malt beverage being priced by the most direct route from the seller's customary shipping point to the purchaser's customary receiving point at the rate charged by the cheapest available common or contract carrier customarily used, and refers to transportation charges incurred in shipment of malt beverages by a brewer to all classes of purchaser and to shipments by one wholesaler to another and from a primary wholesaler to a wholesaler. The term includes any applicable Federal tax on transportation now or hereafter imposed. In the type of sales above-described, if a seller makes a delivery by use of his own vehicle, such charges shall be figured at the rate for transportation over the same distance by the cheapest available common or contract carrier customarily used, exclusive of Federal tax on transportation. No amounts may be added for refrigerating or heating of cars or vehicles used in the transportation of domestic malt beverages. No amount may be added for local hauling, drayage and handling.

The term "transportation charges" shall also include charges for the return of cases and empty containers, only where the seller imposed such a charge on a particular class of purchaser during the applicable base period or where the seller did not ship outside his local area during the applicable base period and now establishes a maximum price to a new class of purchaser located outside his local area. Such charges shall be at the rate charged by the cheapest available common or contract carrier customarily used for movement of the cases and containers from the above-mentioned purchaser's customary receiving point to the seller's customary shipping point from which the malt beverage was originally shipped.

Any Regional Administrator of the Office of Price Administration or such District Director as may be authorized by the appropriate Regional Administrator may either on application or on his own motion establish by order a uniform transportation charge for the movement of an item of domestic malt beverage pursuant to this section for any seller or group of sellers located within his jurisdiction and such order shall require the seller to recalculate his maximum prices notwithstanding section 4.4 (b) of the regulation.

[Paragraph (p), originally (n) amended by Am. 2; redesignated and amended by Am. 3; redesignated and amended by Am. 6 and redesignated by Am. 7]

(q) *State and local taxes.* "State and local taxes" means excise taxes measured by the number of gallons, percent of alcohol content, container size or price of a malt beverage, imposed by a State of the United States, or any political subdivision thereof, and paid or payable by the seller to the taxing authority or to a prior vendor for the quantity of it being priced. The term does not include taxes on processing, sales or gross receipts taxes, or license, income, franchise, use or other similar taxes.

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

[Paragraphs (q) and (r), originally (o) and (p), redesignated by Am. 3, Am. 6 and Am. 7]

(s) "Customary shipping point" means the place from which the seller normally makes shipment of malt beverages to the particular class of purchaser. With respect to shipment by motor vehicle, "customary shipping point" shall mean the seller's premises; with respect to shipment made by rail, "customary shipping point" shall mean the railroad siding nearest to the seller's premises.

(t) "Customary receiving point" means the place where the purchaser normally receives delivery of malt beverages from the particular type of supplier. With respect to deliveries made by motor vehicle, "customary receiving point" shall mean the purchaser's premises; with respect to delivery made by rail, "customary receiving point" shall mean the railroad siding nearest to the purchaser's premises.

(u) An "item" means a particular brand, type, container and case size of malt beverage in bottles or cans.

[Paragraphs (s) (t) and (u) added by Am. 3; redesignated by Am. 6 and Am. 7]

ARTICLE II—GENERAL PRICING PROVISIONS FOR BREWER'S SALES OF DOMESTIC MALT BEVERAGES

SEC. 2.1 *Explanation of certain terms used in this article*—(a) *Most closely competitive brewer.* Determination of a brewer's most closely competitive brewer

shall be made by reference to (but is not limited to) consideration of whether the two brewers:

[Above paragraph amended by Am. 3, 10 F.R. 2585, effective 3-7-45]

(1) Are comparable in size and production capacity;

(2) Sell the same type of domestic malt beverage in the same price line;

(3) Sell domestic malt beverages with comparable advertising history and public acquaintance;

(4) Are competitive in their sales of domestic malt beverages;

(5) Are located in geographical proximity.

Where more than one brewer satisfies the tests, the one located nearest to the brewer seeking to establish a price shall be used.

In pricing by reference to a maximum price of a most closely competitive brewer, appropriate adjustment shall be made in each instance for any difference in applicable state and local taxes.

(b) *Class of purchaser.* "Class of purchaser" refers to a brewer's practice in setting different prices for sales to different purchasers or kinds of purchasers or for purchasers located in different areas or for different kinds or container sizes or under different conditions of sale.

(c) *Determination of similarity of domestic malt beverages.* Domestic malt beverages shall be deemed similar if of the same type. Where a choice exists between similar domestic malt beverages, the one most comparable in advertising history and public acquaintance to the domestic malt beverage being priced shall be deemed "similar" to it.

[Paragraph (b) and (c) amended by Am. 3, 10 F.R. 2585, effective 3-7-45]

(d) *Trading area.* "Trading area" means the territory in which the brewer has customarily sold a major portion of his production of domestic malt beverages.

SEC. 2.2 *Brewer's basic pricing methods.* (a) A brewer's maximum price to a purchaser of a particular class except retailers as provided in section 2.2 (d) for sales of a brand, type, and container size of a domestic malt beverage shall be either:

[Above paragraph amended by Am. 3]

(1) The highest price he charged for a sale of that brand, type and container size of domestic malt beverage to a purchaser of that class during the period October 1 to 15, 1941, inclusive, or if he made no such sale, the highest price at which he offered to sell that brand, type and container size of domestic malt beverage to a purchaser of that class during the same period, plus (in either instance) the appropriate permitted increase shown in Table I; or

(2) The highest price he charged during March 1942 for a sale of that brand, type and container size of domestic malt beverage to a purchaser of that class, or if he made no such sale, the highest price at which he offered to sell that brand, type and container size of domestic malt beverage to a purchaser of that class during March 1942, plus (in either instance) the appropriate permitted increase shown in Table II; or

(3) The price he is authorized to establish for sales of that brand, type and container size of domestic malt beverage to a purchaser of that class by an effective order or authorization issued under § 1499.18b of the General Maximum Price Regulation [5] or under this regulation. Applications filed prior to December 18, 1944 under § 1420.66 (h) of Maximum Price Regulation 259, as amended, and pending before the Office of Price Administration on that date, shall be processed under that section. Orders or authority issued or granted prior to December 18, 1944 under that section or thereafter issued pursuant to such application, unless specifically modified or revoked, shall have the same effect as if issued or granted under this regulation. However, in those instances where orders or authorizations issued by the Office of Price Administration pursuant to applicable regulations prior to March 7, 1945, establishing maximum prices for a brewer's sales of domestic malt beverages to retailers, those provisions of such orders or authorizations shall be superseded and a brewer shall be required to establish his maximum prices for his sales of domestic malt beverages to retailers in accordance with the provisions of section 2.2 (d).

[Subparagraph (3) amended by Am. 3, 10 F.R. 2585, effective 3-7-45]

(b) A brewer pricing his sales of a domestic malt beverage under paragraph (a) shall price all his sales of that brand and type of domestic malt beverage by use of the same base period. An offering price may be used to price only if it was an offering price for delivery during the specified base period and if the offer or an acceptance thereof is established by a price list or other written or printed evidence. A price intended to withhold a domestic malt beverage from the market or a price offered as a bargaining price by a brewer who usually sold at a price lower than his asking price, may not be used as an offering price.

(c) *Maintenance of customary discounts.* A brewer shall continue to grant his customary discounts, allowances and other price differentials with respect to his sales of domestic malt beverages to all classes of purchasers, subject to the provisions of section 2.2 (d) with respect to sales to retailers in effect during the base period used in determining his maximum prices, unless the change results in the same or a lower price to the purchaser.

[Paragraph (c) amended by Am. 3.]

[5] 9 F.R. 1385, 5169, 6106, 8150, 10193, 11274.

(d) *Brewer's maximum prices for his sales of domestic malt beverages in bottles or cans to retailers*—(1) *Retailers located within the brewer's base delivery zone.* With respect to his sales of domestic malt beverages in bottles or cans to retailers located within the brewer's base delivery zone (as defined in section 4.1 (c)), the brewer shall be deemed a wholesaler and shall establish his maximum price for such sales in accordance with Article IV. In determining his supplier's price as an element of his cost of acquisition, the brewer shall use either his f. o. b. brewery platform or delivered maximum price (in accordance with his customary practice) for his sales of the item to wholesalers located within the brewer's base delivery zone, adjusted for the difference in state or local taxes, if any. However, where the brewer has established different maximum prices to wholesalers located within his base delivery zone, he shall use as his supplier's price the maximum price applicable to the greatest volume of his sales to wholesalers located within the base delivery zone during the most recent six-months' period prior to April 4, 1945.

(i) If the brewer has not established a maximum price for his sales to wholesalers located within his base delivery zone, his maximum price to retailers located within his base delivery zone shall be his maximum price to that class of purchaser established under section 2.2 (a), (b) or (c).

(ii) In pricing as a wholesaler, the brewer's premises shall constitute the center point of his base delivery zone subject to the extension or modification thereof by the Regional Administrator or District Director of the Office of Price Administration as provided in section 4.1 (c).

NOTE: For converting a delivered price to an f. o. b. price, see section 4.2 (b) (1) (ii).

[Subparagraph (1) amended by Am. 4, 10 F.R. 3558, effective 4-4-45 and Am. 5, 10 F.R. 4106, effective 4-14-45.]

(2) *Retailers located outside the brewer's base delivery zone.* The brewer's maximum prices for his sales to retailers located outside the brewer's base delivery zone shall be his maximum prices established to that class of purchaser under section 2.2.

(e) *Brewer's sales f. o. b. brewery platform to wholesalers located in an area to which the brewer did not ship during the applicable base period.* Sales by a brewer on an f. o. b. brewery platform basis to wholesalers located in an area to which the brewer did not ship during the applicable base period, shall be deemed sales f. o. b. the brewer's customary shipping point (as defined in section 1.2 (r)).

[Paragraphs (d) and (e) added by Am. 3.]

TABLE I—INCREASES PERMITTED WHEN PRICING BY REFERENCE TO THE OCTOBER 1 TO 15, 1941 BASE PERIOD

NOTE: Do not use this table when pricing by reference to a March, 1942 base period

Brand	Size	Unit of pack	Permitted increase	
			Per case	Per bottle
				Cents
(When using this table as part of notification given under Sec. 2.3 insert here brand of domestic malt beverage.)	Barrel	Barrel	$2.00 per barrel	
	½ barrel	½ barrel	$1.25 per ½ bbl	
	¼ barrel	¼ barrel	$0.63 per ¼ bbl	
	⅓ barrel	⅓ barrel	$0.31 per ⅓ bbl	
	64 oz. bottles	Case of 6 bottles	24 cents	4
	32 oz. bottles	Case of 12 bottles	24 cents	2
	24 oz. bottles	Case of 12 bottles	18 cents	1½
	16 oz. bottles	Case of 24 bottles	24 cents	1
	12 oz. bottles	Case of 24 bottles	18 cents	¾
	11 oz. bottles	Case of 24 bottles	17 cents	⅔
	8 oz. bottles	Case of 48 bottles	24 cents	½
	7 oz. bottles	Case of 48 bottles	21 cents	⅜

TABLE II—INCREASES PERMITTED WHEN PRICING BY REFERENCE TO THE MARCH 1942 BASE PERIOD

NOTE: Do not use this table when pricing by reference to an October 1 to 15, 1941 base period

Brand	Size	Unit of pack	Permitted increase	
			Per case	Per bottle
				Cents
(When using this table as part of notification given under Sec. 2.3 insert here brand of domestic malt beverage.)	Barrel	Barrel	$2.00 per barrel	
	½ barrel	½ barrel	$1.00 per ½ bbl	
	¼ barrel	¼ barrel	$0.50 per ¼ bbl	
	⅓ barrel	⅓ barrel	$0.25 per ⅓ bbl	
	64 oz. bottles	Case of 6 bottles	19 cents	3
	32 oz. bottles	Case of 12 bottles	19 cents	1½
	24 oz. bottles	Case of 12 bottles	15 cents	1¼
	16 oz. bottles	Case of 24 bottles	19 cents	¾
	12 oz. bottles	Case of 24 bottles	15 cents	⅝
	11 oz. bottles	Case of 24 bottles	13 cents	½
	8 oz. bottles	Case of 48 bottles	19 cents	½
	7 oz. bottles	Case of 48 bottles	17 cents	⅜

SEC. 2.3 *Brewer's notification of price adjustment*—(a) *Where the brewer's maximum prices are based on the October 1 to 15, 1941 period.* A brewer who determines his maximum price in accordance with section 2.2 (a) (1) shall furnish to each purchaser, except a consumer, before or at his first delivery to the purchaser, a written statement as follows:

The Office of Price Administration has authorized us to establish the following maximum prices for sales of listed brands of domestic malt beverage to you:

(Copy Table I or the appropriate parts of that table.)

These maximum prices are based on the highest price we charged to each class of purchasers during the period October 1–15, 1941, plus an increase of 50 cents per barrel for material costs and $2.00 per barrel for excise tax changes. They include all Federal taxes and (specify State and local taxes, if any, included). The Office of Price Administration requires you to keep this notice for examination.

(b) *Where the brewer's maximum prices are based on the March 1942 period.* A brewer who determines his maximum price in accordance with section 2.2 (a) (2) shall furnish to each purchaser, except a consumer, before or at the time of his first delivery to the purchaser, a written statement as follows:

The Office of Price Administration has authorized us to establish the following maximum prices for sales of listed brands of domestic malt beverage to you:

(Copy Table II or the appropriate parts of that table.)

These maximum prices are based on the highest price we charged to each class of purchasers during March 1942, plus an increase of $2.00 per barrel for excise tax changes. They include all Federal taxes and (specify State and local taxes, if any, included). The Office of Price Administration requires you to keep this notice for examination.

(c) *Where the brewer's maximum prices are otherwise determined.* In all instances except those provided for in paragraphs (a) and (b), where a brewer establishes or adjusts his maximum price in accordance with this regulation, he shall furnish each purchaser, except a consumer, before or at the time of his first delivery to the purchaser, a written statement as follows:

The Office of Price Administration has authorized us to establish the following maximum prices for sales of the listed brands of domestic malt beverage to you.

(State prices by brand, size and unit of pack.)

Our maximum prices include all Federal taxes and (specify State and local taxes, if any, included). The Office of Price Administration requires you to keep this notice for examination.

(d) No notice need be given under this section if the brewer's maximum price established under this regulation for sales of the domestic malt beverage to purchasers of the particular class is the same as that in effect prior to December 18, 1944. Notice once given under this section to a particular purchaser with respect to a domestic malt beverage need not be repeated unless the price stated in the notice is changed. However, if such change is made, an additional notice covering it must be given.

SEC. 2.4. *Brewer's pricing method for sales to a new class of purchaser.* Where a brewer established a maximum price for his sales of a particular brand, type and container size of domestic malt beverage during the applicable base period, his purchasers of the item must be classified in accordance with his purchaser classification during the applicable base period, subject however to the provisions of section 2.2 (d) with respect to his sales to retailers. If a brewer desires to sell the item so priced to purchasers of a class to which he did not sell or offer to sell the item during the applicable base period, he shall establish his maximum price for his sales to that class of purchaser by application to the Office of Price Administration under section 2.9 of this regulation. The maximum price authorized on such application shall represent a differential (in dollars and cents) in line with those established under section 2.2 by competitive brewers in the same or nearest similar trading area.

[Sec. 2.4 amended by Am. 2, 9 F.R. 15107, effective 12-27-44 and Am. 3, 10 F.R. 2535, effective 3-7-45]

SEC. 2.5 *Brewer's pricing method where the container size is different than in the base period.* (a) If a brewer can determine his maximum price under section 2.2 for sales of a brand and type of a domestic malt beverage in a particular container size but cannot so determine his maximum price for it in a different container size, his maximum price for sales of the domestic malt beverage in the latter container size shall be figured as follows:

(1) *32 oz. containers.* If the container size to be priced is a case of 32 oz. containers, the brewer shall:

(i) Deduct from his maximum price to the same class of purchasers for the same brand and type of domestic malt beverage per case of 12 oz. containers (determined under section 2.2), any of the following elements included therein: the permitted increase provided by Tables I or II, any State and local taxes, any transportation charges for delivery to the purchaser and any amount representing the repurchase price of or a deposit to assure return of containers or cases;

(ii) Multiply the figure obtained at (i) by 1.22;

(iii) Add to the figure obtained at (ii) the following: the permitted increase per case of 32 oz. containers shown in the appropriate Table I or II, the amount of any state and local taxes per case at rates in effect during the base period paid or payable by the brewer with respect to the container size being priced, any transportation charges for delivery to the purchaser deducted at (i) and any amount representing the repurchase price of or deposit to assure return of containers and cases deducted at (i). The resulting figure is the brewer's maximum price to purchasers of the particular class per case of 32 oz. containers of the brand and type of domestic malt beverage being priced.

(2) *Containers other than 32 oz.* If the container size to be priced is other than a 32 oz. container, the brewer shall:

(i) Ascertain his most closely competitive brewer who has maximum prices determined under section 2.2 for sales to the same class of purchasers of the same type of domestic malt beverage in both a common container size and in the container size to be priced;

(ii) Determine the difference (in dollars and cents) between the most closely competitive brewer's maximum prices for sales to that class of purchasers of the type of domestic malt beverage in the common container size and in the container size to be priced. If that difference reflects a variation in the most closely competitive brewer's practices as to payment of transportation charges for delivery of the two container sizes or as to supplying, selling or requiring the return of containers or cases, it shall be adjusted to the extent necessary to reflect identical practices for both container sizes;

(iii) Add the figure ascertained at (ii) to, or subtract it from, his own maximum price for sales of the domestic malt beverage in the common container size to the particular class of purchasers, according to whether the figure is an amount over or under that price. The resulting figure is the brewer's maximum price for sales of the brand, type and container size of the domestic malt beverage to be priced.

(3) A brewer pricing his sales of a domestic malt beverage in a particular container size according to this paragraph shall, with respect to those sales:

(i) Apply his customary discounts, allowances, and price differentials in effect during the base period and applicable to his sales of the domestic malt beverage in the common container size, unless the charge therein was permitted by § 1499.4b of the General Maximum Price Regulation or results in the same or a lower price to the purchaser;

(ii) Apply his customary practices as to payment of transportation charges for delivery to purchasers, or as to supplying, selling, or requiring the return of containers or cases in effect during the base period and applicable to his sales of the common container size, unless the change was permitted either by § 1499.4b of the General Maximum Price Regulation or by section 2.7 of this regulation, or results in the same or a lower price to the purchaser.

(b) If a brewer's maximum price for sales of a particular container size of a brand and type of domestic malt beverage to purchasers of a class cannot be determined under section 2.2 or paragraph (a) of this section, his maximum price shall be an amount determined by application to the Office of Price Administration under section 2.9 of this regulation. The maximum price authorized on such application shall represent a differential in line with those established under section 2.2 by competitive brewers in the same or nearest similar trading area.

SEC. 2.6 *Brewer's pricing methods for sales of a domestic malt beverage of a brand and type that cannot be priced under section 2.2.* A brewer's maximum price for sales of a domestic malt beverage of a brand or type which cannot be priced under section 2.2 shall be:

(a) His maximum price to a purchaser of the same class for the same container size of the brewer's similar domestic malt beverage of a brand for which a maximum price can be determined under that section; or

(b) If the brewer is unable to determine his maximum price under (a), his maximum price shall be the lower of the following:

(1) The maximum price of his most closely competitive brewer for sales of the same container size of that brewer's similar domestic malt beverage to a purchaser of the same class;

(2) The price provided in Table III for sales of the same type and container size of domestic malt beverage to purchasers of the particular class.

The amount of any State and local taxes, transportation charges and any amount representing the repurchase price of, or a deposit to assure the return of containers or cases included in the maximum price of the most closely competitive brewer shall be deducted in determining whether the price ascertained under (1) is lower than that ascertained under (2).

(c) A brewer pricing his sales of a domestic malt beverage under paragraph (a) shall, with respect to those sales:

(1) Apply the customary discounts, allowances, and price differentials in effect during the base period and applicable to his sales of the similar domestic malt beverage, unless the change was permitted by § 1499.4b of the General Maximum Price Regulation, or results in the same or a lower price to the purchaser; and

(2) Apply his customary practices as to payment of transportation charges for delivery to the purchaser or as to supplying, selling or requiring the return of containers or cases in effect during the base period and applicable to his sales of the similar domestic malt beverage, unless the change was permitted either by § 1499.4b of the General Maximum Price Regulation or by section 2.7 of this regulation, or results in the same or a lower price to the purchaser.

(d) A brewer pricing his sales of a domestic malt beverage under paragraph (b) (1) shall, with respect to those sales:

(1) Apply the customary discounts, allowances, and pricing differentials applicable to the corresponding sales of the most closely competitive brewer in effect during the base period, unless the change therein was made by the competitive brewer according to § 1499.4b of the General Maximum Price Regulation, or results in the same or a lower price to the purchaser;

(2) Apply the customary practices of the most closely competitive brewer as to payment of transportation charges for delivery to purchasers, or as to supplying, selling, or requiring the return of containers or cases in effect during the base period, unless the change was permitted either by § 1499.4b of the General Maximum Price Regulation or by section 2.7 of this regulation, or results in the same or a lower price to the purchaser.

TABLE III—BREWER'S BASIC PRICES [1]

	Beer		Ale		Porter		Stout		Half and half	
	Sales to wholesaler	Sales to retailer	Sales to wholesaler	Sales to retailer	Sales to wholesaler	Sales to retailer	Sales to wholesaler	Sales to retailer	Sales to wholesaler	Sales to retailer
Barrel	14.90	17.32	15.20	17.64	15.20	17.64	15.20	17.64	15.20	17.64
½ barrel	7.45	8.66	7.60	8.82	7.60	8.82	7.60	8.82	7.60	8.82
¼ barrel	3.73	4.33	3.80	4.41	3.80	4.41	3.80	4.41	3.80	4.41
⅙ barrel	1.97	2.27	2.00	2.31	2.00	2.31	2.00	2.31	2.00	2.31
Case of—										
48/7 ounces	2.10	2.60	2.13	2.63	2.13	2.63	2.13	2.63	2.13	2.63
48/8 ounces	2.31	2.76	2.34	2.79	2.34	2.79	2.34	2.79	2.34	2.79
24/11 ounces	1.43	1.73	1.46	1.76	1.46	1.76	1.46	1.76	1.46	1.76
24/12 ounces	1.43	1.73	1.46	1.76	1.46	1.76	1.46	1.76	1.46	1.76
24/16 ounces	1.88	2.06	1.91	2.09	1.91	2.09	1.91	2.09	1.91	2.09
12/24 ounces	1.49	1.85	1.52	1.88	1.52	1.88	1.52	1.88	1.52	1.88
12/32 ounces	1.80	2.12	1.83	2.15	1.83	2.15	1.83	2.15	1.83	2.15
6/64 ounces	1.68	1.97	1.71	2.00	1.71	2.00	1.71	2.00	1.71	2.00

[1] Prices listed in this table for sales to wholesalers are f. o. b. brewery platform and for sales to retailers are delivered prices. They include all Federal taxes, and brewer's cost for containers and case furnished by the brewer but to be returned by the purchaser. They do not include state and local taxes, the exact amount of which may be added if paid by the brewer, or the repurchase price of or deposits to assure return of containers and case, which may be charged as provided in Section 5.2.

SEC. 2.7 *Brewer's changes in container and case practices.* A brewer's maximum price for a sale of a domestic malt beverage shall be adjusted to reflect any change in his base period practices with respect to supplying, selling or requiring the return of containers or cases. The adjustment shall be made in the following manner:

(a) If the brewer customarily supplied the containers and case, and either required a deposit to assure their return, or agreed with the purchaser to repurchase them at a fixed price, or had an agreement with the purchaser for their return:

(1) His maximum price to the purchaser for a sale of the domestic malt beverage including the containers and case shall be his maximum price to the purchaser for a sale of the same brand, type and container size on the former basis (not including, however, the amount of the deposit or repurchase price, if any) less 4¢ per case, plus the amounts for the particular size of containers and kind of case sold provided in Table IV; and

(2) His maximum price to the purchaser for a sale of the domestic malt beverage in containers and case supplied by the purchaser shall be his maximum price to that purchaser for a sale of the same brand, type and container size on the former basis (not including the amount of the deposit or repurchase price, if any) less 4¢ per case.

(3) If the brewer customarily followed any of the practices described in (a) above with respect to containers and cases, he may adopt any other of the practices therein described without adjusting his maximum price for the domestic malt beverage being priced.

[Subparagraph (3) added by Am. 3, 10 F.R. 2585, effective 3-7-45]

(b) If the brewer customarily sold the containers and case to the purchaser without any of the arrangements for their return described in (a) above.

[Above paragraph amended by Am. 3]

(1) His maximum price to the purchaser for a sale of the domestic malt beverage in containers and case supplied by the purchaser shall be his maximum price for a sale of the same brand, type and container size on the former basis, less the amount provided in Table IV for the particular size of containers and kind of case he no longer sells; and

(2) His maximum price to the purchaser for a sale of the domestic malt beverage in containers and case supplied by the brewer but which the purchaser is to return, shall be his maximum price for a sale of the same brand, type and container size on the former basis, less the amount provided in Table IV for the particular size of containers and kind of case he no longer sells, plus 4¢ per case. The amount the brewer may require as a deposit charge in such instances to assure the return of the containers and case or add to provide for their repurchase shall be determined according to section 5.2.

(c) Paragraph (a) of this section shall also apply to a brewer's sales of a domestic malt beverage priced under section 2.6 (b) (2) of this regulation.

(d) If a brewer desires to change his base period practices with respect to supplying, selling or requiring the return of containers or cases, but is unable to determine under paragraphs (a), (b) or (c) a price adjustment reflecting such change, he shall apply to the Office of Price Administration under section 2.9 of this regulation for determination of that adjustment. The adjustment prescribed shall be in line with those established by the preceding paragraphs of this section.

TABLE IV

(a) *New containers.*

NOTE: The following are figures per individual containers. In determining an amount per case, multiply the appropriate figure by the number of containers per case.

	Export (per bottle)	Steinie (per bottle)	Pockie (per bottle)
	Cents	*Cents*	*Cents*
7 ounce bottle	1.6		
8 ounce bottle	1.6		
11 ounce bottle	1.9		
12 ounce bottle	2.0	1.8	1.8
16 ounce bottle	2.5		
24 ounce bottle	3.8		
32 ounce bottle	4.3		
64 ounce bottle	6.4		

[Table amended by Am. 6, 10 F.R. 9336, effective 7-31-45]

Where container size is different than those listed above, the amount used shall be that for the nearest smaller listed container size.

(b) *Used containers.* The figure to be used is 80 percent of the appropriate figure determined under (a) above for new containers.

(c) *New cases (including partitions).*

	Cents per case
Wood case	65
Solid Fibre case	28
Corrugated carton	14

(d) *Used cases (including partitions).* The figure to be used is 80 percent of the appropriate figure listed under (c) above for new cases.

SEC. 2.8 *Federal and State taxes.* Any tax upon, or incident to, the sale or delivery of a domestic malt beverage, imposed by any statute of the United States or statute or ordinance of any State or subdivision thereof (for which specific provision is not otherwise made) shall be treated as follows in determining the brewer's maximum price for such domestic malt beverage and preparing the records of such brewer with respect thereto:

(a) As to a tax in effect prior to the last day of any base period herein provided for the determination of the maximum prices of the brewer:

(1) If the brewer paid such tax and the brewer did not customarily state and collect separately from the purchase price during the applicable base period the amount of the tax paid by him, the brewer may not collect such amount in addition to the maximum price and in such instances shall include such amount in determining his maximum price under this regulation.

(2) In all other instances, if, at the time the brewer determines his maximum price, the statute or ordinance imposing such tax does not prohibit the brewer from stating and collecting the tax separately from the purchase price and the brewer does separately state and collect it, the brewer may collect in addition to the maximum price the amount of the tax actually paid by him and in such instance, the brewer shall not include such amount in determining his maximum price under this regulation.

(b) As to any tax first imposed after the last day of any base period provided for the determination of the maximum prices of a brewer or any increase in a tax then imposed, the brewer may collect the amount of such tax or increase imposed upon him by any statute of the United States or by any statute or ordinance of any State or subdivision thereof with respect to a domestic malt beverage: *Provided,* That the amount thereof has been paid by the brewer or has accrued and will become payable by him to the appropriate taxing authorities.

(c) In all instances if the tax paid by the brewer is refundable by the taxing authority the brewer may not collect the amount of it from the purchaser.

(d) As to the increases totalling $2.00 per barrel in Federal excise tax on domestic malt beverages ($1.00 effective November 1, 1942 and $1.00 effective April 1, 1944) no addition for those increases may be made under this section where the applicable pricing method results in maximum prices making allowance for them.

SEC. 2.9 *Brewer's individual applications for maximum prices.* (a) A brewer required to price according to this Article, who cannot otherwise determine his maximum price or is specifically directed to price by application, shall make application by letter to the Office of Price Administration, Beverage Section, Washington, D. C. An original and one copy of the application shall be furnished. The application shall be signed by the applicant, or by its authorized officer, member or agent and shall state:

(1) Applicant's name and business address, and if the applicant is not an individual, the name and title of the person signing the application in applicant's behalf;

(2) The section of this article requiring or permitting the application to be made;

(3) A description of the sales and the domestic malt beverage to be priced adequate for pricing purposes, including the classes of purchasers for sales to which prices are sought, and the brand, type and container size of domestic malt beverage;

(4) Any other pertinent information applicant desires to submit.

(b) After receipt of the application and any further information or evidence considered necessary and requested for the purpose of determining proper maximum prices, the Price Administrator will, by order or by amendment to this regulation, establish maximum prices or provide a method of determining maximum prices.

(c) An order establishing maximum prices or providing a method of determining maximum prices issued under this section may be revoked or amended, in whole or in part, at any time, by the Price Administrator. It shall be deemed revoked as to a sale, without further action by the Price Administrator, on the effective date of an amendment to this regulation establishing a different maximum price or pricing method for the sale.

(d) If a brewer makes a sale for which he is required to apply for a maximum price under this section, before that maximum price has been established, his maximum price for the sale shall be deemed his total cost for the quantity sold.

SEC. 2.10 *Adjustment of brewer's maximum prices.* (a) The Price Administrator may adjust the maximum prices established under this regulation for any brewer who applies for adjustment in accordance with paragraph (c) when it appears that:

(1) Applicant's maximum prices are below the average level of brewers' maximum prices for similar domestic malt beverages in the trading area served by the applicant, and

(2) Applicant is, or will be unable to continue his production of domestic malt beverages without adjustment of his maximum prices, and

(3) The loss of applicant's production would result in consumers in the trading area served by applicant being required to pay higher prices for similar domestic malt beverages, and

(4) An increase in applicant's maximum prices will enable him to continue production of domestic malt beverages, and

(5) The Price Administrator finds that an increase in applicant's maximum prices will, on all available facts, effectuate the purposes of the Emergency Price Control Act of 1942, as amended.

(b) The maximum adjustment that may be granted to a brewer under this section shall be limited to that:

(1) Which will not cause his maximum prices to exceed the average level of brewers' maximum prices for similar domestic malt beverages in the trading area served by applicant, and

(2) Which is reasonably required to return to applicant, for his current fiscal year, net profits on his domestic malt beverage operations before income and excess profits taxes equivalent to his average annual net profits on his domestic malt beverage operations before income and excess profits taxes (adjusted for changes in investment) during a representative peace time period, but in no event less than total costs on his domestic malt beverage operations. In determining net profits for applicant's current fiscal year, actual earnings data shall be used if available; otherwise, net profits shall be estimated by multiplying applicant's volume of sales in each container size during his last fiscal year by his maximum prices for those sales under this regulation, adding the resulting figures and deducting his total costs on his domestic malt beverage operations for the same year.

"Representative peace time period" means the calendar years 1936–1939 or applicant's fiscal years corresponding thereto. In individual instances, where those years are not a reasonably representative pre-war (December 7, 1941) period, other calendar or fiscal pre-war years found by the Price Administrator to be representative may be used.

(c) Applications for adjustment under this section shall be made by letter to the Office of Price Administration, Beverage Section, Washington, D. C. The application shall be signed by applicant, or its authorized officer, member or agent and shall supply the following information:

(1) Applicant's name and business address, and if the applicant is not an individual, the name and title of the person signing the application on applicant's behalf;

(2) The brands and types of domestic malt beverages sold by applicant, the container sizes sold, and the trading area served;

(3) Applicant's present and requested maximum prices by container sizes and classes of purchasers;

(4) The names and addresses of all brewers selling similar domestic malt beverages in the same trading area, and, if known by applicant, the brands and maximum prices of such domestic malt beverages;

(5) Operating and Profit and Loss Statements (prepared according to applicant's usual system of accounting) showing results of applicant's domestic malt beverage operations during the representative peace time period and during his most recent accounting period, unless such data was previously furnished to the Office of Price Administration;

NOTE: Profit and loss data for the years 1936–1939 will be secured from the Bureau of Internal Revenue if applicant so requests.

(6) The applicant's volume of sales of domestic malt beverages in each container size to each class of his purchasers during his last fiscal year;

(7) Any other pertinent information applicant desires to submit, or which may be requested to determine applicant's right to, or the extent of an adjustment.

(d) Adjustments may be granted or denied under this section in whole or in part by order of the Price Administrator. An order granting or denying an adjustment may be revoked or amended by the Price Administrator at any time.

SEC. 2.11 *Transfers of business or assets.* If all, or substantially all the business, assets and stock in trade of an operating brewery are sold, leased or otherwise transferred after April 28, 1942, thereafter while the transferee carries on the business by continuing to manufacture and sell domestic malt beverages at a place of business separate from any other previously owned and operated by him, the maximum prices of the transferee shall be the same as those to which his transferor would have been subject, and his obligations to keep records shall be the same. The transferor shall either preserve and make available, or turn over to the transferee all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the record-keeping provisions of this regulation. If the transferor was not an operating brewery at the date of the sale, lease or other transfer, the maximum prices of the transferee for sales of domestic malt beverages he manufactures in that place of business shall be established in accordance with section 2.6 of this regulation.

SEC. 2.12 *Brewer's reports of maximum prices.* (a) On or before January 17, 1945 every brewer shall report his maximum prices to each of his classes of purchasers for each brand, type and container size of domestic malt beverage he manufactures and sells. Every brewer who after January 17, 1945 manufactures and sells a new brand of domestic malt beverage shall likewise report his maximum prices for such brand within five days after his first sale thereof. If, after filing the report, the brewer establishes maximum prices to different classes of purchasers or for different types or container sizes of those brands of domestic malt beverage listed therein, he shall, within five days after his first sale to which such maximum prices apply, file a supplemental report showing the maximum prices established.

(b) Reports under this section shall be in duplicate on Revised OPA Form 635–547 (included in Appendix A to this regulation), copies of which may be obtained from the National or any Regional or District Office of the Office of Price Administration, or on copies of that form made by the brewer. Both copies shall be signed by the brewer or by his duly authorized officer, member or agent and shall be filed with the Office of Price Administration, Beverage Section, Washington, D. C.

(c) Neither acceptance of a report nor failure to object to maximum prices or other information shown therein shall constitute approval by the Office of Price Administration of the report, the maximum prices, or the information.

ARTICLE III—IMPORTED MALT BEVERAGES

(All sellers shall continue to price their sales of imported malt beverages in accordance with applicable regulations and orders of the Office of Price Administration, until issuance of an amendment to this regulation providing maximum prices or pricing methods for those sales.)

ARTICLE IV—GENERAL PRICING PROVISIONS FOR WHOLESALERS' AND RETAILERS'[5a] SALES OF DOMESTIC MALT BEVERAGES

SEC. 4.1 *Determination of "cost of acquisition" used in figuring maximum prices by wholesalers and retailers for sales of domestic malt beverages in bottles and cans*—(a) *What purchases may be used to determine cost of acquisition.* Except as otherwise provided in this article a "base purchase" to be used by a wholesaler or retailer to determine his cost of acquisition for an item of domestic malt beverage in bottle or cans must be a purchase by him from a customary type of supplier delivered by a customary means of transportation. No accommodation purchase (whether or not from a customary type of supplier) shall be used as a base purchase in determining cost of acquisition of an item. No purchase (whether or not from a customary type of supplier) to fill an order of the United States Government or any agency thereof shall be used as a base purchase.

NOTE: Purchases made on memorandum invoice or purchases of small quantities of an item at exceptional price are accommodation purchases.

(b) *Elements of cost of acquisition.* The cost of acquisition to be used by a wholesaler or retailer to determine his maximum price for the sale of domestic malt beverages in bottles or cans is the total of the following elements of cost actually paid by him with respect to a particular base purchase of the item being priced.

(1) The supplier's selling price per case not in excess of his maximum price, less all discounts allowed except the discount for prompt payment. The supplier's selling price shall be adjusted if necessary to exclude from it any amount representing the repurchase of containers or cases or any deposit required to insure their return or any amount paid to the seller for the purchase of containers and/or cases. No amount may be added for local hauling, drayage or handling:

(2) Applicable transportation charges (as defined in section 1.2 (o)) or delivery charges (determined under Table V of

[5a] "Retailer", as used in any section of Article IV except Section 4.3, includes wagon vendors.

section 4.2 (b) (4)) if not included in the supplier's selling price:

(3) Applicable United States, State, and local taxes at rates in effect on December 18, 1944 if not included in the supplier's selling price. However, the applicable amount of any United States, State, or local tax first imposed after December 18, 1944, or the applicable amount of any increase in any existing tax imposed after that date in any such tax may be added to the seller's maximum price: *Provided,* That the amount of any such new tax or increase in any existing tax is paid by the seller to the taxing authority or to a prior vendor: *And provided further,* That on and after December 18, 1944, no seller shall include in his maximum price a markup on the amount of such new or increased tax which he is authorized to charge and collect under this section.

On and after December 18, 1944, every wholesaler located within a jurisdiction whose duly constituted taxing authority has imposed a new United States, State or local tax after December 18, 1944, or any increase in any existing tax after December 18, 1944 must (i) state with each invoice accompanying a sale to any class of purchaser (except consumers) that the prices stated in the invoice include the amount of any new or increased taxes imposed by the United States, State or local authorities after December 18, 1944, (ii) the amount of such new or increased taxes, and (iii) that no markup may be applied to the amount thereof. A statement in substantially the following language upon the face of the invoice shall be deemed compliance with this section:

Our invoice prices include the amount of a new or increased tax imposed by the United States, state, or local authorities after December 18, 1944 which amounts to ($_____ per case of _____ bottles of _____ ounces each). In determining your cost of acquisition you may not include the amount of such new tax or increase on any old tax. However after calculating your maximum price you may add the amount of such new or increased tax.

[Subparagraph (3) amended by Am. 5, 10 F.R. 4106, effective 4-14-45 and Am. 6, 10 F.R. 9336, effective 7-31-45]

(c) "Base delivery zone" with respect to each wholesaler means the area within a radius of 20 miles from each wholesaler's licensed premises. Where a wholesaler maintains licensed premises in more than one locality, each of such licensed premises shall constitute the center point for each of his base delivery zones.

For purposes of this regulation any Regional Administrator of the Office of Price Administration may determine by order the center point of the geographical limits of a base delivery zone of any wholesaler, group of wholesalers, brewer, or group of brewers required to price as a wholesaler, and may increase or decrease the radii of base delivery zones. Any District Director of the Office of Price Administration who is authorized by order of his Regional Administrator shall have and may exercise like authority with respect to the base delivery zone of any wholesaler or group of wholesalers.

[Above paragraph amended by Am. 6]

[Sec. 4.1 amended by Am. 3, 10 F.R. 2535, effective 3-7-45 and as otherwise noted]

SEC. 4.2. *Maximum prices for sales per case by wholesaler*—(a) *Generally.* A wholesaler must establish his maximum prices to each class of purchasers as follows:

(1) *For initial maximum prices.* Use paragraph (b). A base purchase made between December 12, 1944 and December 18, 1944 may be used to figure initial maximum prices. A wholesaler is not required to establish a re-figured maximum price for an item until he makes a base purchase thereof after December 18, 1944.

(2) *For a re-figured maximum price.* If the cost of acquisition for the item changed after December 18, 1944, use section 4.4.

(b) *Initial maximum prices for sales per case of domestic malt beverages in bottles or cans to all classes of purchasers except consumers*—(1) *For deliveries made within the wholesaler's base delivery zone.* (i) A wholesaler's initial maximum price per case for an item of domestic malt beverage in bottles or cans for his sales thereof to all classes of purchasers, except consumers, delivered to the purchaser's premises located within the wholesaler's base delivery zone, shall be the higher of the following:

(a) His cost of acquisition per case for his latest base purchase of the item or, if he made no base purchase of the item, his cost of acquisition per case for his most recent purchase of the item from any supplier, multiplied by 1.23.

(b) His cost of acquisition per case plus 35¢. Notwithstanding the provisions of section 1.2 (d) the term "case" as used in the preceding sentence shall apply only to cases containing the following number of containers:

24/6 ounces.	24/11 ounces.
24/6½ ounces.	24/12 ounces.
24/7 ounces.	24/16 ounces.
24/8 ounces.	12/24 ounces.
48/7 ounces.	12/32 ounces.
48/8 ounces.	6/64 ounces.

[Subparagraph (b) amended by Am. 5, 10 F.R. 4106, effective 4-14-45 and Am. 6, 10 F.R. 9336, effective 7-31-45]

(ii) *For sales made f. o. b. wholesaler's premises.* A wholesaler's initial maximum price per case for an item of domestic malt beverage in bottles or cans for his sales thereof to all classes of purchasers, except consumers, f. o. b. his premises, shall be his delivered maximum price determined under (i) above, less 10 cents per case.

(iii) For purposes of this regulation, any Regional Administrator of the Office of Price Administration may increase or decrease by order the amount of the deduction required to be made under (ii) above by a wholesaler or group of wholesalers selling to retailers within their base delivery zone, f. o. b. the wholesaler's premises. Any District Director of the Office of Price Administration who is authorized by order of the Regional Administrator may exercise like authority within his district.

(2) *For deliveries made outside the wholesaler's base delivery zone.* A wholesaler's initial maximum price per case for an item of domestic malt beverage in bottles or cans for his sales thereof to retailers, delivered to the retailer's premises outside the wholesaler's base delivery zone, shall be his maximum price per case for a corresponding sale delivered in his base delivery zone determined under (1) above plus the appropriate delivery charge provided in Table V.

(3) *For sales to consumers.* A wholesaler's initial maximum price per case for an item of domestic malt beverage in bottles or cans for his sales thereof f. o. b. his premises to a consumer shall be the cost of acquisition per case for his latest base purchase of the item or, if he made no base purchase of the item, his cost of acquisition per case for his most recent purchase of the item from any supplier, multiplied by 1.46.

[Subparagraph (3) amended by Am. 7, effective 8-23-45]

(4) *For sales to another wholesaler.* Except as specifically provided in subparagraph (5), a wholesaler's initial maximum price per case for an item of domestic malt beverage for his sales thereof to another wholesaler delivered to the purchasing wholesaler's premises shall be his maximum price per case provided in (1) above plus transportation charges (as defined in Section 1.2 (o)) for shipment from the selling wholesaler paid by the purchasing wholesaler, subject to any discount, allowance or price differential agreed upon. The purchasing wholesaler's maximum price per case for his sales thereof to any class of purchaser shall not exceed the maximum price of his supplier to the same class of purchaser, plus or minus (as may be appropriate) any difference in applicable State and local taxes and markup thereon and applicable transportation charges. When the sale is made to a retailer the appropriate charge for delivery, if any, provided in Table V for movement to the purchaser's receiving point may also be added.

[Above paragraph amended by Am. 5, 10 F.R. 4106, effective 4-14-45]

TABLE V—WHOLESALERS' DELIVERY CHARGES FOR DELIVERY BEYOND BASE DELIVERY ZONE

Distance beyond base delivery zone:	*Permitted delivery charge (cents per case)*
20 miles or less	3
More than 20 miles but less than 40 miles	6
40 miles or more but less than 60 miles	9
60 miles or more but less than 80 miles	12
80 miles or more but less than 100 miles	15
100 miles or more but less than 120 miles	18
120 miles or more but less than 140 miles	21
140 miles or more	24

(5) *Sales by a primary wholesaler to a wholesaler.* A primary wholesaler's initial maximum price for his sales of an

item of domestic malt beverage in bottles or cans delivered to a wholesaler's premises shall be the higher of the following:

[Above paragraph amended by Am. 6, 10 F.R. 9336, effective 7-31-45]

(i) His cost of acquisition per case determined in accordance with section 4.1 (b) plus ten cents and the total thereof multiplied by 1.25, plus applicable transportation charges, if any.

(ii) His cost of acquisition plus 10 cents per case plus 35 cents, plus applicable transportation charges, if any. Notwithstanding the provisions of section 1.2 (d) the term "case" as used in the preceding sentence shall apply only to cases containing the following number of containers:

24/6 ounces.	24/11 ounces.
24/6½ ounces.	24/12 ounces.
24/7 ounces.	24/16 ounces.
24/8 ounces.	12/24 ounces.
48/7 ounces.	12/32 ounces.
48/8 ounces.	6/64 ounces.

[Subparagraph (ii) amended by Am. 5, 10 F.R. 4106, effective 4-14-45 and Am. 6]

(6) *Maximum prices for sales of domestic malt beverages in bottles or cans purchased from a primary wholesaler by a wholesaler to all classes of purchasers.* A wholesaler's maximum price per case for his sales of an item of domestic malt beverages which he purchases from a primary wholesaler to any class of purchasers shall not exceed the maximum price of his supplier to the same class of purchaser adjusted to reflect the sum of 10¢ per case which the primary wholesaler is permitted to add to his cost of acquisition, plus applicable transportation charges.

[Subparagraph (6) added by Am. 5 and amended by Am. 6]

[Sec. 4.2 amended by Am. 3, 10 F.R. 2585, effective 3-7-45 and as otherwise noted]

SEC. 4.3. *Maximum prices for sales of domestic malt beverages in bottles or cans by retailers and wagon vendors*—(a) *Retailers maximum prices.* A retailer must establish his maximum prices to each class of purchaser as follows:

[Section and paragraph headings amended by Am. 7, effective 8-23-45]

(1) For initial maximum prices use paragraph (b). A base purchase made between December 12, 1944 and December 18, 1944 may be used to figure initial maximum prices. A retailer is not required to establish a re-figured maximum price for an item until he makes a base purchase thereof after December 18, 1944.

(2) For a re-figured maximum price if the cost of acquisition for the item changes after December 18, 1944 use section 4.4.

(b) *Initial maximum prices for sales to all classes of purchasers except to other retailers:* A retailer's initial maximum price per case for an item of domestic malt beverage for his sales thereof to all classes of purchasers, except to other retailers, shall be his cost of acquisition for his latest base purchase of the item, or if he made no base purchase of the item, his cost of acquisition per case for his most recent purchase of the item from any supplier, multiplied by 1.35 and rounded to the nearest full cent.

[Above paragraph amended by Am. 6]

(1) The resulting figure shall be divided by the number of bottles or cans per case and the fractions of a cent resulting in the retailer's calculations shall be adjusted as follows: If the fraction is less than ¼ cent, the maximum retail price shall be reduced to the nearest full cent; if the fraction is ¼ cent or more, but less than ½ cent, that price may be increased to the nearest half cent; if the fraction is ½ cent or more, but less than ¾ cent, that price shall be reduced to the nearest half cent; if the fraction is ¾ cent or more, that price may be increased to the nearest full cent.

(2) The maximum price for any unit of sale shall be the result of paragraph (a) (2) above, multiplied by the number of bottles or cans being sold.

(c) *For sales to another retailer:* A retailer's initial maximum price for an item of domestic malt beverage which he purchased from another retailer shall not exceed the maximum price of his supplier to the same class of purchaser (adjusted to reflect delivery charges if any) plus or minus (as may be appropriate) any difference in applicable state and local taxes and markup thereon.

[Paragraph (c) added; former (c) redesignated (d) by Am. 6, F.R. 9336, effective 7-31-45]

(d) *Price posting by retailers.* Every retailer selling domestic malt beverages for off-premise consumption must post his maximum price for each brand, type and container size of the domestic malt beverage being offered for sale. The maximum price must be posted either on the item or at or near the place where the item is offered for sale.

(e) *Wagon vendor's maximum prices*—(1) *Per case.* A wagon vendor's maximum price per case to a consumer for an item of domestic malt beverage shall be his cost of acquisition for his latest base purchase of the item, as determined under (b) above, or, if he made no such base purchase of the item, his cost of acquisition per case for his most recent purchase of the item from a brewer, multiplied by 1.50 and rounded to the nearest full cent.

(2) *Per bottle or can.* A wagon vendor's maximum price per bottle or can to a consumer for an item of domestic malt beverage shall be his maximum price per case for that item of domestic malt beverage, as determined under subparagraph (1) above, divided by the number of bottles or cans per case. The fractions of a cent resulting in the wagon vendor's calculations shall be adjusted in accordance with section 4.3 (b) (1) and (2) above.

[Paragraph (e) added by Am. 7, effective 8-23-45]

[Sec. 4.3 amended by Am. 3, 10 F.R. 2585, effective 3-7-45 and as otherwise noted]

SEC. 4.4. *Changes in wholesalers' and retailers' maximum prices*—(a) *How long particular maximum prices continue in effect.* A wholesaler's or retailer's initial maximum prices and re-figured maximum prices for an item of domestic malt beverage in bottles or cans shall apply to all his sales and offers to sell of the item so priced made prior to the date on which subsequently re-figured maximum prices for sales thereof became applicable in accordance with subparagraph (4) hereof.

(b) *When a wholesaler or retailer must re-figure his maximum prices.* A wholesaler or retailer who after December 18, 1944 received a base purchase of an item shall figure his cost of acquisition therefor according to section 4.1 (b). If such cost of acquisition per case differs from the cost of acquisition per case for the base purchase used in establishing the wholesaler's or retailer's maximum prices then in effect for the item, the wholesaler or retailer may, if a most recent purchase shows the greater total, and must, if the most recent purchase shows the lesser total, establish re-figured maximum prices for the item: *Provided,* That if the difference in the cost of acquisition is five cents per case or less, the wholesaler or retailer shall not establish re-figured maximum prices: *Provided further,* That where a brewer or sole distributor prior to December 18, 1944 did not pass on all or part of the permitted increases as provided in section 2.2 of the regulation, and subsequent to December 18, 1944 elects to do so, the purchaser may recalculate his maximum prices notwithstanding that the cost of acquisition of the item of domestic malt beverage per case is less than the sum of 5¢.

[Paragraph (b) amended by Am. 6, 10 F.R. 9336, effective 7-31-45]

(c) *How a wholesaler or retailer must re-figure his maximum prices.* A wholesaler or retailer required or permitted by this paragraph to establish re-figured maximum prices for an item shall determine such prices under section 4.2 or 4.3 respectively, substituting, however, the cost of acquisition for his most recent base purchase for the cost of acquisition of his earlier base purchase.

(d) *When re-figured maximum prices become applicable.* A wholesaler's or retailer's re-figured maximum prices determined in accordance with this section shall apply to all stock of the item on hand and shall be the wholesaler's or retailer's maximum prices for sales of the item on and after, but not before, the fourth day (exclusive of Sundays and holidays) following receipt of the base purchase to be used to establish such re-figured maximum prices, until in turn superseded by other re-figured maximum prices, subsequently determined; *Provided,* That until on and after the earliest effective date for the prices posted or listed at the first opportunity after the fourth day (exclusive of Sundays and holidays) after receipt of such base purchase, re-figured maximum prices shall not apply to any sale which a wholesaler is required by statute, ordinance or regulation to make at a price posted or listed

with a State or other public authority before receipt of the base purchase.

[Sec. 4.4 added by Am. 3, 10 F.R. 2585, effective 3-7-45 and amended as otherwise noted. Former secs. 4.4 through 4.7, inclusive, redesignated 4.5 through 4.8, inclusive, by Am. 3]

SEC. 4.5 *Sales of domestic malt beverages in barrels by wholesalers and retailers.* A wholesaler's or retailer's maximum price for sales of a brand and type of domestic malt beverage in barrels (or fractions of a barrel) to a purchaser of a particular class shall be an amount determined according to § 1499.2 of the General Maximum Price Regulation (using, however, either the October 1 to 15, 1941 or the March 1942 base period at the wholesaler's or retailer's election), plus the appropriate permitted increase provided in Tables I or II of this regulation.

NOTE: Tables I and II can be found under section 2.2 of this regulation.

SEC. 4.6 *Sales and gross receipts taxes.* A wholesaler or retailer may add to his maximum price established by this article any tax upon a sale of the domestic malt beverage being priced or upon the gross receipts from that sale imposed by any statute of the United States or by any statute or ordinance of any State or subdivision thereof, if

(a) The statute or ordinance imposing the tax does not prohibit the seller from separately stating and collecting it and he does separately state and collect it; or

(b) The amount of the tax has been separately stated and collected from the seller by a prior vendor and the statute or ordinance imposing the tax does not prohibit the seller from separately stating and collecting it, and he does separately state and collect it.

SEC. 4.7 *Wholesalers' and retailers' individual applications for maximum prices.* (a) Any wholesaler or retailer required to establish his maximum price for a sale of a domestic malt beverage under this article, but who is unable to determine that maximum price, shall make application to the appropriate field office for determination of that price. The application shall be in writing, signed by the applicant, shall state the reasons why applicant is unable to determine his maximum price under other sections of this article, and shall contain information sufficient for pricing purposes.

(b) After receipt of such application, the District Director of the appropriate field office may, by order, establish maximum prices for applicant which are in line with maximum prices established by this article for comparable sales of other competitive sellers of the same class. Any such order may be revoked or amended by the District Director at any time.

"Appropriate field office" for purposes of this section means the District Office of the Office of Price Administration for the District in which applicant's principal place of business is located.

SEC. 4.8 *Sales by a brewer's branch or a sole distributor.* (a) A brewer's branch shall price its sales of domestic malt beverages as if it were a wholesaler.

"Brewer's branch" means a separately established and operated branch of a brewer, controlled and managed by the brewer and engaged, prior to December 18, 1944, in the distribution of the domestic malt beverage being priced.

[Paragraph (a) amended by Am. 1, 9 F.R. 14781, effective 12-18-44]

(b) A sole distributor of a domestic malt beverage shall price his sales of that domestic malt beverage in the same manner as brewers pursuant to section 2.2 of this regulation. However, controlled subsidiaries and branches of a sole distributor operated, controlled and managed by the sole distributor prior to December 18, 1944 shall price their sales of that domestic malt beverage as if they were wholesalers.

"Sole distributor" means a person who is the seller of all or substantially all of the brewer's production of the domestic malt beverage being priced.

[Paragraph (b) amended by Am. 1 and Am. 6, 10 F.R. 9336, effective 7-31-45]

(c) A sole distributor who is unable to establish maximum prices for his sales of domestic malt beverage under (b) above shall apply to the Office of Price Administration, Beverage Section, Washington, D. C., in accordance with section 2.9 of this regulation to establish maximum prices for sales of an item of domestic malt beverages to all classes of purchasers.

[Paragraph (c) added by Am. 6]

(d) A "bottling wholesaler" of a domestic malt beverage shall price his sales of that domestic malt beverage as if he were its brewer.

"Bottling wholesaler" means a person who prior to December 18, 1944 was engaged in the business of purchasing domestic malt beverages in barrels and packaging such domestic malt beverages in bottles or cans for resale to all classes of purchasers. The term "bottling wholesaler" as used in this regulation also means a "bottling distributor".

[Paragraph (d), formerly (c), added by Am. 3, 10 F.R. 2585, effective 3-7-45; redesignated by Am. 6, 10 F.R. 9336, 9362, effective 7-31-45]

(e) To the extent that the provisions of this section conflict with other provisions of this regulation, this section shall control.

[Paragraph (e), originally (c), redesignated by Ams. 3 and 6]

ARTICLE V—MISCELLANEOUS PROVISIONS

SEC. 5.1 *Units of sale and fractions of a cent.* (a) Maximum prices shall be stated in terms of the same general units (barrels, cases, bottles, cans, etc.) in which the seller has customarily quoted prices for the malt beverage except where the applicable pricing method shows that another unit is to be used.

(b) Amounts computed in the process of figuring a maximum price (other than the maximum price itself) for sales except at retail shall be carried to four decimal places (hundredths of a cent). For sales to government procurement agencies, the maximum price itself shall be carried to four decimal places. In sales to purchasers other than government procurement agencies, if the charging of a maximum price would require use of a fraction of a cent, the maximum price shall be deemed the nearest higher full cent if the fraction is one-half cent or more, or the nearest lower full cent if the fraction is less than one-half cent.

SEC. 5.2 *Container and case deposits.* (a) A brewer who, during the base period used for determination of his maximum prices, regularly required purchasers to furnish a deposit to assure return of containers or cases may continue to require that deposit. He may also from time to time adjust the amount of deposit required to a sum not exceeding 110 percent of his lawful replacement cost of the containers or cases, or with the prior written approval of the Regional Administrator of the Office of Price Administration in which his principal place of business is located, to such larger sum as the Regional Administrator finds does not, under the circumstances, unduly exceed his lawful replacement cost of the containers or cases.

(b) If a brewer, in accordance with section 2.7 of this regulation, first makes any adjustment in maximum prices necessary to reflect a change in terms of sale in effect during the base period used in determining those prices, he may require a deposit to assure return of containers or cases. He may also, from time to time, adjust the amount of the deposit required. A deposit required under this paragraph may not exceed 110 percent of the brewer's lawful replacement cost of the containers or cases or such larger sum as the Regional Administrator of the Office of Price Administration in which his principal place of business is located, approves in writing as not, under the circumstances, unduly in excess of his lawful replacement cost of the containers and cases.

(c) A wholesaler or retailer may require a purchaser to furnish a deposit to assure return of containers or cases regardless of his prior practice in that respect. He may also, from time to time, adjust the amount of the deposit required. Except as hereinafter expressly provided a deposit required under this paragraph shall not exceed the corresponding deposit furnished by the wholesaler or retailer to his supplier or, if the wholesaler or retailer owns the containers or cases, shall not exceed 110 percent of his lawful replacement cost therefor or such larger sum as the Regional Administrator of the Office of Price Administration in which his principal place of business is located, approves in writing as not, under the circumstances, unduly in excess of his lawful replacement cost of the containers and cases. The Regional Administrator of the Office of Price Administration may also establish by order a uniform deposit charge to be imposed by any wholesaler and/or retailer or group of such sellers located within his district.

[Paragraph (c) amended by Am. 3, 10 F.R. 2585, effective 3-7-45]

(d) Any Regional Administrator of the Office of Price Administration shall have and may exercise, by letter, authority to approve or disapprove a deposit to be required or adjusted under this section and to revoke or modify approval given.

(e) A seller requiring a deposit under this section shall not directly or indirectly require the purchaser to pay separately for reasonable wear and tear of containers or cases, or for loss of or damage to them in transit. No seller may increase his maximum price because of a deposit required of him by his supplier.

[Paragraph (e) amended by Am. 3]

(f) For purposes of this section, an agreed repurchase price of containers or cases shall be deemed a deposit by the purchaser of the amount of the repurchase price.

(g) Any District Director of the Office of Price Administration if authorized by order of his Regional Administrator shall have and may exercise like authority with respect to applications filed under this section.

[Paragraph (g) added by Am. 6]

SEC. 5.3 *Payment of brokerage.* Every broker shall be considered the agent of the seller, and not the agent of the purchaser. In each instance, the amount paid by the purchaser to the seller, plus any amount paid by the purchaser to the broker, shall not exceed the seller's maximum price including allowable charges actually paid by the seller or by the broker. In other words, the seller may not collect from the purchaser any more than the maximum price including allowable charges, less any amount the purchaser pays the broker.

NOTE: Attention is directed to Revised Maximum Price Regulation 165 [6] establishing maximum prices brokers may charge for their services.

As used in this section, "broker" means a person acting as intermediary between a seller and a purchaser. It includes, but is not restricted to, a "finder," "buyer's agent," and "seller's agent."

SEC. 5.4 *Advance payments.* If, before delivering a malt beverage, a seller directly or indirectly requires the purchaser to make an advance payment (whether the payment be to the seller or to another person) the seller must compensate the purchaser by paying interest on it at not less than 5 percent per annum from the date on which the advance payment is made to the date on which it is refunded or the malt beverage delivered. The interest shall be payable on the date of delivery or on the date the advance payment is refunded. The seller may not increase his maximum price because of the interest payment and the purchaser need not reduce his maximum price because of having received it.

SEC. 5.5 *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery. However, no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given only when a request to establish a maximum price or for a change in the applicable maximum price is pending, and only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Price Administrator or by any official of the Office of Price Administration having authority to establish the price or to take final action upon the pending request for a change in price. The authorization 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 adjustment or the establishment of a maximum price on individual application.

SEC. 5.6 *Export sales.* The maximum prices at which a person may export a malt beverage shall be determined in accordance with the Second Revised Maximum Export Price Regulation [7] issued by the Office of Price Administration.

SEC. 5.7 *Records which must be kept.* Every person who makes sales for which this regulation establishes maximum prices shall:

(a) Make and preserve for examination by the Office of Price Administration, for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, records showing the prices he charged in those sales and the manner in which they were figured (which records may be of the same kind as he has customarily kept, if his customary records supply that information), and

(b) Preserve for examination by the Office of Price Administration, for the same period, all his existing records which are the basis for determining his maximum prices in the manner directed by this regulation, and

(c) Preserve for examination by the Office of Price Administration, for the same period, all records relating to those sales he was required to make or preserve by the General Maximum Price Regulation or by Maximum Price Regulation 259, as amended.

"Records" means written evidence of transactions, including books of account, price lists, sales lists, sales slips, orders, vouchers, contracts, receipts, invoices and bills of lading, a copy of any application or report to the Office of Price Administration and other papers and documents necessary to determine prices charged, offered, or paid and the method used to determine them.

SEC. 5.8 *Sales slips and receipts.* Upon request, and regardless of his previous custom, any seller shall give a purchaser a sales slip or receipt stating the date of purchase, name and address of the seller, a description sufficient to identify the quantity of each brand, type and container, size of malt beverage sold to the purchaser, and the price received for it.

SEC. 5.9 *Compliance with this regulation.* (a) *No selling or buying above maximum prices.* Regardless of any contract or obligation, no person shall sell or deliver, or buy or receive in the course of trade or business, any malt beverage at a price higher than the maximum price established by this regulation, and no person shall agree, offer, solicit or attempt to do any of the foregoing. However, a price lower than the maximum price may be charged or paid.

(b) *Evasion.* (1) No person shall evade a maximum price directly or indirectly, by any practice or device in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to any malt beverage either alone or in connection with any other commodities or services, by commission, brokerage or finder's fee, service, transportation or other charge or discount, premium or other privilege, by tying or tie-in agreement, long term contract, combination sale or trade understanding, by any change in style or manner of packing, by a business practice relating to containers, or by any other means.

(2) The following transactions or acts constituting violations or evasions of this regulation are prohibited:

(i) Changes in kinds, grades and proportions of ingredients resulting in depreciation of the quality of a malt beverage other than as the result of a normal variation;

(ii) The reduction or elimination of a brewer's customary discounts, allowances or price differentials;

(iii) Making a separate charge by a seller to a purchaser for local hauling or handling, loading or unloading, for breakage of barrels, containers or cases, for reconditioning barrels, containers or cases, or for hauling or handling empty barrels, containers or cases.

(c) *Enforcement.* Any person violating a provision of this regulation is subject to the criminal penalties, civil enforcement actions, license suspension proceedings and suits for treble damages pro-

[6] 10 F.R. 2097, 2250, 3924, 6231, 7854.

[7] 8 F.R. 4132, 5987, 7662, 9998, 15193; 9 F.R. 1036, 5435, 5923, 7201, 9835, 11273, 12919, 14436; 10 F.R. 863, 923, 2432.

vided by the Emergency Price Control Act of 1942, as amended.

(d) *Licensing.* The provisions of Licensing Order No. 1 [8] licensing all persons who make sales under price control are applicable to all sellers subject to this regulation. A seller's license may be suspended for violation of the license or of one or more applicable price regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 5.10 *Prior regulations, orders and interpretations superseded.* Except as otherwise herein specifically provided Revised Maximum Price Regulation 259 supersedes all orders and interpretations issued with respect to the sale of domestic malt beverages in bottles or cans prior to December 18, 1944 under § 1499.3 (c) of the General Maximum Price Regulation.

[Sec. 5.10 added; former secs. 5.10 through 5.12, inclusive, redesignated 5.11 through 5.13, inclusive, by Am. 3, 10 F.R. 2885, effective 3-7-45]

SEC. 5.11 *Compliance with other laws, ordinances and regulations.* Persons complying with this regulation are entitled to the benefits of section 205 (1) of the Emergency Price Control Act of 1942, as amended. However, except as may be provided by that section, this regulation shall not make lawful or operate to permit any sale of a malt beverage otherwise prohibited or regulated by any Federal, state or local statute, ordinance or regulation.

SEC. 5.12 *Petitions for amendment.* Any person seeking a general modification of this regulation may file a petition for amendment in accordance with Revised Procedural Regulation No. 1 [9] and amendments issued by the Office of Price Administration.

SEC. 5.13 *Applicability.* This regulation shall be applicable in the 48 states of the United States and in the District of Columbia.

This regulation shall become effective December 18, 1944. [Revised Maximum Price Regulation 259 originally issued December 12, 1944]

[Effective dates of amendments are shown in notes following the parts affected]

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.

APPENDIX A

OPA Form 635-547 (Rev. 11-44)

Form Approved Budget Bureau No. 69-R123.2

NOTE: Forms printed in the FEDERAL REGISTER are for information only, and do not follow the exact format prescribed by the issuing agency.

UNITED STATES OF AMERICA
OFFICE OF PRICE ADMINISTRATION
WASHINGTON 25, D. C.

REPORT OF MAXIMUM PRICES OF DOMESTIC MALT BEVERAGES FILED PURSUANT TO SECTION 2.12 OF REVISED MAXIMUM PRICE REGULATION NO. 259

Name of company	
Address—Number and street	
City, postal zone number, and State	
Signature of person filing this report	
Title	Date

INSTRUCTIONS

If this is your first report under Revised Maximum Price Regulation 259, list below your maximum prices established under that regulation for all brands of domestic malt beverages established by you. If this is a supplemental report covering a new brand of domestic malt beverage not previously listed state below your maximum prices for that brand. If this is a supplemental report of maximum prices to new classes of purchasers or for different types or container sizes of a brand of domestic malt beverage, state below your maximum prices for those sales. Show maximum prices to wholesalers f. o. b. brewery platform. If sales to wholesalers are made other than on f. o. b. platform basis, indicate terms of sale under "Remarks." Show maximum prices to retailers delivered. All maximum prices listed shall exclude:

1. State, city or municipal taxes
2. Deposits or repurchase price of containers and case
3. Quantity discounts

but shall include all Federal excise taxes. The completed form should be returned to:

Office of Price Administration
Food Price Division, Beverage Section
F. O. B. #1
Washington 25, D. C.

Brand and type	Maximum prices of domestic malt beverages				
In each block may be listed all brands having the same price	Container size	Class of purchasers			
		Wholesaler	Retailer	Armed forces	Other (specify)
	Barrel				
	1/2 barrel				
	1/4 barrel				
	1/8 barrel				
	Cases of				
	6/64 ounces				
	12/32 ounces				
	12/24 ounces				
	24/16 ounces				
	24/12 ounces				
	24/11 ounces				
	48/8 ounces				
	48/7 ounces				
	48/6 ounces				
	Other				

(Repeat for each brand having different prices.)

1 LIST BELOW APPLICABLE DISCOUNTS

Class of purchaser	Quantity discount	Cash discount	Other discounts

2 LIST BELOW DEPOSITS OR AGREED REPURCHASE PRICE OF CONTAINERS AND CASE

Container and case size	Class of purchaser	Amount of agreed repurchase price or deposit as of date of this report

Remarks:

Issued this 18th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15384; Filed, Aug. 18, 1945; 11:57 a. m.]

[8] 8 F.R. 13240.

[9] 9 F.R. 10476, 13715.

PART 1420—BREWERY, DISTILLERY AND WINERY PRODUCTS

[MPR 445[1], Amdt. 29]

DISTILLED SPIRITS AND WINES

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 445 is amended in the following respects:

1. Section 7.6 (a) is amended to read as follows:

(a) The following sections of the General Maximum Price Regulation and amendments to those sections shall apply to all sellers subject to this regulation:

Section 1499.5 *Transfers of business or stock in trade.*
Section 1499.11 *Base period records.*
Section 1499.14 *Sales slips and receipts.*

Provided, however, That the above provisions shall be inoperative, with respect to any commodity suspended from price control by section 7.14, on sales or deliveries made during the period of such commodity's suspension from price control.

2. Section 7.14 is added to read as follows:

SEC. 7.14. *Suspension of certain commodities from price control.* For the commodities listed below, the provisions of Maximum Price Regulation 445 (except sections 7.6 (a), 7.12 and 7.14) and the provisions of the General Maximum Price Regulation (except those which are incorporated in section 7.6 (a) herein) are suspended and shall be inoperative with respect to sales and deliveries made on or after the applicable suspension date set forth below:

Commodity	*Suspension date*
1. Bulk and packaged imported distilled spirits, except all types of imported whiskeys.	Aug. 15, 1945
2. Bulk and packaged imported wines.	Aug. 15, 1945

3. The heading for section 7.14 is added to each of the lists of section headings set forth in sections 1.10, 2.6 and 5.9.

This amendment shall become effective August 15, 1945.

Issued this 15th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15214; Filed, Aug. 17, 1945; 4:44 p. m.]

PART 1425—LUMBER DISTRIBUTION

[RMPR 467, Amdt. 3]

DISTRIBUTION YARD SALES OF HARDWOOD LUMBER

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

Revised Maximum Price Regulation 467 is amended in the following respects:

1. The list of maximum price regulations in section 2 (b) is amended by deleting "Maximum Price Regulation No. 513—Yellow Cypress Lumber Table I" and correcting the first listed regulation to read as follows: "Revised Maximum Price Regulation 97—Southern Hardwood Lumber, (excepting Tables 2 to 10 inclusive, of Yellow Cypress Lumber, Tables in § 1382.115 Appendix D)."

2. Table I in section 4 (c) is amended by substituting "97" for "513" in the "MPR" column reference under the column headed Cypress, Yellow.

This amendment shall become effective August 22, 1945.

Issued this 17th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15291; Filed, Aug. 18, 1945; 11:59 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[2d Rev. MPR 183,[2] Amdt. 4]

EXEMPTION FOR PURCHASES BY RECONSTRUCTION FINANCE CORPORATION IN PUERTO RICO

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 14.1 (c) is added to read as follows:

(c) *Exemption for purchases by the Reconstruction Finance Corporation.* With respect to the purchase of raw cane blackstrap molasses, the Reconstruction Finance Corporation and sellers to it are exempted from the provisions of this regulation.

This amendment shall become effective August 14, 1945.

Issued this 14th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15085; Filed, Aug. 14, 1945; 4:40 p. m.]

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

[RO 1A,[3] Amdt. 107]

TIRES, TUBES, RECAPPING AND CAMELBACK

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

Ration Order No. 1A is amended in the following respects:

1. Section 1315.201 (a) (7) is amended to read as follows:

(7) "Commercial motor vehicle" means:

(i) A straight truck; a truck-tractor, a full trailer or a semi-trailer; any other rubber tired conveyance, excluding a motorcycle, built or rebuilt primarily for the purpose of transporting property upon the highways and propelled or drawn by mechanical power;

(ii) Any of the following propelled or drawn by mechanical power and used in the transportation of persons upon the highways: Any ambulance or hearse and any conveyance having a rated seating capacity of ten or more.

2. Section 1315.201 (a) (21) is amended to read as follows:

(21) "Passenger automobile" means a motor vehicle (other than a commercial motor vehicle) designed primarily for the purpose of transporting persons, and a motorcycle.

3. Section 1315.201 (a) (51) is added to read as follows:

(51) "Occupational purpose" means driving in connection with a business; gainful work; pursuit of a course of study in an elementary school, high school, college, university or vocational school; and uncompensated work regularly performed which falls within any of the following categories:

(i) Work regularly performed under the authority and supervision of a bona fide non-profit agency which performs one or more of the following activities (provided that such work is necessary to the carrying out of such activities); investigation of the necessity for relief or administration of relief; arranging for the placement of minors or aged, handicapped or indigent persons in foster homes, or in institutions, and for the inspection of such foster homes or institutions; investigation of reported abuse, neglect or delinquency of minors; or transportation of minors or aged, handicapped or indigent persons to foster homes or institutions or for the transportation of persons to hospitals or clinics for treatment or diagnosis;

(ii) Work which is regularly performed under the direction of a government or governmental agency and which contributes to the civilian economy of the nation or of the local community;

(iii) Work which is regularly performed under the direction of a non-profit organization and which either contributes to the general welfare by aiding members or discharged members of the Armed Forces or their families, or the families of deceased members of the Armed Forces;

(iv) Work performed by a minister who is regularly serving a congregation in meeting the religious needs of the locality which he regularly serves; and

(v) Work regularly performed by a representative of government, management or labor for recruiting or training workers or for travel to maintain peaceful industrial relations.

4. Section 1315.501 is amended to read as follows:

§ 1315.501 *General proof of need.* No Board shall issue a certificate for a tire unless the applicant establishes:

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[1] 10 F.R. 7444, 8241, 9395, 9626.

[2] 10 F.R. 7635, 8933, 9223, 9227.

[3] 7 F.R. 9160, 9392, 9724.

(a) *Immediate need.* That the tire for which he is applying is to equip a vehicle or piece of equipment held for use and not for sale and is:

(1) To equip a vehicle or piece of equipment which requires tires because of alteration or reconstruction or which, for reasons satisfactory to the Board, does not already have the number of tires permitted for such vehicle or equipment by the Office of Price Administration; or

(2) To replace a lost or stolen tire; or

(3) To replace a tire which cannot be repaired or recapped or which will be unsafe when recapped for operation at the speeds at which the applicant may reasonably be expected to operate; or

(4) To replace a tire which is not serviceable for the use to which the vehicle or equipment is to be put.

(b) *No abuse or neglect.* That he has not in any manner abused or neglected, or permitted to be abused or neglected, the tire which he seeks to replace. However, the Board may waive this condition if it finds that the public interest would suffer if the application were denied. The Board may consider, among other things, as evidence of tire abuse, that the tire for which replacement is sought has become unfit for recapping through the fault of the applicant, such as driving a tire carcass beyond the recappable point.

(c) *Transfer of unrationed tires.* That any unrationed tire he transferred on or after December 5, 1944 (other than one transferred as part of a vehicle or piece of equipment) was unsuitable for use on the vehicle or piece of equipment for which application is made, or that other circumstances justified its transfer.

(d) *No available tires.* That he does not own or control a tire, other than tires mounted upon vehicles or equipment in current use (including one spare for each size wheel per vehicle or piece of equipment) which can be used or repaired for use, in lieu of the tire sought to be replaced: *Provided, however,* That an applicant may, in addition, be allowed two mud and snow tires for each passenger automobile which he is required to operate at high speeds in answering emergency calls in connection with his occupation. In computing the number of tires owned or controlled, the applicant shall not include:

(1) Emergency reserves acquired in accordance with § 1315.505 (b); or

(2) If he is a dealer or manufacturer, the tires he holds for sale.

The provisions of this paragraph do not apply to a government or government agency or subdivision.

5. Sections 1315.502, 1315.503, 1315.504, 1315.505, 1315.506, 1315.507, 1315.511, 1315.515, and 1315.517 are revoked and new §§ 1315.502 to 1315.506, inclusive, are added to read as follows:

§ 1315.502. *Eligibility of passenger automobiles.* (a) A consumer who meets the applicable conditions of § 1315.501 (General Proof of Need) may be granted a certificate for a Grade I passenger tire which is used for an occupational purpose, or which is used only for non-occupational purposes (including a permanent change of residence) if, in the discretion of the Board, a denial of a certificate would cause undue hardship.

(1) If a suitable passenger tire is not available in the community or if a passenger tire would not be suitable for the load carried on the vehicle, the Board may issue a certificate for a Grade I truck tire.

(b) A Board may not issue certificates for tires for use on passenger automobiles used only for non-occupational purposes (other than to effect a permanent change of residence) in excess of five percent of its monthly passenger tire quota, except that a District Director may allow a Board to exceed the five percent limitation by authorizing it to use all or any part of an increase in its quota for that purpose.

§ 1315.503 *Eligibility of commercial motor vehicles*—(a) *General eligibility.* A consumer who meets the applicable conditions of § 1315.501 may be granted a certificate for any type of tire, to be mounted on a commercial motor vehicle.

(b) *Emergency reserve*—(1) *Who may apply for an emergency reserve.* The following persons may apply for an emergency reserve of tires for commercial motor vehicles:

(i) A State (but not its agency or subdivision);

(ii) A person who has an Interstate Commerce Commission Certificate of Public Convenience and Necessity as a common carrier or an Interstate Commerce Commission Permit as a contract carrier;

(iii) A person who has applied for an Interstate Commerce Commission Certificate or Permit and has been notified by the Interstate Commerce Commission that he may continue the operation described in his application pending final determination of his application.

(2) *Vehicles for which an emergency reserve may be obtained.* An emergency reserve of tires may be obtained for any commercial motor vehicle which satisfies the applicable conditions of § 1315.501 and which is owned and operated by the applicant or leased to the applicant for his exclusive use for a period of at least six months from the date of this application, if the majority of trips driven in the vehicle has a destination of fifty miles or more from any place where any vehicle operated by the applicant is normally stationed.

(3) *Amount of emergency reserve.* Certificates shall be issued for the number of tires required by the applicant in order to maintain a supply equal to ten percent of the running wheels of vehicles which meet the requirements of paragraph (b) (2). This supply is in addition to the tires on running wheels and allowable spares for vehicles and equipment operated by the applicant. In making the computation under this section, a dual wheel shall be considered as two wheels.

(c) *Replacement of recappable tire carcass.* In any area where recapping facilities are unavailable or inadequate, an applicant may be granted a certificate for a tire even though the tire to be replaced is recappable.

§ 1315.504 *Eligibility of farm implements and industrial, mining and construction equipment*—(a) *Eligibility requirements.* A consumer who meets the applicable conditions of § 1315.501 may be issued a certificate for a tire necessary to equip a vehicle or piece of equipment which is used as one of the following:

(1) A farm tractor, farm implement or farm wagon. An applicant may be granted a certificate only for a tractor-implement tire for such a vehicle, except that if the vehicle cannot be operated with tractor-implement tires, and there are no suitable unrationed tires available in the community, the applicant may be granted a certificate for a Grade I passenger tire.

(i) In any area where recapping facilities are unavailable or inadequate an applicant may be granted a certificate for a small tractor-implement tire, even though the tire to be replaced is recappable; and if the vehicle cannot be operated with a tractor-implement tire and there are no suitable unrationed tires available in the community, the applicant may be granted a certificate for a Grade I passenger tire.

(2) Equipment used for industrial, mining or construction purposes including off-the-road uses, such as earth-moving and road-grading.

(b) *Spare tires.* A certificate for a spare tire may be issued to equip any of the vehicles or equipment which satisfy the conditions of this section if the Board finds that a spare tire is necessary for its continuous operation.

§ 1315.505 *Eligibility of house trailers.* (a) A consumer who meets the applicable conditions of § 1315.501 may be granted a certificate for a Grade I passenger tire to be mounted on a house trailer which is being used as living quarters.

(b) A person who is in the business of towing trailers and who meets the applicable conditions of § 1315.501 may be granted a certificate for Grade I passenger tires to provide him with eight tires plus four additional tires for each separate branch where he maintains a tow car.

(c) If the Board determines that use of a passenger tire would be an uneconomical use of rubber in view of the load to be carried, it may issue a certificate for a truck tire with a cross-section size 7.50 or smaller in lieu of a passenger tire.

§ 1315.506 *Eligibility for tires for purposes other than use on vehicles or equipment*—(a) A person who requires tires for a purpose other than mounting and use on a vehicle or piece of equipment may apply by letter to the Tire Rationing Branch, Office of Price Administration, Washington, D. C., giving full information as to the intended use and certifying that the tires for which application is made are not to be mounted on a vehicle or piece of equipment.

(b) A certificate shall be issued by the National Office if the Chief of the Tire Rationing Branch is satisfied that the use to which the tires are to be put is important enough to the public interest to justify expenditure of the number of tires requested.

(c) No appeal may be taken from a decision of the Chief of the Tire Rationing Branch made pursuant to this section.

6. The first sentence of § 1315.653 (a) is amended to read as follows: "When a Board has reason to believe that a consumer (1) has made a false statement in an application for a certificate, or (2) has violated § 1315.901 (f), it or any other Board acting at its request may serve written notice of hearing upon such consumer and recall any certificate issued such consumer pending determination of the proceedings before the Board."

7. Section 1315.657 is amended to read as follows:

§ 1315.657 *Refusal of certificates.* If a Board finds that an applicant has violated § 1315.901 (f) or (l), it may refuse to issue a certificate to the applicant and may declare that he shall be ineligible to receive a certificate for such period as it may deem appropriate in the public interest. In such case, the Board shall serve upon the applicant a written statement of the grounds for the refusal of the certificate and of the period of his ineligibility.

8. The headnote to § 1315.802 and § 1315.802 (a) are amended to read as follows:

§ 1315.802 *Mounting or use of Grade I tires*—(a) *Mounting or use generally.* Any Grade I tire may be mounted or used as follows unless the mounting or use is specifically prohibited by other provisions of this Order or involves a transfer of tires prohibited thereby:

(1) Upon the vehicle or piece of equipment for which the tire was acquired under this order;

(2) Upon a vehicle or piece of equipment upon which it was mounted on April 14, 1943: *Provided,* That at the time the tire was mounted upon the vehicle or piece of equipment the mounting was not in violation of the provisions of this order;

(3) Upon any other vehicle or piece of equipment if immediately following the mounting of the tire, the vehicle or equipment will be used in operations which will make it eligible for the tire being mounted;

(4) Upon any vehicle or piece of equipment not covered by subparagraph (3), only if authorized in writing by a Board having jurisdiction over the vehicle or piece of equipment upon which the tire is to be mounted. The Board may grant such authorization only where it is satisfied that the mounting or use will result in a conservation of rubber or the more efficient use of tires in activities which contribute to the civilian economy of the nation or of the local community.

(5) Upon a house trailer for the purpose of moving it to a housing site if the tires were acquired under § 1315.505 (b).

9. Sections 1315.901 (g) 1315.901 (h) and 1315.901 (j) are revoked.

This amendment shall become effective August 17, 1945.

(Pub. Law 671, 76th Cong. as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719, issued April 7, 1942, WPB Dir. No. 1, 7 F.R. 562, Supp. Dir. No. 1Q, 7 F.R. 9121)

Issued this 17th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15219; Filed, Aug. 17, 1945; 4:44 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[RMPR 271,[1] Amdt. 44]

POTATOES AND ONIONS

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

Revised Maximum Price Regulation No. 271 is amended in the following respects:

1. In Table IV of section 24 the prices for Wyoming for July, August and September are amended to read 2.80, 2.60 and 2.45, respectively.

2. In section 25 (a) the first sentence of the text is amended to read as follows: "The following differential shall be applied to the maximum prices for potatoes set forth in section 24."

This amendment shall become effective at 12:01 a. m., August 19, 1945.

Issued this 18th day of August 1945.

CHESTER BOWLES,
Administrator.

Approved: August 9, 1945.

CLINTON P. ANDERSON,
Secretary of Agriculture.

For the reasons set forth in the statement of considerations accompanying the foregoing amendment, I approve the above prices and find that they are necessary in order to correct a gross inequity.

WILLIAM H. DAVIS,
Economic Stabilization Director.

[F. R. Doc. 45-15282; Filed, Aug. 18, 1945; 11:55 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Control Order 1, Amdt. 3 to Supp. 2]

LIVESTOCK SLAUGHTER AND MEAT DISTRIBUTION

Section 1407.309 (a) (1) (iii) in Supplement No. 2 to Control Order 1 is amended to read as follows:

(iii) For quota periods beginning on or after July 29, 1945:

	Percent
Cattle	100
Calves	75
Sheep and lambs	110
Swine	50

This amendment shall become effective as of July 29, 1945.

Issued this 18th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15280; Filed, Aug. 18, 1945; 11:54 a. m.]

[1] 8 F.R. 15587, 15663; 9 F.R. 2298, 3589, 4027, 4647, 5379, 6151, 7504, 7771, 7852, 8931, 9356, 9783, 10089, 10199, 10981, 10778, 12270, 12475, 13262; 10 F.R. 1334, 2248, 2969, 3764, 4035, 4154, 4347, 4600, 5457, 6589, 7527, 7929, 8475, 8934.

PART 1300—PROCEDURE

[Procedural Reg. 16]

APPLICATIONS FOR SPECIAL SUBSIDY PAYABLE TO SLAUGHTERERS

Pursuant to Directive No. 41, issued by the Economic Stabilization Director on April 23, 1945, the following regulation is issued governing applications for the special subsidy payable to slaughterers by Defense Supplies Corporation (Office of Defense Supplies of Reconstruction Finance Corporation) upon certification by the Price Administrator pursuant to the provisions of section 5 of said Directive No. 41.

Sec.
1300.711 Who may apply.
1300.712 Applications.
1300.713 Amount of subsidy.
1300.714 Conditions of subsidy.
1300.715 Termination.

AUTHORITY: §§ 1300.711 through 1300.715 issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; Pub. Law 108, 79th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681

§ 1300.711 *Who may apply.* (a) Any slaughterer (1) who, for each accounting period included in the period for which relief is sought, files a basic claim under Revised Regulation No. 3 of Defense Supplies Corporation and (2) whose business operated profitably during the years 1938-41 inclusive, may file an application for additional subsidy.

(b) A slaughterer's business shall be deemed to have operated profitably during the years 1938-41 inclusive, if, during that period or such substantial portion thereof as the business was in operation, the business either earned a profit on sales of meat and related products on the average for the period of operation or earned such a profit during at least half of the years within the period.

(c) A "slaughterer's business" shall include sales of meat and related products in any form and at any level of distribution made by such slaughterer and by a person who owns or controls or is owned or controlled by such slaughterer. "Own or control" means to own or control directly or indirectly a partnership equity or in excess of 10 percent of any class of outstanding stock or to have made loans or advances in excess of 5 percent of the other person's monthly sales.

§ 1300.712 *Applications.* (a) Applications shall be made in writing to the Office of Price Administration in Washington, D. C. Any application may be filed at any time up to 30 days following the close of the applicant's fiscal year or within 30 days following the date of termination of the right to receive subsidy payments pursuant to the provisions of Section 1300.715.

(b) Each slaughterer shall file with his application the following information with respect to such slaughterer's business:

(1) Consolidated profit and loss statement and consolidated balance sheet on OPA Financial Reporting Form A for each year of the period 1938-41 inclusive, or for each year of such period in which such slaughterer's business was in operation;

(2) A statement by years for the period 1938 to date showing officers', partners' and proprietors' salaries, bonuses, commissions and withdrawals;

(3) Number of head and live weight of applicant's slaughter by species of livestock for each year from 1938 to 1943 inclusive, and by monthly accounting periods for 1944 to the extent that this information has not been filed with Defense Supplies Corporation. Indicate the periods for which this information has been filed with Defense Supplies Corporation;

(4) The location of the slaughterer's business, including all affiliations, and a description of the nature of such business, including all affiliations, with a description of the character of the operations and all products sold;

(5) For the current fiscal year (any fiscal year ending after May 1, 1945), if the application is filed after the close of such fiscal year, the following information: (i) The number of head and live weight of applicant's slaughter by species of livestock by monthly accounting periods to the extent that this information has not been filed with Defense Supplies Corporation (if information is filed with Defense Supplies Corporation, indicate the periods for which this information has been filed); (ii) the number of head and live weight by species of livestock slaughtered by applicant for others by monthly accounting periods to the extent that this information has not been filed with Defense Supplies Corporation (if information is filed with Defense Supplies Corporation, indicate the periods for which this information has been filed), (iii) a consolidated profit and loss statement and consolidated balance sheet on OPA Financial Reporting Form A; (iv) a separate statement of officers', partners' and proprietors' salaries, bonuses, commissions and withdrawals; and (v) a certification that the applicant has been in compliance with applicable price and rationing regulations during the period for which relief is sought.

(6) If the application is filed for relief for the balance of applicant's fiscal year which started prior to May 1, 1945, and ends after that date, and the applicant files his application after the close of such fiscal year, the applicant shall give the information required in subparagraph (5) for the entire fiscal year and, in addition, shall give such information for the period from the beginning of his fiscal year to the beginning of his first accounting period which starts on or after May 1, 1945. The consolidated profit and loss statement for this portion of the fiscal year shall be filed on OPA Financial Reporting Form B.

(7) If the application is filed for relief for the balance of applicant's fiscal year which started prior to May 1, 1945, and ends after that date, and the applicant files his application prior to the close of such fiscal year, the applicant shall give the information required in subparagraph (5) for the period (i) from the beginning of his fiscal year to the beginning of his first accounting period which starts on or after May 1, 1945, and (ii) from the beginning of his first accounting period which starts on or after May 1, 1945, to the date of application, and (iii) within 30 days after the close of such fiscal year, shall give the information required in subparagraph (5) for the entire fiscal year.

The consolidated profit and loss statements for the periods specified in subdivisions (i) and (ii) hereof shall be filed on OPA Financial Reporting Form B.

(8) If the application is filed for relief for a fiscal year beginning on or after May 1, 1945, and the application is filed prior to the close of such fiscal year, the applicant shall give the information required in subparagraph (5) for the period from the beginning of his fiscal year to the date of application and, in addition, within 30 days after the close of such fiscal year, shall give such information for the entire fiscal year.

The consolidated profit and loss statement for the portion of the fiscal year shall be filed on OPA Financial Reporting Form B.

(c) (1) Before approving any applicant's request for special subsidy, the Administrator shall have the right to request such additional or equivalent information as he deems necessary to a proper determination of the applicant's eligibility to the special subsidy payments.

(2) If an applicant's books are not closed as of May 1, 1945, the special subsidy shall be paid only on operations beginning with the applicant's first accounting period which starts after May 1, 1945.

§ 1300.713 *Amount of subsidy.* The Administrator shall certify to Defense Supplies Corporation an amount of subsidy to be paid the applicant slaughterer which will be that amount which is necessary to make the total revenue from the slaughterer's business equal to the total costs of operations of such business for the balance of his current fiscal year starting with the applicant's first accounting period beginning on or after May 1, 1945, or for any subsequent fiscal year. This amount shall be determined at the close of the period for which relief is sought, on the basis of the information required to be submitted by this regulation, and an audit of the slaughterer's records if the Administrator deems such to be necessary at the close of the fiscal year involved. Permission to make such an audit shall be a condition to receipt of the subsidy herein provided.

§ 1300.714 *Conditions of subsidy.* (a) A slaughterer shall not be entitled to the subsidy authorized herein if his current business varies widely from that operated during the years 1938–41 inclusive, or if the Administrator finds that he has not in good faith attempted to conduct his business profitably.

(b) The subsidy provided herein shall be paid only to a slaughterer who has been in compliance with applicable price and rationing regulations during the period for which relief is sought.

(c) In determining total costs, the Administrator shall adjust officers', partners' and proprietors' salaries, bonuses, commissions and withdrawals and any unusual costs or expenses so that they are in line with those of other slaughterers whose operations are substantially similar in nature and size.

(d) Payment of the subsidy to any slaughterer shall be predicated on a showing by the applicant that his slaughter of calves or his slaughter of sheep and lambs in any monthly accounting period after the effective date of this regulation and until the close of the period for which relief is sought is not more than 10 percent greater than his slaughter of calves or sheep and lambs in the corresponding accounting period of 1944.

§ 1300.715 *Termination.* The right to receive subsidy pursuant to the provisions of this regulation shall be subject to termination on 10 days' notice. In the event of termination, payment of the additional subsidy shall be made on the basis of the applicant's operations from the beginning of the applicable period to the date of termination.

The regulation shall become effective August 20, 1945.

NOTE: The reporting provisions of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 20th day of August 1945.

CHESTER BOWLES,
Administrator.

Approved: August 13, 1945.

CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 45-15369; Filed, Aug. 20, 1945; 11:39 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[FPR 3, Amdt. 3 to Supp. 6]

ALFALFA HAY PRODUCTS

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

Supplement No. 6 to Food Products Regulation No. 3 is amended in the following respect:

Table I of section 6 (a) is amended by substituting the figures "38.50" under Column A and "47.00" under Column B for the state of South Dakota in place of the figures now appearing therein.

This amendment shall become effective August 25, 1945.

Issued this 20th day of August 1945.

CHESTER BOWLES,
Administrator.

Approved: August 10, 1945.

CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 45-15363; Filed, Aug. 20, 1945; 11:40 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Control Order 1,[1] Amdt. 17]

LIVESTOCK SLAUGHTER AND MEAT DISTRIBUTION

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

Control Order 1 is amended in the following respects:

1. Section 6 (b) is amended by adding at the end thereof the following: "Upon written request of a Class 2 slaughterer, the District Office shall promptly give him a written statement showing the manner in which it computed the quota bases covered by the request.

2. Section 6 (c) (4) is added to read as follows:

(4) If the District Office denies, cancels, revokes or reduces a quota base, under (1), (2) or (3) above, it shall promptly give written notice to the slaughterer specifying the quota base in question. The notice shall also specify the accounting periods for which the District Office found that the required number of points had not been surrendered by him and the number of points, if any, it found he had surrendered for those periods. In addition, if quota bases already assigned to the slaughterer are cancelled or revoked, it shall direct him to surrender to the District Office by a date to be specified in the notice, his applicable license on OPA Form MC-5 for cancellation or appropriate revision. If so directed, the slaughterer must surrender such license by the date specified in the notice.

3. Section 6 (d) is added to read as follows:

(d) (1) Any Class 2 slaughterer, within thirty (30) days after the assignment to him of a quota base (or by August 31, 1945, if the assignment was made before July 1, 1945) may request a hearing on the determination made by the District Office of his quota base. The request must be submitted, in writing, to the District Office with which he is registered and must contain the information specified in (3) below.

(2) Any Class 2 slaughterer who has been denied a quota base or whose quota base has been reduced, cancelled, or revoked, under (1), (2) or (3) of paragraph (c) of this section, may, within thirty (30) days after the notice given him by the District Office under (c) (4), submit to that Office a written request for a hearing on one or more of the following claims:

(i) That, for the accounting periods specified in the notice, he surrendered all the points required to be surrendered by him under Ration Order 16 or Revised Ration Order 16;

(ii) That, for the accounting periods specified in the notice, although he did not surrender all the points required to be surrendered by him, he did surrender more points than the number the District Office found he surrendered;

(iii) That the computations made by the District Office under (i) or (ii) of paragraph (c) (2) above were incorrect.

[1] 10 F.R. 4605.

(3) The request for a hearing under (1) or (2) of this paragraph (d) must state:

(i) His name, the address of his establishment, and each of the quota bases as to which he requests a hearing;

(ii) The respects in which he claims the action taken by the District Office as to each quota base was incorrect; and

(iii) The date (which must not be less than five (5) days from the date on which he submits the request for the hearing) on which he expects to be ready to proceed with the hearing.

(4) Upon receipt of the request for the hearing, the District Office shall give the slaughterer notice of the time and place of the hearing, and the date thereof, which shall be the date specified by the slaughterer in his request, or any other date agreed upon between the slaughterer and the District Office.

(5) The hearing shall be conducted by a Special Hearing Officer who shall be either the District Director or an officer or employee of the Office of Price Administration designated by the District Director as a Special Hearing Officer. The Special Hearing Officer shall administer oaths and affirmations and rule on the admission or exclusion of evidence. The hearing shall be conducted in a manner to permit all parties interested in the proceedings to present evidence and arguments to the fullest extent compatible with a fair and expeditious determination of the issues raised in the hearing. To that end:

(i) The slaughterer shall have the right to be represented by counsel of his own choosing;

(ii) The rules of evidence prevailing in courts of law or equity shall not be controlling;

(iii) The Special Hearing Officer, having due regard to the need of expeditious decision, shall afford reasonable opportunity for cross-examining witnesses;

(iv) A stenographic report of all testimony shall be taken. The report need not be transcribed if the transcription is waived by the slaughterer. If the report is transcribed, a copy shall be available for inspection during business hours at the District Office.

(6) (i) The Special Hearing Officer shall, after the hearing, issue an order affirming, modifying or setting aside the action taken by the District Office with respect to any of the quota bases specified in the request for the hearing. If the slaughterer fails to appear at the hearing, the Special Hearing Officer shall issue an order affirming the action taken by the District Office. If the slaughterer against whom an order has been issued after his failure to appear at the hearing shows, within ten (10) days from the date of the issuance of the order, good cause for his failure to appear, the Special Hearing Officer may set aside such order and grant the slaughterer a full hearing.

(ii) A copy of the Special Hearing Officer's order shall be served promptly upon the slaughterer personally or by mail directed to his establishment. If the order modifies or sets aside the action taken by the District Office, the slaughterer's quota bases shall promptly be adjusted by the District Office in conformity with the provisions of that order.

(7) No appeal may be taken from the order of a Special Hearing Officer. However, an appeal by the slaughterer from the action taken by the District Office shall bring up for review any order in his case issued by a Special Hearing Officer and the record on which it is based.

4. Section 10 (e) is added to read as follows:

(e) (1) A Class 2 or Class 3 slaughterer against whom there is in operation an Administrative Suspension Order issued pursuant to Revised Procedural Regulation 4 which suspends him from slaughtering livestock (or having livestock custom slaughtered for him), or from selling or transferring meat derived from slaughter of livestock by himself, or from custom slaughter of livestock for him, shall have his quotas for each quota period during which the suspension order is in effect cancelled or revoked.

(2) However, for any quota period in which the suspension order is in operation for only part of that period, his quotas shall be reduced as follows:

(i) Divide his quota for each species of livestock (or in the case of a Class 3 slaughterer, his quota) for each quota period during which the suspension order is in effect by the number of calendar days in that quota period;

(ii) Multiply the result in (i) by the number of calendar days in that quota period during which the suspension order was not in effect;

(iii) The result in (ii) is the Class 2 slaughterer's quota for each species of livestock which may be slaughtered by him or custom slaughtered for him (or in the case of a Class 3 slaughterer, the quota for the sale or transfer of meat derived from livestock slaughtered by him or custom slaughtered for him) during that quota period.

(3) Notwithstanding the provisions of (2) above, in any case in which the suspension order becomes effective after the commencement of the quota period and remains in effect for the balance of that period, the Class 2 slaughterer's quota for the slaughter of each species of livestock by him or for the custom slaughter of such livestock for him (or in the case of a Class 3 slaughterer, the quota for the sale or transfer of meat resulting from the slaughter of livestock by him or custom slaughter of livestock for him) for that quota period shall be deemed cancelled and revoked to the extent of the portion thereof which has not been used at the time the suspension order became effective.

(4) The restrictions in this paragraph (c) as to the cancellation, revocation or reduction of quotas may be superseded in a particular case by the express provisions of the suspension order, and additional restrictions may be imposed in that order. Nothing in this paragraph (c) shall be considered to affect or modify in any way any of the conditions, restrictions or prohibitions of the suspension order.

5. Section 10 (c) is amended by adding at the end thereof the following: "The restrictions in this paragraph are in addition to any actions, penalties or proceedings which may be authorized by

law for his failure to comply with paragraph (a) of this section."

6. Section 10 (d) is amended by adding at the end thereof the following: "The restrictions in this paragraph are in addition to any actions, penalties or proceedings which may be authorized by law for his failure to comply with paragraph (b) of this section.

7. Section 16 (b) is amended by adding at the end thereof the following: "Such revocation is in addition to any actions, penalties or proceedings authorized by law for his failure to comply with this section."

8. Section 18 is amended by adding at the end thereof the following: "No provision of this order, and no act performed thereunder, shall be construed as a waiver of any violation of Ration Order 16 or Revised Ration Order 16."

This amendment shall become effective on August 24, 1945.

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 20th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15365; Filed, Aug. 20, 1945; 11:40 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Control Order 1,[1] Amdt. 18]

LIVESTOCK SLAUGHTER AND MEAT DISTRIBUTION

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

Control Order 1 is amended in the following respects:

1. Section 9 (b) (3) is amended to read as follows:

(3) The maximum live weight of that species which he may slaughter during any consecutive seven day period, is the result in (2) plus any unused portions of the parts of the quota he was permitted to slaughter during the preceding consecutive seven day periods in the same quota period.

2. Section 23 (o) (1) (i) is amended to read as follows:

(i) Take the total quantity of meat delivered by the slaughtering establishment into the county or customary trading area (if the slaughterer has been authorized to use such trading area under paragraph (g)) in which the affiliated establishment is located, during the three (3) reporting periods of the slaughtering establishment ending on or immediately before July 29, 1945, or if the slaughtering establishment was in operation during no part of those three reporting periods, its last three (3) reporting periods before July 29, 1945;

3. Section 23 (o) (3) (iii) is amended to read as follows:

(iii) The total quantity of meat delivered by the slaughtering establishment into the county or customary trading area (if he has been authorized to use such trading area under paragraph (g)) in which each affiliated establishment is located, during the three (3) reporting periods of the slaughtering establishment ending on or immediately before July 29, 1945, or if the slaughtering establishment was in operation during no part of those three (3) reporting periods, its last three reporting periods before July 29, 1945;

This amendment shall become effective on August 24, 1945.

NOTE: The 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 20th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15366; Filed, Aug. 20, 1945; 11:41 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Restriction Order 15,[1] Amdt. 3]

RICE IN PUERTO RICO

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

Restriction Order 15 is amended in the following respects:

1. Section 1.1 (a) is amended to read as follows:

(a) Unless authorized in writing by the Office of Price Administration, no importer or wholesaler shall transfer rice to any person who was not his customer of rice during the period comprised from January 15, 1945 to March 17, 1945, and shall not make a transfer of rice to any of such customers, and no customer shall accept from an importer or wholesaler a transfer of rice of more than ⅔ (66⅔%) of the average two-week period transfers of rice made to that customer during the period comprised from March 15, 1945 to March 17, 1945.

2. Section 1.1 (b) is amended to read as follows:

(b) No retailer shall transfer or offer to transfer rice to any customer, and no customer shall accept the transfer of rice from any retailer of more than ⅔ (66⅔%) of the average weekly transfers of rice made to that customer during the period comprised from January 15, 1945: *Provided,* That such transfers made by a retailer to a consumer shall not exceed 2¼ pounds of rice a week per person. However, a retailer's customer may request and shall be entitled to obtain from such retailer at least 2¼ pounds of rice a week. A customer may act as an agent of a family or other unit in the purchase of a quantity of rice not to exceed the allotment for all members of such unit who customarily eat the majority of the meals as members of such unit.

3. Section 1.2 (b) and 1.2 (c) are amended by deleting the phrase "four-week period", wherever it appears, and inserting in lieu thereof, in each instance, the phrase "two-week period".

4. Section 1.2 (d) (2) is amended by deleting the phrase "one and one quarter pounds", and inserting in lieu thereof the phrase "two and one quarter (2¼) pounds".

5. Section 1.2 (d) (3) is amended by deleting the phrase "one and one quarter (1¼) pounds", and inserting in lieu thereof the phrase "two and one quarter (2¼) pounds".

This amendment shall become effective as of August 6, 1945.

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

Issued this 20th day of August 1945.

SAM GILSTRAP,
Territorial Director.

Approved:

JAMES P. DAVIS,
Regional Administrator.

[F. R. Doc. 45-15370; Filed, Aug. 20, 1945; 11:40 a. m.]

[RMPR 373,[1] Amdt. 22]

PART 1418—TERRITORIES AND POSSESSIONS

OYSTERS 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 20 (b) (1) is amended as follows:

The item "Oysters (Pacific Coast), ½—⅘—1 gal., wholesale maximum price per pound net weight—70 cents, retail maximum price per pound net weight—88 cents" is amended so that the prices listed shall read "wholesale maximum price per pound net weight, 74 cents" and "retail maximum price per pound net weight, 93 cents".

This amendment shall become effective as of July 12, 1945.

Issued this 20th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15372; Filed, Aug. 20, 1945; 11:39 a. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 426,[1] Amdt. 138]

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

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

In Appendix J, paragraph (e), Tables A and B, Item 4 is changed to read as follows:

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[1] 10 F.R. 4605.

[1] 10 F.R. 3815, 5903.

[1] 10 F.R. 7403, 7500, 7539, 7578, 7683, 7683, 8371, 8379, 9273, 9274, 9275, 9466, 9540, 9620, 9618, 9332, 9323.

[1] 10 F.R. 7403, 7500, 7539, 7578, 7683, 7683, 7789, 8021, 8069, 8239, 8238, 8467, 8511, 8557.

TABLE A—MAXIMUM MARKUPS FOR DISTRIBUTIVE SERVICES PERFORMED BY CERTAIN PRIMARY SELLERS AND THEIR AGENTS TO BE ADDED TO MAXIMUM DELIVERED PRICES (SEE COLUMN 6 OF TABLES IN PARAGRAPH (D))

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10	Column 11	Column 12
			Sales by growers				Sales by a grower-distributor, buyer-distributor, and by a grower or any person through a grower's sales agent				
				Through a commission merchant in less-than-carlots or less-than-trucklots [3]						Through a commission merchant in less-than-carlots or less-than-trucklots [3]	
Item No.	Commodity	Unit	Through a broker in any quantity or through a commission merchant in carlots or trucklots [1 2]	Ex-dock, car, truck or terminal sales platform	Ex-store or warehouse	Through an auction in less-than-carlots or less-than-trucklots [3]	Direct sale (without the use of broker or any other agent) [1 2]	Through a broker or salaried representative, or through a commission merchant in carlots or trucklots [1 2]	Through an auction in less-than-carlots or less-than-trucklots [3]	Ex-dock, car, truck or terminal sales platform	Ex-store or warehouse
*	*	*	*	*	*	*	*	*	*	*	*
4	Fresh Italian prunes:	Items 1-10, table 4:									
		½ bushel basket, 28-32 pounds	$0.03	$0.15	$0.33	$0.09	$0.08	$0.11	$0.17	$0.23	$0.41
		Standard prune box, 15-17 pounds	.02	.08	.18	.05	.05	.07	.10	.13	.23
		Above containers with a net weight of less than or more than that specified for each container and fresh Italian prunes packed in any other container and those sold loose and ungraded in any container, or in bulk, per pound	1/10	5/10	.01 1/10	3/10	3/10	4/10	9/10	9/10	.01 1/10
*	*	*	*	*	*	*	*	*	*	*	*

[1] Maximum markups listed above in Columns 4, 8, and 9 may be added to the maximum prices for fruit loaded on car or truck at shipping point (Column 5 of applicable table in par. (e)) for sales made by agents or growers and primary sellers. other than growers, f. o. b. shipping point.

[2] For purposes of computing the maximum price, the amounts set forth in Columns 4, 8, and 9, shall be used, but the maximum charge that may be made by any selling agent shall be determined under MPR 165, as amended, as between such selling agent and his principal.

[3] The actual charge not to exceed the maximum allowable charge under MPR 165 shall be used instead of the markup listed in Columns 5, 6, 7, 10, 11, and 12 if the amount of such actual charge is lower than the amount shown.

TABLE B—MAXIMUM MARKUPS FOR DISTRIBUTIVE SERVICES PERFORMED BY CERTAIN SELLERS OTHER THAN PRIMARY SELLERS AND THEIR AGENTS TO BE ADDED TO MAXIMUM DELIVERED PRICES

(See column 6 of tables in paragraph (d))

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9
			Sales by any person other than a grower or grower-distributor or buyer-distributor who has purchased a carlot or trucklot and resells such carlot or trucklot unbroken	Sales by primary receivers in less-than-carlots or less-than-trucklots		Sales by secondary jobbers in any quantity delivered to premises of the purchaser	Sales by service wholesalers delivered to premises of any retail store, Government procurement agency, or institutional buyer within the free delivery zone	
Item No.	Commodity	Unit		Through an auction [1] or ex-car, dock, truck, or terminal sales platform	Ex-store or ex-warehouse		Original container and quantities in excess of half of original container	Half original container or less
*	*	*	*	*	*	*	*	*
4	Fresh Italian prunes	Items 1-10, table 4:						
		½-bushel basket, 28-32 pounds	$0.20	$0.26	$0.44	$0.71	$0.71	----------
		Standard prune box, 15-17 pounds	.11	.15	.25	.39	.39	----------
		Above containers with a net weight of less than or more than that specified for each container and fresh Italian prunes packed in any other container and those sold loose and ungraded in any container, or in bulk, per pound	7/10	9/10	.01 5/10	.02 1/10	.02 1/10	$0.02 1/10
*	*	*	*	*	*	*	*	*

[1] This mark-up applies not only to sales by primary receivers through auction but also to sales by all persons, other than primary sellers, through terminal auctions (see par. (g) (3)).

This amendment shall become effective August 25, 1945.

Issued this 20th day of August 1945.

CHESTER BOWLES,
Administrator.

Approved August 6, 1945.

CLINTON P. ANDERSON,
Secretary of Agriculture.

For the reasons given in the statement of considerations accompanying the foregoing amendment I find that the maximum prices for fresh Italian prunes maintained for the 1945 crop under Maximum Price Regulation 426 are necessary to aid in the effective prosecution of the war.

WILLIAM H. DAVIS,
Economical Stabilization Director.

[F. R. Doc. 45-15373; Filed, Aug. 20, 1945; 11:40 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Control Order 1,[1] Amdt. 19]

LIVESTOCK SLAUGHTER AND MEAT DISTRIBUTION

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

[1] 10 F.R. 4605.

Control Order 1 is amended in the following respects:

1. Section 6 (b) is amended by substituting for the first sentence the following: "After a Class 2 slaughterer has registered on OPA Form R-315 in accordance with the provisions of section 4 (a), the District Office will issue to him a license on OPA Form MC-5 and assign to him quota bases for each species of livestock for each of his quota periods beginning after June 30, 1945, and for that part of any incomplete quota period after June 30, 1945, which includes July 1, 1945."

2. Section 19 (i) is amended by substituting for the first sentence the following two sentences: "Within fifteen (15) days after the end of each quota period, every Class 2 slaughterer must file a report, on OPA Form MC-6, in duplicate, with the District Office with which his establishment is registered. (For any quota period ending on or before August 9, 1945, the report may be filed within thirty (30) days after the end of such quota period.)"

This amendment shall become effective on August 24, 1945.

NOTE: The 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 20th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15367; Filed, Aug. 20, 1945; 11:41 a. m.]

PART 1499—COMMODITIES AND SERVICES

[SR 14C,[1] Amdt. 9]

DOMESTIC AND IMPORTED HARD CANDY

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

Supplementary Regulation 14C is amended in the following respects:

1. Section 2.4 is amended to read as follows:

SEC. 2.4 *Domestic and imported hard candy*—(a) *Applicability of this section.* This section applies to imported hard candy and domestically manufactured hard candy as hereinafter defined.

Any domestic manufacturer of hard candy, as hereinafter defined, shall elect to use either the prices specified in this section or the prices established by him under § 1499.2 (a) of the General Maximum Price Regulation for sales of the same hard candy manufactured by him.

Any importer of any imported hard candy shall elect to use either the prices specified in this section for such candy or the prices established by such seller under § 1499.2 (a) of the General Maximum Price Regulation for sales of the same imported hard candy sold by him.

If a manufacturer of domestically produced hard candy or importer of imported hard candy elects to maintain maximum prices established by him for such hard candy under § 1499.2 (a) of the General Maximum Price Regulation, then wholesalers and retailers who purchase that hard candy shall maintain or establish their maximum prices for sales of such hard candy under the provisions of § 1499.2 of the General Maximum Price Regulation.

In the event, however, a manufacturer of domestic hard candy or importer of imported hard candy elects to use a maximum price hereinafter specified in this section, then all of his sales of the same hard candy and the resulting resales by wholesalers and retailers shall be made at prices not in excess of those specified as maximum in the following provisions of this section.

(b) *Maximum import prices for hard candy.* The maximum prices stipulated in Table A for solid hard candy shall be the maximum prices f. o. b. duty paid port or point of entry at which any purchaser may import hard candy into the United States.

Bulk 5-Pound Boxes, 1-Pound Bags

(c) *Maximum selling prices for bulk, 5-pound boxes, 1-pound bags of domestic and imported hard candy.* (1) A domestic manufacturer's maximum prices to wholesalers, f. o. b. factory (without freight allowance) for sales of hard candy, as hereinafter defined, shall be as set forth in Table A:

TABLE A

Type	Solid hard candy assortment, per pound	Plastic filled hard candy assortment, per pound
Bulk sales	$0.14½	$0.15½
5-lb. boxes	.15½	.16½
1-lb. bags	.18	.19

(2) A domestic manufacturer's maximum prices for sales to any class of purchaser other than wholesalers shall be the prices set forth in Table A, less the manufacturer's customary differentials, except in the case of sales to ultimate consumers, in which event the maximum prices stipulated in Table C shall apply.

(3) A wholesaler's or importer's maximum delivered prices for sales to retailers of domestic or imported hard candy shall be as set forth in Table B. Wholesalers and importers shall invoice each sale to retailers, stating thereon the wholesaler's (or importer's) and retailer's respective maximum selling prices.

TABLE B

Type:	*Per pound*
Bulk sales	$0.20½
5-lb. boxes	.21
1-lb. bags	.2375

(4) The maximum retail price for any sale of domestic or imported hard candy by any person who purchases directly from a domestic manufacturer or foreign seller for resale to the consumer in stores owned or controlled by such person shall be as set forth in Table C.

TABLE C

Type:	*Per pound*
Bulk sales	$0.25
1-lb. bags	.27

(5) The maximum retail price for any sale of domestic or imported hard candy by any persons other than those provided for in subparagraph (4) above, shall be as set forth in Table D.

TABLE D

Type:	*Per pound*
Bulk sales	$0.33
5-lb boxes	.33
1-lb. bags	.35

(d) The sum of 2½ cents per pound may be added to the maximum prices stipulated in Tables A, B, C and D for sales of hard candy, all pieces of which have been individually wrapped by the manufacturer.

(e) *Notification to purchasers.* (1) All domestic manufacturers establishing maximum prices for hard candy pursuant to the provisions of this section shall state on each invoice to each purchaser the applicable notice as follows:

To wholesalers

The Office of Price Administration has established maximum prices for sales of this hard candy. Our billing is in accord with the prices so established. You are authorized to sell and deliver this candy to retailers at prices not in excess of:

Bulk sales, per pound	$0.20½
5-lb. boxes, per pound	.21
1-lb. bags, per one dozen bags	2.85

(Omit price or prices not applicable to sale.)

As a wholesaler you are required to furnish an invoice with each sale to retailers. Each invoice shall have stated upon it your OPA maximum price and your retailer's OPA maximum price. Retailers' maximum prices for sales of this hard candy purchased from wholesalers shall be as follows:

Bulk sales, per pound	$0.33
5-lb. boxes, per pound	.33
1-lb. bags, per bag	.35

(Omit price or prices not applicable to sale.)

To all other purchasers

The Office of Price Administration has established maximum prices for sales of this hard candy. Our billing is in accord with the prices so established. You are authorized to sell this candy at retail at prices not in excess of:

Bulk sales, per pound	$0.25
1-lb. bags, per bag	.27

(Omit price not applicable to sale.)

(2) All hard candy importers, except those who sell directly to consumers, shall provide their purchasers with a notice as follows:

The Office of Price Administration has established maximum prices for sales of this hard candy. Our billing is in accord with the prices so established. Retailers are authorized to sell this candy to consumers at prices not in excess of:

Bulk sales, per pound	$0.33
5-lb. boxes, per pound	.33
1-lb. bags, per bag	.35

(Omit price not applicable to sale.)

Packages 8 Ounces and Less

(f) *Packages eight ounces and less.* (1) Maximum prices (f. o. b. seller's place of business) for candy, purchased as bulk hard candy and then within continental United States of America packaged 8 ounces or less in other than kraft paper bags, shall be determined as follows:

[1] 10 F.R. 1165, 1704, 2618, 5458, 6308, 7404.

(i) Take the maximum price for the weight of candy in the package, figured under Table A, bulk sales type.

(ii) Add the cost of the material and direct labor used in packaging.

(iii) Multiply this total:

(*a*) By 1.25 if the packer sells to retailers. This is the maximum price for which any seller may sell to retailers. Sales to intermediate purchasers other than retailers shall be made at maximum prices not in excess of that provided for sales by packers to retailers.

(*b*) By 1.50 if the packer sells to ultimate consumers.

(iv) If the sale is to an ultimate consumer by a seller who purchased from a packer whose maximum price was determined under (iii) (*a*), take the packer's maximum selling price, per package, multiply by 1.50 and add the per package proportion cost of freight paid by the purchaser from the packer.

(2) The sum of 2½ cents per pound may be added to the maximum prices determined under this paragraph for sales of hard candy, all pieces of which have been individually wrapped by the manufacturer.

Packages Over Eight Ounces (Other Than 1 Lb. Bags)

(g) *Packers' maximum prices for sales of domestic and imported hard candy packaged within the United States in containers other than ordinary kraft paper bags in net weights between 8 ounces and 5 pounds (other than 1 lb. bags).* (1) A domestic manufacturer's maximum price per pound f. o. b. factory for sales of hard candy in container sizes hereinafter specified to purchasers other than consumers, shall be determined by adding the actual cost of the container (size of which is specified below) to the appropriate price calculated from the prices per pound specified in Table 1 below:

TABLE 1

[Price per pound]

Item	Over 8 oz. but less than 2 lbs.	2 lbs. to less than 3 lbs.	3 lbs. to less than 4 lbs.	4 lbs. to less than 5 lbs.
Solid hard candy assortment	$0.16½	$0.15⅞	$0.15½	$0.14⅝
Plastic filled hard candy assortment	.17½	.16⅞	.16¼	.15⅝

(2) The maximum delivered price per pound for sales to retailers by any seller (chiefly wholesaler-packagers and importer-packagers) not provided for in (1) above, shall be determined by adding the actual cost of the container (size of which is specified below) to the appropriate price calculated from the prices per pound specified in Table 2 below:

TABLE 2

Item	Over 8 oz. but less than 2 lb.	2 lbs. to less than 3 lbs.	3 lbs. to less than 4 lbs.	4 lbs. to less than 5 lbs.
Either assortment	$0.22¼	$0.21½	$0.20¾	$0.20

(3) A domestic manufacturer's, importer-packager's or retailer-packager's maximum prices per pound for sales to consumers of sizes hereinafter specified, shall be determined by adding the actual cost of the container (size of which is specified below) to the appropriate price calculated from the prices per pound specified in Table 3 below:

TABLE 3

Item	Over 8 oz. but less than 2 lbs.	2 lbs. to less than 3 lbs.	3 lbs. to less than 4 lbs.	4 lbs. to less than 5 lbs.
Either assortment	$0.25½	$0.24⅞	$0.24¼	$0.23⅝

(4) The sum of 2½ cents per pound may be added to the prices stipulated in Tables 1, 2 and 3 for sales of hard candy, all pieces of which have been individually wrapped by the manufacturer.

(h) *Maximum prices for resale of hard candy which has been packaged and sold under the provisions of paragraph (g) above.* (1) The seller's maximum delivered prices for sales to retailers of packaged hard candy which has been sold by the manufacturer, shall be determined by multiplying the manufacturer's maximum price by 1.25.

(2) The maximum price for sales to consumers by retailers shall be determined by multiplying their supplier's maximum prices as provided for in this section by 1.50.

(i) *Maximum prices for sales not otherwise covered.* The maximum price for any sale not otherwise covered by this Section shall be 14½ cents per pound f. o. b. point of shipment. However, the maximum price for any item of hard candy sold in combination with any other commodity shall be determined under the provisions of this section in the same manner as if sold separately.

(j) *Definitions.* (1) "Domestic hard candy", as used herein, is candy averaging not less than 70 pieces per pound and consisting of individual pieces of the same flavor, shape and size or of individual pieces of various flavors, shapes and sizes. It contains principally sugar, corn syrup, flavoring extracts and U. S. Certified food colors conforming to the following specifications:

(i) The sugar content to be not less than 65 percent dry basis. Sugar to meet the requirements of Type 1, Federal Specifications JJJ-S-791, and Amendment 4, dated May 1935.

(ii) The corn syrup shall be confectioners' type of syrup.

(iii) The salt shall meet the requirements of Federal Specification SS-S-31.

(iv) The citric acid shall be U. S. P.

(v) The flavoring agents other than liquor chocolate shall be natural or artificial and of the best commercial grade, except that in the case of anise, lemon, lime, orange and peppermint flavors, true essential oils, likewise of the best commercial grade, shall be used.

(vi) All colors shall be U. S. Certified food colors.

(vii) All hard candies sold under this section shall be manufactured in accordance with the best commercial practices and under strictly sanitary conditions.

(3) "Plastic filled hard candy" is hard candy containing a soft center or filling encased in a hard candy jacket. The candy by weight shall be approximately 25% filling and 75% jacket.

(4) Fillings or centers of the plastic filled hard candy shall include the following: chocolate, confectioner's cream, peanut butter, jelly, also fruit when it is available.

(5) "The solid hard candy assortment" shall contain more than 50% solid hard candy.

(6) "The plastic filled hard candy assortment" shall contain 50% or more plastic filled hard candy, the remainder to be solid hard candy.

(7) "Bulk hard candy" as used in paragraph (c) of this section is hard candy of either assortment packed in containers other than 1 lb. bags and 5 lb. boxes.

(8) "Five pound boxes of hard candy" is hard candy of either assortment packaged 5 pounds net in cardboard boxes with paper liner.

(9) "One pound bags of hard candy" is hard candy of either assortment packaged 1 pound net in transparent or glassine bags.

(10) "Imported hard candy", as used herein, means all hard candy, of which the principal ingredient is sugar, with or without the addition of flavoring material and coloring matter, regardless of shape, size and number of pieces per pound, manufactured or produced outside the continental limits of the United States, its territories and possessions, and imported into the United States, except the following: Imported sugar lozenges, wafers, tablets and pressed shaped hard candies packed in rolls or other comparable packages designed to sell at retail for 5 or 10 cents and lollypops and candy suckers designed to sell at retail for 5 or 10 cents.

(k) Any packer who determines his maximum price for packages under the provisions of paragraphs (f) or (g) of this section shall not collect such maximum price until he has filed his detailed calculation of it with and received written acknowledgment of the filing from the nearest District Office of the Office of Price Administration. The District Director may adjust the maximum prices calculated under this regulation in cases of error in calculation or use of unreasonable cost figures and in this connection may require substantiation of any cost figures together with the filing of a corrected report.

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.

This amendment shall become effective August 25, 1945.

Issued this 20th day of August 1945.

JAMES F. BROWNLEE,
Acting Administrator.

Approved August 4, 1945.

J. B. HUTSON,
Acting Secretary of Agriculture.

[F. R. Doc. 45-15371; Filed, Aug. 20, 1945; 11:42 a. m.]

PART 1499—COMMODITIES AND SERVICES

[RMPR 165, Amdt. 2 to Rev. Supp. Service Reg. 50]

ASH, DEBRIS, GARBAGE OR TRASH REMOVAL SERVICES

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

Revised Supplementary Service Regulation 50 is amended in the following respect:

Section 1499.648 (c) is amended by adding subparagraph (6) to read as follows:

(6) Ash, debris, garbage or trash removal except when performed by or for federal, state or local governmental units or when the rates and charges for these services are fixed or must be approved by such governmental authorities.

This amendment shall become effective August 25, 1945.

Issued this 20th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15374; Filed, Aug. 20, 1945; 11:40 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—General Land Office

[Circular 1608]

PART 115—REVESTED OREGON AND CALIFORNIA RAILROAD AND RECONVEYED COOS BAY WAGON ROAD GRANT LANDS IN OREGON

SUSTAINED YIELD UNITS AND COOPERATIVE AGREEMENTS

Sec.
115.2 Statutory authority.
115.3 Determination of productive capacity.
115.4 Master units and appurtenant marketing areas.
115.5 Hearings concerning master units.
115.6 Notice of hearings concerning master units.
115.7 Sustained-yield forest units.
115.8 Hearings concerning forest units and cooperative agreements.
115.9 Notice of hearings concerning forest units and cooperative agreements.
115.10 Cooperative sustained-yield agreements.
115.11 Qualifications.
115.12 Forms of agreement.
115.13 Execution of agreement.
115.14 Exchanges.

AUTHORITY: §§ 115.2 to 115.14, inclusive, issued under act of Aug. 28, 1937 (50 Stat. 874).

§ 115.2 *Statutory authority.* The act of August 28, 1937 (50 Stat. 874), relates to the administration of the revested Oregon and California Railroad and the reconveyed Coos Bay Wagon Road grant lands in Oregon, both of which are hereinafter referred to as O. and C. lands. It provides that such portions of those lands now or hereafter under the jurisdiction of the Department of the Interior, which have heretofore or may hereafter be classified as timber lands, and power-site lands valuable for timber, shall be managed, except as provided in section 3 of the act, for permanent forest production, and the timber thereon shall be sold, cut and removed in conformity with the principle of sustained-yield for the purpose of providing a permanent source of timber supply, protecting watersheds, regulating stream flow, and contributing to the economic stability of local communities and industries, and providing recreational facilities. Nothing contained in the act shall be construed to interfere with the use and development of powersites as may be authorized by law.

Section 1 of the act authorizes the Secretary of the Interior, if he determines that such action will facilitate sustained-yield management, to subdivide the revested lands into sustained-yield forest units, the boundary lines of which shall be so established that each will provide, so far as practicable, a permanent source of raw materials for the support of dependent communities and local industries of the region. The boundaries of such forest units may be established only after hearings are conducted in the vicinity of such lands.

Section 2 of the act authorizes the Secretary to make cooperative agreements with other Federal or state administrative agencies or with private forest owners or operators for the coordinated management, with respect to time, rate, and method of cutting, and sustained-yield, of forest units comprising parts of revested or reconveyed lands, together with lands in private ownership or under the administration of other public agencies, when by such agreements he may be aided in accomplishing the purposes of the act.

§ 115.3 *Determination of annual productive capacity.* The Secretary shall determine and declare the annual productive capacity of the O. and C. lands under the principle of sustained-yield, but until such determination and declaration are made the average annual cut of timber therefrom shall be limited to one-half billion feet board measure. The lands shall be treated as a single unit for the purpose of applying the principle of sustained-yield, except that upon the establishment of one or more sustained-yield forest units in accordance with § 115.7, hereof, each such unit shall be treated separately in the determination of its annual productive capacity and the average annual cut of timber.

§ 115.4 *Master units and appurtenant marketing areas.* As a basis for studies leading to the formulation of plans for the sustained-yield forest units and cooperative agreements authorized by the act, and in order to facilitate administration under the act, the Secretary, after the determination and declaration of the annual sustained-yield productive capacity of the O. and C. lands, will divide the entire area of the O. and C., intermingled and contiguous lands into master units, on the basis of natural groupings of such lands related to each other by physical and economic factors, and will declare an appurtenant marketing area for each such master unit.

§ 115.5 *Hearings concerning master units.* In order that the Secretary may obtain the aid and advice of interested persons and agencies, and the public may be informed as to contemplated plans, a public hearing will be held in connection with each proposed master unit. Such hearing will be held in the vicinity of the lands involved and will be open to the attendance of all interested persons, including State and local officers and representatives of dependent industries and labor. The hearing will be conducted by a representative or representatives of the Department of the Interior designated by the Secretary.

At the conclusion of the hearing, the minutes thereof, together with appropriate recommendations, shall be forwarded to the Secretary. The Secretary will thereafter take such action as he deems appropriate and due notice thereof will be given to the public.

§ 115.6 *Notice of hearings concerning master units.* Before any hearing is held in connection with a master unit, notice thereof will be published, once a week for four consecutive weeks in a newspaper of general circulation in the county or counties in which the proposed master unit and the appurtenant marketing area are situated, and once in the FEDERAL REGISTER. The notice may also be published in a trade paper, if in the opinion of the Commissioner of the General Land Office, such publication is desirable.

Such notice shall be approved by the Secretary and shall state (a) the time and place, within the vicinity of the lands, of the hearing; (b) the location, area and boundaries of the proposed master unit; (c) the boundaries of the marketing area to be served by the proposed master unit; (d) the time and manner in which persons who wish to submit oral or written statements for consideration at the hearing may give notice thereof; and (e) such other general information as to sustained-yield forest units and cooperative agreements which may be established or executed within the proposed master unit, the place or places where such other general information shall be available, and related matters as the Secretary may determine to be desirable.

§ 115.7 *Sustained-yield forest units.* Sustained-yield forest units will be established by the Secretary within the boundaries of each master unit in such manner that each forest unit will contain sufficient forest land to furnish a sustained supply of timber to forest industries upon which a local community depends and to constitute a suitable basis for a cooperative agreement. Due consideration shall be given to established lumbering operations for the purpose of protecting dependent communities against adverse economic effects. Each forest unit shall be established so as to promote the widest distribution of the benefits of sustained-yield management to all forest owners, operators, workers and dependent communities affected thereby.

§ 115.8 *Hearings concerning sustained-yield forest units and cooperative agreements.* Prior to the establishment of a sustained-yield forest unit, a

public hearing shall be held in the vicinity of the lands involved, in accordance with section 1 of the act. Plans for the establishment of the unit and the execution of a cooperative agreement shall be considered at such hearing. The hearing will be conducted in the same manner as hearings concerning master units, as set forth in § 115.5, hereof. The representative or representatives of the Department of the Interior who conduct the hearing will upon its conclusion make appropriate recommendations to the Secretary of the Interior concerning the establishment of the forest unit and the execution of the cooperative agreement, forwarding at the same time a copy of the minutes of the hearing. The Secretary thereafter will take such action as he deems appropriate and due notice thereof will be given to the public.

§ 115.9 *Notice of hearings concerning forest units and cooperative agreements.* The provisions of § 115.6, hereof, relative to notice of hearings concerning a master unit shall be applicable to the hearing in connection with the establishment of a sustained-yield forest unit and the execution of a cooperative agreement, except that in the case of a sustained-yield forest unit and a cooperative agreement the notice shall state (a) the time and place, within the vicinity of the lands, of the hearing; (b) the location, area and boundaries of the proposed forest unit; (c) the minimum duration of the proposed agreement; (d) the place or places where copies of the proposed agreement, applicable regulations, and other information, including the location and area of the Federal land involved, the expected rate of cutting of Federal or other timber that may be included in a cooperative agreement, and the requirements for participation in the proposed cooperative agreement, shall be available; (e) the time and manner in which persons who wish to submit oral or written statements for consideration at the hearing may give notice thereof; and (f) such other information which the Secretary may determine to be desirable.

§ 115.10 *Cooperative sustained-yield agreements.* The formulation and administration of cooperative agreements shall be guided by a policy of promoting the widest distribution of the benefits obtainable under sustained-yield management, and of preventing monopoly.

A prerequisite to participation in the cooperative agreement covering a sustained-yield forest unit will be either (a) ownership of land therein upon which timber is growing in commercial quantities, or of cutover and other lands which have been restocked or are suitable primarily for the production of timber in commercial quantities, or (b) sufcient rights or interests in the timber within the unit to enable the holder of such rights or interests to fulfill the obligations involved in commitment to the agreement.

In each cooperative agreement the parties shall agree, in consideration of the benefits conferred by such agreement, that the forest management of their lands shall be conducted in such manner as may be necessary to effectuate the purposes of the act. Each such cooperative agreement shall provide for (a) the disposition of timber from the Federal land in the forest unit to cooperating parties without competitive bidding at appraised prices, in accordance with sustained-yield management plans formulated or approved by the Secretary; (b) the time, rate, and method of cutting timber from any lands committed to such agreement; (c) the terms and conditions, but not the price, upon which private cooperating parties may sell to any person timber from their lands; (d) the terms and conditions upon which additional lands, timber, or parties may be admitted to the agreement subsequent to its original execution; (e) the protection of the reasonable interests of other owners or operators within the unit, of workers and others affected by the execution of such cooperative agreement, and of communities dependent upon the timber within such unit; and (f) such other matters as the Secretary shall determine are necessary or proper to achieve the objectives of the act.

The provisions of a cooperative agreement, except as therein otherwise provided, shall prevail, in the administration and disposal of O. and C. timber included in such agreement, over the regulations of the Secretary of the Interior theretofore applicable to such timber.

§ 115.11 *Qualifications.* Any individual who wishes to obtain the rights of a producer under a cooperative agreement will be required to furnish satisfactory proof, prior to the execution of the agreement, that he is a citizen of the United States, or, if a partnership or association, that each member thereof is such a citizen. A corporation which wishes to become a party to such an agreement must file a certified copy of its articles of incorporation to show that it was organized under the laws of the United States or of some state, territory, or possession thereof, as well as a sworn statement setting forth the name, residence, citizenship, and amount of stock held by each of its stockholders, separately listing those of alien citizenship. A corporation organized outside of the State of Oregon must also file a certificate by the proper state official that it is authorized to do business within the State of Oregon. The Secretary, in his discretion, may require a corporate party to a cooperative agreement to furnish additional information as to the ownership of its stock and may deny participation in a cooperative agreement to a corporation, any of whose stock is owned, held, or controlled by citizens of another country.

§ 115.12 *Forms of agreement.* The standard form for cooperative agreements between the United States and owners and operators of non-federal lands, heretofore approved by the Secretary of the Interior, will be made available through the Chief Forester of the O. and C. Revested Lands Administration. Changes in the form of agreement may be made by the Secretary from time to time when such changes are warranted by peculiar circumstances in a forest unit, or to reflect the experience gained from the operation of previous agreements. All such changes shall be consistent with the retention by the Secretary of the authority necessary to accomplish the objectives of the act. Where Federal lands not under the jurisdiction of the Secretary of the Interior are involved, different forms will likewise be adopted.

§ 115.13 *Execution of agreement.* The Commissioner of the General Land Office, after consideration of the minutes of the hearing and the recommendation of the hearing officer, will forward his recommendation together with the cooperative agreement signed by the other parties thereto to the Secretary. Thereafter, the Secretary will execute the agreement if he is of the opinion that it will promote the achievemnt of the objectives of the act and is otherwise in the public interest. No rights shall accrue to a party under a cooperative agreement until the Secretary has executed the agreement on behalf of the United States.

§ 115.14 *Exchanges.* Exchanges for the purpose of consolidating and segregating O. and C. timber lands, or which otherwise are in furtherance of the O. and C. timber management program are authorized by the act of July 31, 1939 (53 Stat. 1144), and the regulations thereunder (43 CFR 115.94–115.113).

FRED W. JOHNSON,
Commissioner.

Approved: August 11, 1945.
ABE FORTAS,
Acting Secretary of the Interior.

[F. R. Doc. 45-15354; Filed, Aug. 20, 1945; 9:52 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[Rev. S. O. 107, Amdt. 1]

PART 95—CAR SERVICE

FREIGHT CARS TO MEXICO

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 14th day of August, A. D. 1945.

Upon further consideration of Revised Service Order No. 107 (9 F.R. 15158), and good cause appearing therefor: *It is ordered,* That:

Revised Service Order No. 107 be, and it is hereby, amended by substituting the following paragraph (d) for paragraph (d) thereof:

(d) *Expiration date.* This order shall expire at 11:59 p. m., March 1, 1946, unless otherwise modified, changed, suspended or annulled by order of this Commission. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)–(17))

It is further ordered, That this order shall become effective at 12:01 a. m., September 1, 1945; that copies of this order and direction shall be served upon the Railroad Commission of the State of California; and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to

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

By the Commission, Division 3.

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

[F. R. Doc. 45-15261; Filed, Aug. 18, 1945; 11:16 a. m.]

[S. O. 171-A]

PART 95—CAR SERVICE

BAUXITE ORE CONCENTRATES

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 17th day of August, A. D. 1945.

Upon further consideration of the provisions of Service Order No. 171 (9 F.R. 39), and good cause appearing therefor: *It is ordered,* That:

Service Order No. 171 (9 F.R. 39), of December 28, 1943, 49 CFR § 95.326 *Shipments of bauxite ore concentrates,* be, and it is hereby, vacated and set aside.

It is further ordered, That this order shall become effective at 12:01 a. m., August 20, 1945; that a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

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

[F. R. Doc. 45-15262; Filed, Aug. 18, 1945; 11:16 a. m.]

[S. O. 334-A]

PART 95—CAR SERVICE

TRANSPORTATION OF RACE HORSES AND SHOW ANIMALS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 17th day of August, A. D. 1945.

Upon further consideration of the provisions of Service Order No. 334 (10 F.R. 8666), and good cause appearing therefor: *It is ordered,* That:

Service Order No. 334 (10 F.R. 8666), restricting the transportation of race horses and show animals be, and it is hereby, vacated and set aside. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 176, 901; 49 U.S.C. 1 (10)-(17))

It is further ordered, That this order shall become effective at 12:01 p. m., August 17, 1945; that a copy of this order and direction shall be served upon the State railroad regulatory bodies of all States and the District of Columbia; and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; that a copy of this order and direction shall be served upon the Railway Express Agency; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

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

[F. R. Doc. 45-15267; Filed, Aug. 18, 1945; 11:16 a. m.]

[S. O. 177-A]

PART 97—ROUTING OF TRAFFIC

RECONSIGNMENT OR DIVERSION ORDERS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 17th day of August, A. D. 1945.

Upon further consideration of the provisions of Service Order No. 177 (9 F.R. 543), and good cause appearing therefor: *It is ordered,* That:

Service Order No. 177 (9 F.R. 543) of January 11, 1944, 49 CFR § 97.11 *Reconsignment or diversion orders,* be, and it is hereby, vacated and set aside.

It is further ordered, That this order shall become effective at 12:01 a. m., August 20, 1945; that a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

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

[F. R. Doc. 45-15263; Filed, Aug. 18, 1945; 11:16 a. m.]

[S.O. 80, Amdt. 36]

PART 95—CAR SERVICE

AGENTS TO ISSUE GRAIN PERMITS AT CHICAGO, ILL.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 17th day of August, A. D. 1945.

Upon further consideration of the provisions of Service Order No. 80, as amended (codified as § 95.19 of Title 49 CFR):

It is ordered, That I. M. Herndon, Manager, and R. D. Erickson, Assistant Manager, Transportation Department, Chicago Board of Trade, Chicago, Illinois, are hereby designated and appointed respectively agent and alternate agent of the Commission to issue permits for the movement of grain under the terms of this order at the Chicago, Illinois, market. The appointment of J. S. Brown as agent is hereby vacated. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

And it is further ordered, That this amendment shall become effective September 1, 1945; that copies of this amendment be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this amendment be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

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

[F. R. Doc. 45-15363; Filed, Aug. 20, 1945; 11:17 a. m.]

Subchapter D—Freight Forwarders

[Ex Parte 159]

PART 405—SURETY BONDS AND POLICIES OF INSURANCE

FREIGHT FORWARDERS INSTITUTE

In the matter of security for protection of the public as provided in Part IV of the Interstate Commerce Act, and of rules and regulations governing the filing and approval of surety bonds, policies of insurance, qualifications as a self-insurer, or other securities and agreements by freight forwarders subject to Part IV of the act.

Upon consideration of the petition of Freight Forwarders Institute, and good cause appearing: *It is ordered,* That:

The order entered in the said proceeding on October 11, 1944 (§§ 405.1-405.11; 9 F.R. 14548) to become effective on February 1, 1945, and subsequently modified to become effective July 2, 1945, is hereby further modified so as to become effective on August 1, 1945.

Service of this order shall be made by mailing a copy thereof to all freight forwarders subject to part IV of the Interstate Commerce Act, and by posting one copy in the office of the Secretary of this Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Dated at Washington, D. C., this 27th day of June, A. D. 1945.

By the Commission, Chairman Rogers.

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

[F. R. Doc. 45-15362; Filed, Aug. 20, 1945; 11:17 a. m.]

Chapter II—Office of Defense Transportation

PART 500—CONSERVATION OF RAIL EQUIPMENT

PASSENGER TRAIN OPERATIONS

CROSS-REFERENCE: For an exception to the provisions of § 500.41, see Part 520, *infra.*

[Gen. Order ODT 23, Revocation]

PART 501—CONSERVATION OF MOTOR EQUIPMENT

LIMITATION ON SPEED OF MOTOR VEHICLES

Pursuant to Executive Orders 8989, as amended, and 9156, General Order ODT 23 §§ 501.125 to 501.129, inclusive (7 F.R. 7694) is hereby revoked effective August 19, 1945.

(E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; E.O. 9156, 7 F.R. 3349)

Issued at Washington, D. C., this 18th day of August 1945.

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

[F. R. Doc. 45-15254; Filed, Aug. 18, 1945; 10:16 a. m.]

[G. O. ODT 2, Revocation]

PART 501—CONSERVATION OF MOTOR EQUIPMENT

SUBSTITUTION OF MOTOR VEHICLE FOR RAIL PASSENGER SERVICE

Pursuant to Executive Order 8989, as amended, (6 F.R. 6725, 8 F.R. 14183), General Order ODT §§ 501.1 to 501.3, inclusive, No. 2, §§ 501.1 to 501.3, inclusive (7 F.R. 2952) is hereby revoked effective August 31, 1945.

Issued at Washington, D. C., this 17th day of August 1945.

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

[F. R. Doc. 45-15333; Filed, Aug. 18, 1945; 12:41 p. m.]

[General Order ODT 3, Revised, as amended, Partial Revocation]

PART 501—CONSERVATION OF MOTOR EQUIPMENT

COMMON CARRIERS OF PROPERTY

Pursuant to Executive Orders 8989, as amended, and 9156, paragraph (d) of § 501.6 (Amendment 4) of General Order ODT 3, Revised, as amended, is hereby revoked effective August 16, 1945.

(E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; E.O. 9156, 7 F.R. 3349; General Order ODT 3, Revised, as amended, 7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 947, 3264, 3357, 6778)

Issued at Washington, D. C., this 16th day of August 1945.

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

[F. R. Doc. 45-15330; Filed, Aug. 18, 1945; 12:41 p. m.]

[General Order ODT 6A, as Amended, Partial Revocation]

PART 501—CONSERVATION OF MOTOR EQUIPMENT

MOTOR CARRIERS OF PROPERTY

Pursuant to Executive Orders 8989, as amended, and 9156, paragraph (c) of § 501.23 (Amendment 1) of General Order ODT 6A (8 F.R. 8757, 14582; 9 F.R. 2794) is hereby revoked effective August 16, 1945.

(E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; E.O. 9156, 7 F.R. 3349)

Issued at Washington, D. C., this 16th day of August 1945.

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

[F. R. Doc. 45-15334; Filed, Aug. 18, 1945; 12:41 p. m.]

[General Order ODT 7, Revised, as Amended, and Special Direction ODT 7, Rev. 6, Revocation]

PART 502—DIRECTION OF TRAFFIC MOVEMENT

MOVEMENT OF TRAFFIC IN RAILWAY TANK CARS

Pursuant to Executive Order 8989, as amended, General Order ODT 7, Revised, as amended, §§ 502.100 to 502.127, inclusive, (7 F.R. 10484; 9 F.R. 11713, 14072), and Special Direction ODT 7, Revised 6, §§ 522.913, 522.914 (10 F.R. 9964) are hereby revoked effective August 19, 1945.

(E. O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183)

Issued at Washington, D. C., this 17th day of August 1945.

[SEAL] J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 45-15342; Filed, Aug. 18, 1945; 12:42 p. m.]

[General Order ODT 10A, Revocation]

PART 501—CONSERVATION OF MOTOR EQUIPMENT

SIGHTSEEING, CHARTER AND OTHER SPECIAL SERVICES

Pursuant to Executive Orders 8989, as amended, 9156, and 9294, General Order ODT 10A, §§ 501.38 to 501.44, inclusive (8 F.R. 2606), is hereby revoked effective August 31, 1945.

(E. O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; E. O. 9156, 7 F.R. 3349; E. O. 9294, 8 F.R. 221)

Issued at Washington, D. C., this 17th day of August, 1945.

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

[F. R. Doc. 45-15332; Filed, Aug. 18, 1945; 12:41 p. m.]

[General Order ODT 11, as Amended, Revocation]

PART 501—CONSERVATION OF MOTOR EQUIPMENT

INTERCITY COMMON CARRIERS OF PASSENGERS BY BUS

Pursuant to Executive Orders 8989, as amended, and 9156, General Order ODT 11, as amended, §§ 501.45 to 501.50, inclusive, (7 F.R. 4389, 11099; 8 F.R. 12028; 10 F.R. 8938) is hereby revoked effective September 30, 1945.

(E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; E.O. 9156, 7 F.R. 3349)

Issued at Washington, D. C., this 17th day of August 1945.

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

[F. R. Doc. 45-15329; Filed, Aug. 18, 1945; 12:41 p. m.]

[Gen. Order ODT 14A, Revocation]

PART 501—CONSERVATION OF TRANSPORTATION EQUIPMENT

RACING

Pursuant to Executive Orders 8989, as amended, 9156, and 9294, General Order ODT 14A, §§ 501.60 to 501.64 (10 F.R. 203), be, and it is hereby, revoked effective August 16, 1945.

(E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; E.O. 9156, 7 F.R. 3349; E.O. 9294, 8 F.R. 221)

Issued at Washington, D. C., this 16th day of August 1945.

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

[F. R. Doc. 45-15200; Filed, Aug. 17, 1945; 3:26 p. m.]

[General Order ODT 17, as amended, Partial Revocation]

PART 501—CONSERVATION OF MOTOR EQUIPMENT

MOTOR CARRIERS OF PROPERTY

Pursuant to Executive Orders 8989, as amended, and 9156, § 501.67 and paragraphs (d) and (e) of § 501.69 (Amendment 6) of General Order ODT 17, as amended, are hereby revoked effective August 16, 1945.

(E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; E.O. 9156, 7 F.R. 3349; General Order ODT 17, as amended, 7 F.R. 5678, 7694, 9623; 8 F.R. 10910, 12750, 14582; 9 F.R. 2795)

Issued at Washington, D. C., this 16th day of August 1945.

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

[F. R. Doc. 45-15344; Filed, Aug. 18, 1945; 12:42 p. m.]

PART 501—CONSERVATION OF MOTOR EQUIPMENT

[Gen. Order ODT 20A, as Amended, Revocation]

TAXICABS AND TAXI SERVICE

Pursuant to Executive Orders 8989, as amended, 9156, 9214, and 9294, General Order ODT 20A, as amended, §§ 501.76 to 501.89 (49 CFR, 1943 Supp., 501.78 to 501.89) (8 F.R. 9231, 9 F.R. 2749), except § 501.82 thereof, be, and it is hereby, revoked effective August 16, 1945. Section 501.82 of General Order ODT 20A is hereby revoked effective September 16, 1945.

(E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; E.O. 9156, 7 F.R. 3349; E.O. 9214, 7 F.R. 6097; E.O. 9294, 8 F.R. 221)

Issued at Washington, D. C., this 16th day of August 1945.

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

[F. R. Doc. 45-15201; Filed, Aug. 17, 1945; 3:25 p. m.]

[Gen. Order ODT 21A, as Amended, Revocation]

PART 501—CONSERVATION OF MOTOR EQUIPMENT

CERTIFICATES OF WAR NECESSITY FOR AND CONTROL OF COMMERCIAL MOTOR VEHICLES

Pursuant to Executive Orders 8989, as amended, 9156, and 9294, General Order ODT 21A, as amended, §§ 501.90 to 501.106 (9 F.R. 12362; 10 F.R. 8143, 8868), be, and it is hereby, revoked effective August 16, 1945.

(E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; E.O. 9156, 7 F.R. 3349; E.O. 9294, 8 F.R. 221)

Issued at Washington, D. C., this 16th day of August 1945.

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

[F. R. Doc. 45-15202; Filed, Aug. 17, 1945; 3:26 p. m.]

[Gen. Order ODT 26A, as Amended, Revocation]

PART 501—CONSERVATION OF MOTOR EQUIPMENT

RENTAL CARS

Pursuant to Executive Orders 8989, as amended, 9156, and 9214, General Order ODT 26A, as amended, §§ 501.137 to 501.148 (8 F.R. 4934, 9 F.R. 2749), is hereby revoked effective August 16, 1945.

(E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; E.O. 9156, 7 F.R. 3349; E.O. 9214, 7 F.R. 6097)

Issued at Washington, D. C., this 16th day of August 1945.

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

[F. R. Doc. 45-15203; Filed, Aug. 17, 1945; 3:25 p. m.]

[General Order ODT 37, as Amended, Revocation]

PART 501—CONSERVATION OF MOTOR EQUIPMENT

LESS-THAN-TRUCKLOAD DELIVERIES BY PETROLEUM TANK TRUCK

Pursuant to Executive Orders 8989, as amended, and 9156, General Order ODT 37, as amended, §§ 501.340 to 501.349, inclusive (8 F.R. 5854, 12519), is hereby revoked effective August 19, 1945.

(E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; E.O. 9156, 7 F.R. 3349)

Issued at Washington, D. C., this 17th day of August 1945.

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

[F. R. Doc. 45-15343; Filed, Aug. 18, 1945; 12:42 p. m.]

[General Order ODT 44A, Amdt. 1]

PART 501—CONSERVATION OF MOTOR EQUIPMENT

RATIONING OF NEW COMMERCIAL MOTOR VEHICLES

Pursuant to Title III of the Second War Powers Act, 1942, as amended, Executive Orders 8989, as amended, 9156, 9214, 9294, and War Production Board Directives 21 and 36, as amended, it is hereby ordered, that paragraph (b) of § 501.421 and § 501.429 of General Order ODT 44A (10 F.R. 9125), be, and they are hereby, amended to read as follows:

§ 501.421 *Application for certificate of transfer; place of filing.* (a) * * *

(b) If the applicant is not a department or agency of the United States, the application shall be submitted to the Office of Defense Transportation at the place specified below, unless the applicant is directed to submit the application at another place:

(1) An applicant located within the continental United States shall file the application with the district manager of the Office of Defense Transportation whose office is nearest the home office or principal place of business of the applicant.

(2) An applicant located in the Territory of Hawaii shall file the application with the Regional Director of the Office of Defense Transportation, Honolulu, Hawaii.

(3) An applicant located in Puerto Rico shall file the application with the Regional Director of the Division of Puerto Rican Transport, Office of Defense Transportation, San Juan, Puerto Rico.

(4) An applicant located in a territory or possession of the United States, except Alaska, other than Hawaii or Puerto Rico, shall file the application with the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

§ 501.429 *Applicability.* The provisions of this order shall be applicable within the continental United States and the territories and possessions of the United States except Alaska.

This Amendment 1 to General Order ODT 44A shall become effective September 1, 1945.

(Title III of the Second War Powers Act, 1942, as amended, 56 Stat. 177, 50 U.S.C. App. 633, 58 Stat. 827; E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; E.O. 9156, 7 F.R. 3349; E.O. 9214, 7 F.R. 6097; E.O. 9294, 8 F.R. 221; WPB Directives 21 and 36, as amended, 8 F.R. 5834, 10 F.R. 9658)

Issued at Washington, D. C., this 18th day of August 1945.

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

[F. R. Doc. 45-15335; Filed, Aug. 18, 1945; 12:41 p. m.]

[General Order ODT 50, Revocation]

PART 501—CONSERVATION OF MOTOR EQUIPMENT

CERTIFICATES OF WAR NECESSITY FOR WAR VETERAN OPERATORS OF PROPERTY CARRYING COMMERCIAL MOTOR VEHICLES

Pursuant to Executive Orders 8989, as amended, and 9156, General Order ODT 50, §§ 501.500 to 501.509, inclusive (10 F.R. 5465) is hereby revoked effective August 17, 1945.

(E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; E.O. 9156, 7 F.R. 3349)

Issued at Washington, D. C., this 17th day of August, 1945.

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

[F. R. Doc. 45-15340; Filed, Aug. 18, 1945; 12:42 p. m.]

[Gen. Order ODT 54, Revocation]

PART 501—CONSERVATION OF MOTOR EQUIPMENT

MOTOR TRANSPORTATION OF RACE HORSES AND SHOW ANIMALS

Pursuant to Executive Orders 8989, as amended, and 9156, General Order ODT 54, §§ 501.520 to 501.524 (10 F.R. 8700), be, and it is hereby, revoked effective August 17, 1945.

(E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; E.O. 9156, 7 F.R. 3349)

Issued at Washington, D. C., this 17th day of August 1945.

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

[F. R. Doc. 45-15205; Filed, Aug. 17, 1945; 3:25 p. m.]

[General Order ODT 19, Revocation]

PART 502—DIRECTION OF TRAFFIC MOVEMENT

MOVEMENT OF LIQUID CARGO IN BULK IN GREAT LAKES, INLAND WATERWAY, COASTWISE AND INTERCOASTAL SHIPPING

Pursuant to Executive Order 8989, as amended, General Order ODT No. 19, §§ 502.60 to 502.67, inclusive (7 F.R. 6499), is hereby revoked effective August 19, 1945.

(E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183)

Issued at Washington, D. C., this 18th day of August 1945.

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

[F. R. Doc. 45-15341; Filed, Aug. 18, 1945; 12:42 p. m.]

[General Order ODT 51, Revocation]

PART 502—DIRECTION OF TRAFFIC MOVEMENT

TRANSPORTATION OF GRAIN, IN BULK, BY RAIL OR BARGE TO NEW ORLEANS, LA.; PERMIT REQUIRED

Pursuant to Executive Order 8989, as amended, General Order ODT 51, §§ 502.230 to 502.234, inclusive (10 F.R. 7124) is hereby revoked effective August 17, 1945.

(E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183)

Issued at Washington, D. C., this 17th day of August 1945.

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

[F. R. Doc. 45-15337; Filed, Aug. 18, 1945; 12:42 p. m.]

PART 502—DIRECTION OF TRAFFIC MOVEMENT

PASSENGER RESERVATIONS

CROSS-REFERENCE: For an exception to the provisions of § 502.245, see Part 522, *infra.*

[Administrative Order ODT 4, Revocation]

PART 503—ADMINISTRATION

DELEGATIONS OF AUTHORITY, DIVISION OF MOTOR TRANSPORT REQUISITIONING AND DISPOSAL OF USED TRUCKS

Pursuant to Executive Order 9294 (8 F.R. 221), Administrative Order ODT 4, § 503.95 (8 F.R. 11852) is hereby revoked effective August 18, 1945.

Issued at Washington, D. C., this 18th day of August 1945.

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

[F. R. Doc. 45-15339; Filed, Aug. 18, 1945; 12:42 p. m.]

[Administrative Order ODT 5, Revocation]

PART 503—ADMINISTRATION

PROCEDURE FOR SUSPENSION, RECALL, CANCELLATION, OR REVOCATION OF CERTIFICATES OF WAR NECESSITY

Pursuant to Executive Orders 8989, as amended, 9156, 9214, and 9294, Administrative Order ODT 5, §§ 503.100 to 503.110, inclusive (8 F.R. 13071), is hereby revoked effective August 18, 1945.

(E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; E.O. 9156, 7 F.R. 3349; E.O. 9214, 7 F.R. 6097; E.O. 9294, 8 F.R. 221)

Issued at Washington, D. C., this 18th day of August 1945.

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

[F. R. Doc. 45-15345; Filed, Aug. 18, 1945; 12:42 p. m.]

[Administrative Order ODT 8, as Amended, Revocation]

PART 503—ADMINISTRATION

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

Pursuant to Executive Orders 8989, as amended, 9156, 9214, and 9294, Administrative Order ODT 8, as amended, §§ 503.220 to 503.237, inclusive, is hereby revoked effective August 18, 1945.

(E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; E.O. 9156, 7 F.R. 3349; E.O. 9214, 7 F.R. 6097; E.O. 9294, 8 F.R. 221; Administrative Order ODT 8, as amended, 8 F.R. 13073; 9 F.R. 12365, 14343; 10 F.R. 460, 8144)

Issued at Washington, D. C., this 18th day of August 1945.

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

[F. R. Doc. 45-15338; Filed, Aug. 18, 1945; 12:42 p. m.]

[Administrative Order ODT 9, as Amended, Revocation]

PART 503—ADMINISTRATION

MOTOR CARRIERS; RECORDS AND REPORTS

Pursuant to Executive Orders 8989, as amended, 9156, 9214, and 9294, Administrative Order ODT 9, as amended, §§ 503.250 to 503.258, inclusive, (8 F.R. 14166; 9 F.R. 948, 2304, 7456) is hereby revoked effective August 18, 1945.

(E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; E.O. 9156, 7 F.R. 3349; E.O. 9214, 7 F.R. 6097; E.O. 9294, 8 F.R. 221)

Issued at Washington, D. C., this 18th day of August, 1945.

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

[F. R. Doc. 45-15331; Filed, Aug. 18, 1945; 12:41 p. m.]

[Administrative Order ODT 13, Revocation]

PART 503—ADMINISTRATION

DELEGATION OF AUTHORITY; DIVISION OF LOCAL TRANSPORT

Pursuant to Executive Orders 8989, as amended, 9156, 9214, and 9294, it is hereby ordered, that Administrative Order ODT 13, § 503.305 (9 F.R. 696), be, and it is hereby, revoked.

This revocation shall be effective September 1, 1945.

(E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; E.O. 9156, 7 F.R. 3349; E.O. 9214, 7 F.R. 6097; E.O. 9294, 8 F.R. 221)

Issued at Washington, D. C., this 18th day of August, 1945.

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

[F. R. Doc. 45-15336; Filed, Aug. 18, 1945; 12:41 p. m.]

[Administrative Order ODT 15, as Amended, Revocation]

PART 503—ADMINISTRATION

EXTENSION AND INAUGURATION OF SERVICE; PROPERTY CARRYING MOTOR VEHICLES

Pursuant to Executive Orders 8989, as amended, 9156, and 9294, Administrative Order 15, as amended, §§ 503.330 to 503.340 (9 F.R. 1186, 7721, 12365; 10 F.R. 8868), is hereby revoked effective August 16, 1945.

(E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; E.O. 9156, 7 F.R. 3349; E.O. 9294, 8 F.R. 221)

Issued at Washington, D. C., this 16th day of August 1945.

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

[F. R. Doc. 45-15199; Filed, Aug. 17, 1945; 3:25 p. m.]

[Gen. Permit ODT 24-12]

PART 520—CONSERVATION OF RAIL EQUIPMENT EXCEPTIONS, EXEMPTIONS AND PERMITS

PASSENGER TRAIN OPERATIONS

Pursuant to § 500.42 of General Order ODT 24, as amended, it is hereby authorized, that:

§ 520.611 *Certain operations authorized.* Notwithstanding the provisions of § 500.41 of General Order ODT 24, as amended, any rail carrier may operate (1) extra or special passenger trains or passenger trains which are not scheduled, or (2) extra sections of scheduled passenger trains, when by the operation of any such train passenger train equipment previously used in the transportation of troops and which otherwise would be handled in deadhead movement, is used in revenue service in the consist of such train: *Provided,* That the operation of any such train does not delay the return of such equipment to military service.

This General Permit ODT 24-12 shall become effective August 17, 1945.

(E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; Gen. Order ODT 24, as amended, 7 F.R. 7814, 10484; 9 F.R. 7584)

Issued at Washington, D. C., this 17th day of August 1945.

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

[F. R. Doc. 45-15204; Filed, Aug. 17, 1945; 3:25 p. m.]

[Gen. Permit ODT 57-2]

PART 522—DIRECTION OF TRAFFIC MOVEMENT EXCEPTIONS, EXEMPTIONS AND PERMITS

PASSENGER RESERVATIONS

Pursuant to Title III of the Second War Powers Act, 1942, as amended, and Executive Order 8989, as amended, it is hereby authorized, that:

§ 522.7204 *Making tickets available to, and securing tickets by, travel agencies permitted under stated circumstances.* Notwithstanding the provisions of § 502.245 of General Order ODT 57, any carrier may reserve for, sell to, or make available to, any travel agency, and any travel agency may reserve, or cause to be purchased, acquire, or cause the issuance of, any ticket for use on any passenger train, when such ticket is for use by any person (a) in travel directly related to such person's business, profession, or employment, or (b) in travel arranged by or on behalf of an agency or department of the United States or any nation allied with the United States in the war, or (c) in travel from a point in the United States to a foreign country other than Canada or Mexico, or (d) in travel from a foreign country other than Canada or Mexico to a destination in the United States.

§ 522.7205 *Organized group travel on passenger trains permitted under stated circumstances.* Notwithstanding the

provisions of § 502.246 of General Order ODT 57, any carrier may permit any persons engaged in organized group travel to board or travel on any passenger train and any person engaged in organized group travel may board or travel on any passenger train when the persons engaged in such group travel (a) are holding tickets which have been purchased or reserved pursuant to the provisions of § 522.7204 of this General Permit ODT 57-2, or (b) are children and their supervisors returning to their homes from summer camps where they were located on August 3, 1945.

§ 522.7206 *Definitions.* Any term used in this General Permit ODT 57-2 which is defined in General Order ODT 57 (10 F.R. 9124) shall have the meaning specified therefor in § 502.244 of General Order ODT 57.

This General Permit ODT 57-2 shall become effective August 17, 1945.

General Permit ODT 57-1 (10 F.R. 9805), is hereby revoked.

(Title III of the Second War Powers Act, 1942, as amended, 56 Stat. 177, 50 U.S.C. App. 633, 58 Stat. 827; E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183)

Issued at Washington, D. C., this 17th day of August 1945.

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

[F. R. Doc. 45-15206; Filed, Aug. 17, 1945; 3:25 p. m.]

TITLE 50—WILDLIFE

Chapter IV—Office of the Coordinator of Fisheries

[Order 1838; Amdt. 5]

PART 401—PRODUCTION OF FISHERY COMMODITIES OR PRODUCTS

COORDINATED PILCHARD PRODUCTION PLAN

Pursuant to the authority conferred by Executive Order No. 9204, dated July 21, 1942 (7 F.R. 5657), Executive Order No. 9280 dated December 5, 1942 (7 F.R. 10179), and War Food Order No. 52, dated February 8, 1943 (8 F.R. 1777), as amended March 16, 1943 (8 F.R. 3280) (formerly known as Food Directive No. 2), paragraph (k) of Order No. 1838 of the Secretary of the Interior, as amended June 6, 1945 (10 F.R. 6984), being paragraph (k) of § 401.2 of this Part 401, is hereby amended by changing the title of said paragraph to the following: "(k) *Limiting production.*"

At the end of paragraph (k) the following is added: "If, during any day, any pilchard vessel brings into port any amount of fish in excess of the tonnage set by the Area Coordinator as the limit for that vessel for that day, the Area Coordinator may, thereafter, set limits for that vessel at such reduced amounts as will, in his opinion, afford an effective remedy: *Provided,* Such immediate action shall not reduce the aggregate limits for that vessel below the general limits in the port by more than twice the excess tonnage brought in by the vessel. No hearing shall be required in advance of the imposition of reduced limits, but a hearing shall, thereafter, be held, if, within three days any interested person requests it."

Issued this 13th day of August 1945.

ABE FORTAS,
Acting Secretary of the Interior.

[F. R. Doc. 45-15346; Filed, Aug. 20, 1945; 9:52 a. m.]

Notices

TREASURY DEPARTMENT.

Fiscal Service: Bureau of the Public Debt.

[1945 Dept. Circ. 774]

⅞ PERCENT TREASURY CERTIFICATES OF INDEBTEDNESS OF SERIES G-1946

OFFERING OF CERTIFICATES

AUGUST 20, 1945.

I. *Offering of certificates.* 1. The Secretary of the Treasury, pursuant to the authority of the Second Liberty Bond Act, as amended, invites subscriptions from the people of the United States for certificates of indebtedness of the United States, designated ⅞ percent Treasury Certificates of Indebtedness of Series G-1946, in exchange for Treasury Certificates of Indebtedness of Series F-1945, maturing September 1, 1945, or Treasury Bonds of 1945-47, called for redemption on September 15, 1945. Exchanges will be made par for par in the case of the maturing certificates, and at par with an adjustment of interest as of September 15, 1945, in the case of the called bonds.

II. *Description of certificates.* 1. The certificates will be dated September 1, 1945, and will bear interest from that date at the rate of ⅞ percent per annum, payable semiannually on March 1 and September 1, 1946. They will mature September 1, 1946, and will not be subject to call for redemption prior to maturity.

2. The income derived from the certificates shall be subject to all Federal taxes, now or hereafter imposed. The certificates shall be subject to estate, inheritance, gift or other excise taxes, whether Federal or State, but shall be exempt from all taxation now or hereafter imposed on the principal or interest thereof by any State, or any of the possessions of the United States, or by any local taxing authority.

3. The certificates will be acceptable to secure deposits of public moneys. They will not be acceptable in payment of taxes.

4. Bearer certificates with interest coupons attached will be issued in denominations of $1,000, $5,000, $10,000, $100,000 and $1,000,000. The certificates will not be issued in registered form.

5. The certificates will be subject to the general regulations of the Treasury Department, now or hereafter prescribed, governing United States certificates.

III. *Subscription and Allotment.* 1. Subscriptions will be received at the Federal Reserve Banks and Branches and at the Treasury Department, Washington. Banking institutions generally may submit subscriptions for account of customers, but only the Federal Reserve Banks and the Treasury Department are authorized to act as official agencies.

2. The Secretary of the Treasury reserves the right to reject any subscription, in whole or in part, to allot less than the amount of certificates applied for, and to close the books as to any or all subscriptions at any time without notice; and any action he may take in these respects shall be final. Subject to these reservations, all subscriptions will be allotted in full. Allotment notices will be sent out promptly upon allotment.

IV. *Payment.* 1. Payment for certificates allotted hereunder must be made on or before September 1, 1945. Payment of the principal amount may be made only in Treasury Certificates of Indebtedness of Series F-1945, maturing September 1, 1945, or in Treasury Bonds of 1945-47, called for redemption on September 15, 1945, which will be accepted at par and should accompany the subscription. In the case of the called bonds in coupon form, payment of accrued interest on the new certificates from September 1, 1945, to September 15, 1945 ($0.3384 per $1,000) should be made when the subscription is tendered and in the case of registered bonds, the accrued interest will be deducted from the amount of the check which will be issued in payment of final interest on the bonds surrendered. Final interest due September 15 on bonds surrendered will be paid, in the case of coupon bonds, by payment of September 15, 1945 coupons, which should be detached by holders before presentation of the bonds, and in the case of registered bonds, by checks drawn in accordance with the assignments on the bonds surrendered.

V. *Surrender of called bonds*—1. *Coupon bonds.*—Treasury Bonds of 1945-47 in coupon form tendered in payment for certificates offered hereunder should be presented and surrendered with the subscription to a Federal Reserve Bank or Branch or to the Treasurer of the United States, Washington, D. C. Coupons dated March 15, 1946, and all coupons bearing subsequent dates, should be attached to such bonds when surrendered, and if any such coupons are missing, the subscription must be accompanied by cash payment equal to the face amount of the missing coupons. The bonds must be delivered at the expense and risk of the holder. Facilities for transportation of bonds by registered mail insured may be arranged between incorporated banks and trust companies and the Federal Reserve Banks, and holders may take advantage of such arrangements when available, utilizing such incorporated banks and trust companies as their agents.

2. *Registered bonds.* Treasury Bonds of 1945-47 in registered form tendered in payment for certificates offered hereunder should be assigned by the registered payees or assignees thereof to "The

Secretary of the Treasury for exchange for Treasury Certificates of Indebtedness of Series G-1946 to be delivered to _____", in accordance with the general regulations of the Treasury Department governing assignments for transfer or exchange, and thereafter should be presented and surrendered with the subscription to a Federal Reserve Bank or Branch or to the Treasury Department, Division of Loans and Currency, Washington, D. C. The bonds must be delivered at the expense and risk of the holder.

VI. *General provisions.* 1. As fiscal agents of the United States, Federal Reserve Banks are authorized and requested to receive subscriptions, to make allotments on the basis and up to the amounts indicated by the Secretary of the Treasury to the Federal Reserve Banks of the respective Districts, to issue allotment notices, to receive payment for certificates allotted, to make delivery of certificates on full-paid subscriptions allotted, and they may issue interim receipts pending delivery of the definitive certificates.

2. The Secretary of the Treasury may at any time, or from time to time, prescribe supplemental or amendatory rules and regulations governing the offering, which will be communicated promptly to the Federal Reserve Banks.

[SEAL] FRED M. VINSON,
Secretary of the Treasury.

[F. R. Doc. 45-15357; Filed, Aug. 20, 1945; 10:53 a. m.]

DEPARTMENT OF THE INTERIOR.

General Land Office.

[Misc. 1852854]

CALIFORNIA

NOTICE OF FILING OF PLAT OF SURVEY

AUGUST 13, 1945.

Notice is given that the plat of extension survey of part or all of secs. 22 to 28, and 33 to 36, inclusive, T. 4 N., R. 3 W., San Bernardino meridian, will be officially filed in the district land office at Los Angeles, California, effective at 10:00 a. m. on the 63d day from the date on which this notice is signed. At the time the lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, or selection as follows:

(a) For a period of 90 days, commencing on the day and at the hour named above, the public lands affected by this notice shall be subject to (1) application under the homestead or the desert land laws, or the small tract act of June 1, 1938, 52 Stat. 609 (43 U.S.C. sec 682a), by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (Public Law 434—78th Congress), subject to the requirements of applicable law, and (2) application under any applicable public land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications by such veterans shall be subject to claims of the classes described in subdivision (2).

(b) For a period of 20 days immediately prior to the beginning of such 90-day period, such veterans and persons claiming preference rights superior to those of such veterans, may present their applications, and all such applications, together with those presented at 10:00 a. m. on the first day of the 90-day period, shall be treated as simultaneously filed.

(c) Commencing at 10:00 a. m. on the 91st day after the lands become subject to application, as herein above provided, any of the lands remaining unappropriated shall become subject to such application, petition, location, or selection by the public generally as may be authorized by the public land laws.

(d) Applications by the general public may be presented during the 20-day period immediately preceding such 91st day, and all such applications, together with those presented at 10:00 a. m. on that day, shall be treated as simultaneously filed.

Veterans shall accompany their applications with certified copies of their certificates of discharge, or other satisfactory evidence of their military or naval service. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated affidavits in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the district land office at Los Angeles, Calif., shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations (Circ. 324, May 22, 1914, 43 L. D. 254), and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Subchapter I of Title 43 of the Code of Federal Regulations and applications under the desert land laws and the small tract act of June 1, 1938 shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

All inquiries relating to these lands should be addressed to the Register, District Land Office.

FRED W. JOHNSON,
Commissioner.

[F. R. Doc. 45-15347; Filed, Aug. 20, 1945; 9:52 a. m.]

[G. L. O. 010086]

LOUISIANA

NOTICE OF FILING OF SUPPLEMENTAL PLAT

Notice is given that the supplemental plat of a part of sec. 28, T. 10 S., R. 11 E., Louisiana Meridian, Iberville Parish, Louisiana, approved April 12, 1945, will be officially filed in this office at 10:00 a. m. on September 17, 1945.

The plat shows this portion of the section as lot 8, containing 36.69 acres, and lot 9, containing 36.39 acres, a total area of 73.08 acres. Both lots are situated east of Bayou Pigeon, and are included in Swamp Land Selection List, G.L.O. 010086, filed by the State of Louisiana on October 23, 1944.

The lots are shown by the field notes of survey of the section to be swamp and overflowed within the meaning of the acts of March 2, 1849 (9 Stat. 352), and September 28, 1850 (9 Stat. 519, 43 U.S.C. sec. 982-984). Should the tracts finally be determined to be swamp and overflowed in character they must be held to have inured to the State as of the date of the grants.

Claims or rights adverse to the State, if any, may be asserted by the filing of applications within 90 days from the date of filing of the plat. Any applications adverse to the State must be accompanied by a showing that the land is non-swamp in character, in accordance with the provisions of 43 CFR 271.2 (b).

All inquiries relating to these lands should be addressed to the Commissioner, General Land Office, Washington (25), D. C.

FRED W. JOHNSON,
Commissioner.

[F. R. Doc. 45-15348; Filed, Aug. 20, 1945; 9:52 a. m.]

DEPARTMENT OF AGRICULTURE.

Rural Electrification Administration.

[Administrative Order 941]

ALLOCATION OF FUNDS FOR LOANS

JULY 30, 1945.

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

Project designation:	*Amount*
Alabama 46018H1 Cullman	$100,000
Illinois 46037C1 Saline	200,000
Illinois 46048A2 Clay	100,000
Indiana 46060B1 Morgan	415,000
Kansas 46033B2 Pratt	75,000
Minnesota 46037A2 Marshall	115,000
Missouri 46018F1 Texas	184,289
Missouri 46043E1 Laclede	93,011
Missouri 46046D1 Taney	35,000
Missouri 46049D1 Howell	79,089
Montana 46002F1 Cascade	285,000
Oklahoma 46002H1 Kay	21,000
Tennessee 46019N1 Rutherford	370,000
Texas 46068D1 Cooke	380,000
Texas 46103B4 Polk	50,000

[SEAL] WILLIAM J. NEAL,
Acting Administrator.

[F. R. Doc. 45-15268; Filed, Aug. 18, 1945; 11:18 a. m.]

[Administrative Order 942]

ALLOCATION OF FUNDS FOR LOANS

AUGUST 1, 1945.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the

sums authorized by said act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	*Amount*
Colorado 46022C1 Boulder	$117,000
Florida 46033A1 Pasco	240,000
Georgia 46065D1 Irwin	174,000
Georgia 46070E1 Mitchell	110,000
Illinois 46030D1 Adams	100,000
Illinois 46033C1 Hancock	182,000
Iowa 46039E1 Benton	94,000
Kansas 46024D1 Clay	320,000
Louisiana 46019B2 Jefferson Davis	144,000
Missouri 46033C1 Butler	81,817
Missouri 46038E1 Reynolds	88,800
Oklahoma 46026F1 Harmon	135,000
Texas 46050F1 Grayson	100,000
Texas 46064F1 San Augustine	215,000
Virginia 46002D3 Graig	65,000
Virginia 46029L1 Nelson	168,000
Wyoming 46010B1 Platte	100,000

[SEAL] WILLIAM J. NEAL,
Acting Administrator.

[F. R. Doc. 45-15269; Filed, Aug. 18, 1945; 11:18 a. m.]

[Administrative Order 943]

ALLOCATION OF FUNDS FOR LOANS

AUGUST 1, 1945.

By virtue of the authority vested in me by the provisions of section 5 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said act, funds for a loan for the project and in the amount as set forth in the following schedule:

Project designation:	*Amount*
Texas 46054S8 Wood	$15,000

[SEAL] WILLIAM J. NEAL,
Acting Administrator.

[F. R. Doc. 45-15270; Filed, Aug. 18, 1945; 11:18 a. m.]

[Administrative Order 944]

ALLOCATION OF FUNDS FOR LOANS

AUGUST 3, 1945.

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

Project designation:	*Amount*
Delaware 46002E1 Sussex	$163,000
Georgia 46020F1 Troup	85,000
Illinois 46040C1 Macoupin	225,000
Indiana 46026C1 Daviess	210,000
Michigan 46042B1 Mason	65,000
Missouri 46054C1 Crawford	139,999
North Carolina 46059D1 Beaufort	155,000
Virginia 46028D4 Lancaster	10,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 45-15271; Filed, Aug. 18, 1945; 11:18 a. m.]

[Administrative Order 945]

ALLOCATION OF FUNDS FOR LOANS

AUGUST 3, 1945.

By virtue of the authority vested in me by the provisions of section 5 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said act, funds for a loan for the project and in the amount as set forth in the following schedule:

Project designation:	*Amount*
Missouri 46063S3 Mt. Vernon	$7,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 45-15272; Filed, Aug. 18, 1945; 11:18 a. m.]

[Administrative Order 946]

ALLOCATION OF FUNDS FOR LOANS

AUGUST 7, 1945.

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

Project designation:	*Amount*
Alabama 46036D1 De Kalb	$350,000
Florida 46028B2 Madison	50,000
Indiana 46011D1 Warren	60,000
Iowa 46059D1 Woodbury	110,000
Louisiana 46020C2 Concordia	80,000
New Mexico 46012B1 Otero	125,000
North Dakota 46008D2 Benson	180,000
Oklahoma 46001H1 Kingfisher	300,000
South Carolina 46021C1 Lancaster	432,000
South Carolina 46031B1 Horry	234,000
Tennessee 46020H1 Gibson	690,000
Tennessee 46035B1 Marion	570,000
Texas 46023D1 McCulloch	70,500
Texas 46054D4 Wood	50,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 45-15273; Filed, Aug. 18, 1945; 11:18 a. m.]

CIVIL AERONAUTICS BOARD.

[Docket No. 1896]

PAGE AIRWAYS, INC.

NOTICE OF HEARING

In the matter of the Board's investigation of certain activities of Page Airways, Inc.

Notice is hereby given pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 401 and 1001 of said act, that a hearing in the above-entitled proceeding is assigned to be held on August 20, 1945, at 10 a. m. (eastern war time), in Conference Room C, Departmental Auditorium, 14th Street and Constitution Avenue, N. W., Washington, D. C., before Examiner William F. Cusick.

Dated at Washington, D. C., August 17, 1945.

By the Civil Aeronautics Board.

CHARLES P. SOPER,
Acting Secretary.

[F. R. Doc. 45-15255; Filed, Aug. 18, 1945; 10:48 a. m.]

[Docket No. SA-105]

AIRCRAFT ACCIDENT AT FORT DE FRANCE, MARTINIQUE

NOTICE OF HEARING

In the matter of investigation of accident involving aircraft of United States Registry NC 15066, which occurred at Fort De France, Martinique, on August 3, 1945.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly section 702 of said act, in the above-entitled proceeding, that hearing is hereby assigned to be held on Wednesday, August 22, 1945, at 9:00 a. m. (ewt) in Room 326, Federal Building, Miami, Florida.

Dated at Washington, D. C., August 17, 1945.

WILLIAM K. ANDREWS,
Presiding Officer.

[F. R. Doc. 45-15353; Filed, Aug. 20, 1945; 11:00 a. m.]

INTERSTATE COMMERCE COMMISSION.

[2d Rev. S. O. 300, Amended Special Permit 32]

ICING OF POTATOES AT NEW YORK CITY AND GARDENVILLE, N. Y.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph of Second Revised Service Order No. 300 (10 F.R. 6802), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Second Revised Service Order No. 300 insofar as it applies to the furnishing of initial icing on not to exceed thirty five (35) carloads of potatoes at 60th Street, New York, N. Y., (by the N.Y.C. RR), and one reicing in transit only at Gardenville (Buffalo) N. Y., (by the N.Y.C. RR), shipped from points on the Long Island Railroad, August 20 to 25, 1945, inclusive, consigned to Quarter Master Market Center, New Orleans, Louisiana, for export, routed LI-NYC to Cincinnati, Ohio-Sou. Ry.

The waybills shall show reference to this special permit.

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

Issued at Washington, D. C., this 13th day of August 1945.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 45-15264; Filed, Aug. 18, 1945; 11:16 a. m.]

[2d Rev. S. O. 300, Special Permit 36]

REFRIGERATION ON PFE FREIGHT CAR FROM HIGHTSTOWN, N. J.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph of Second Revised Service Order No. 300 (10 F.R. 6802), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Second Revised Service Order No. 300 insofar as it applies to the furnishing of Standard refrigeration on PFE 71829 consigned to N. Geraci, Inc., Tampa, Florida, by F. H. Vahlsing from Hightstown, New Jersey, August 10 routed PRR-RF&P-Seaboard.

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 10th day of August 1945.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 45-15265; Filed, Aug. 18, 1945; 11:16 a. m.]

[2d Rev. S. O. 300, Special Permit 38]

ICING OF POTATOES FROM HOWELL, N. J.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph of Second Revised Service Order No. 300 (10 F.R. 6802), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Second Revised Service Order No. 300 insofar as it applies to the furnishing of initial icing and one reicing in transit only on car BREX 74849, potatoes, shipped August 13, 1945, by F. H. Vahlsing, Inc., from Howell, N. J., consigned to Jos. Papania & Company, Lexington, Kentucky. (PRR-L&N).

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 August 1945.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 45-15266; Filed, August 18, 1945; 11:16 a. m.]

[S. O. 351]

UNLOADING OF PORCH SWINGS AT MONTEZUMA, GA.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 18th day of August, A. D. 1945.

It appearing, that car SP 81694, containing porch swings at Montezuma, Georgia, on the Central of Georgia Railway Company (M. P. Callaway, Trustee), has been on hand for an unreasonable length of time and that the delay in unloading said car is impeding its use; in the opinion of the Commission an emergency exists requiring immediate action; it is ordered, that:

Porch swings at Montezuma, Georgia, be unloaded. (a) The Central of Georgia Railway Company (M. P. Callaway, Trustee), its agents or employees shall unload forthwith car SP 81694, containing porch swings on hand at Montezuma, Georgia, consigned to Polk Industries.

(b) Said carrier shall notify the Director of the Bureau of Service, Interstate Commerce Commission, Washington, D. C., when such carload has been completely unloaded in compliance with the requirements of paragraph (a). Upon the unloading and receipt of such notice this order shall expire. (40 Stat. 101, sec 402, 41 Stat. 476, sec. 4, 54 Stat. 901, 911; 49 U. S. C. 1 (10)-(17), 15 (2))

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

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 45-15364; Filed, Aug. 20, 1945; 11:17 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Notice and Order of Termination 24]

M. K. & C. TRUCK LINES

POSSESSION, CONTROL AND OPERATION OF MOTOR CARRIERS

Pursuant to Executive Order 9462 (9 F.R. 10071), I hereby determine that possession and control of the motor carrier transportation system of M. K. & C. Truck Lines 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 M. K. & C. Truck Lines, 1401 Independence Avenue, Kansas City, Missouri, including all real and personal property and other assets of said motor carrier, taken and assumed pursuant to Executive Order 9462 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., August 20, 1945. 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. 24."

Issued at Washington, D. C., this 16th day of August 1945.

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

[F. R. Doc. 45-15207; Filed, Aug. 17, 1945; 3:26 p. m.]

OFFICE OF PRICE ADMINISTRATION.

[RMPR 528, Order 57]

THE GOODYEAR TIRE AND RUBBER CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 16 (d) of Revised Maximum Price Regulation 528, *It is ordered:*

(a) The maximum retail price for a new 8.25-16 passenger car Life Guard tube manufactured by The Goodyear Tire & Rubber Company, Inc., Akron, Ohio, shall be $15.55, each.

(b) All provisions of Revised Maximum Price Regulation 528 not inconsistent with this order shall apply to sales covered by this order.

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

This order shall become effective August 18, 1945.

Issued this 17th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15298; Filed, Aug. 18, 1945; 12:00 m.]

[MPR 136, Order 488]

ACE DRILL CORP.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 488 under Revised Maximum Price Regulation 136; machines, parts and industrial equipment; Ace Drill Corporation, Docket No. 6083-136.25a-276.

For the reasons set forth in an opinion, issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 25 of Revised Maximum Price Regulation 136, *It is ordered:*

(a) The minimum discounts for sales of drills by Ace Drill Corporation, Detroit, Michigan, shall be determined as follows:

(1) All sales that were made at discounts of 40-20-10% shall now be sold at discounts of 40-20-9%

(2) All sales that were made at discounts 50-20-5-10% shall now be sold at 50-20-5-9%.

(3) All sales that were made at discounts 60-10% shall now be sold at 60-9%.

(b) The maximum prices for sales of drills by resellers shall be determined as follows: The reseller shall add to the maximum net price he had in effect to a purchaser of the same class, just prior to the issuances of this order, the amount, in dollars-and-cents, by which his net invoiced cost has been increased due to the adjustment granted the manufacturer by this order.

(c) Ace Drill Corporation shall notify each person who buys drills for resale of the dollar-and-cents amounts by which this order permits the reseller to increase his maximum net prices. A copy of each such notice shall be filed with the Machinery Branch, Office of Price Administration, Washington 25, 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 August 17, 1945.

Issued this 16th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15172; Filed, Aug. 17, 1945; 11:23 a. m.]

[MPR 188, Order 116 under 2d Rev. Order A-3]

WOLF RANGE & MFG. 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 Second Revised Order A-3 under § 1499.159b of Maximum Price Regulation No. 188, it is ordered:

(a) *Manufacturers maximum prices.* Wolf Range & Mfg. Co., 2116 E. Olympic Boulevard, Los Angeles 21, California, may adjust its maximum prices for all sales and deliveries to dealers and jobbers of the line of heavy duty gas burning commercial cooking equipment described in its application which it manufactures, by increasing each maximum price by 5.8 percent. In the case of sales to purchasers for resale this adjustment charge may be made and collected only if it is separately stated on each invoice. The adjusted maximum prices are subject to the manufacturer's customary terms, discounts, allowances, and other price differentials in effect during March 1942 on sales to each class of purchaser.

(b) *Maximum prices of purchasers for resale.* Purchasers for resale shall determine their adjusted maximum prices for resales of the line of heavy duty gas burning commercial cooking equipment manufactured by the Wolf Range & Mfg. Co., by adding to their maximum prices as established under the General Maximum Price Regulation, the dollar-and-cents amount of the adjustment charge on each article which the manufacturer separately states and collects from him in accordance with the terms of this order: *Provided, however,* That in those cases where the regulation requires the maximum price to be computed on the basis of cost, the amount used as the cost may be no greater than the manufacturer's maximum price in effect prior to the issuance of this order. Each reseller's maximum prices adjusted under this order are subject to the seller's customary terms, discounts, allowances and other price differentials in effect on sales of the same or similar articles.

(c) *Notification.* At the time of or prior to the first invoice after the effective date of this order covering sales of any of the stoves listed above at a price adjusted as permitted by this order, the manufacturer shall notify each purchaser for resale in writing of the method of adjusting maximum prices established for resales by paragraph (b) of this order.

(d) *Profit and loss statement.* After the effective date of this order, Wolf Range & Mfg. Co. shall submit to the Office of Price Administration, Washington, D. C., a detailed quarterly profit and loss statement within 30 days after the close of each quarter.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 17th day of August 1945.

Issued this 16th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15151; Filed, Aug. 17, 1945; 11:20 a. m.]

[MPR 188, Corr. to Order 4193]

TRANK BROS.

APPROVAL OF MAXIMUM PRICES

Order No. 4193 under § 1499.158 of Maximum Price Regulation No. 188 is corrected by changing the firm name from Frank Brothers to Trank Brothers.

This correction shall become effective on the 16th day of August 1945.

Issued this 16th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15139; Filed, Aug. 17, 1945; 11:23 a. m.]

[MPR 188, Rev. Order 3829]

ZIP-HONE CO.

APPROVAL 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 § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the Zip-Hone Company, Post Office Box 767, San Jose, California.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by any seller to—			
		Wholesalers (jobbers)	Chain and department and syndicate stores	Other retailers	Consumers
Zip-Hone-Kit	None	*Each* $0.63	*Each* $0.83	*Each* $0.93	*Each* $1.39

These maximum prices are for the articles described in the manufacturer's application dated April 2, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement with the retail prices properly filled in:

OPA Retail Ceiling Price—$_____
Do Not Detach or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales

by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 16th day of August 1945.

Issued this 15th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15138; Filed, Aug. 17, 1945; 11:48 a. m.]

[MPR 188, Order 4259]

O. EIDINGER MFG. CO.

APPROVAL 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 § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by O. Eidinger Manufacturing Company of 942 West Lake Street, Chicago 7, Ill.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by any seller to—			
		Wholesalers who ship from their own stock	Wholesalers who ship from the manufacturer's stock	Retailers	Consumers
Clothes hamper:		*Each*	*Each*	*Each*	*Each*
19¼ x 9¼ x 26½	OE 10	$3.015	$3.20	$3.77	$6.23
22½ x 12¼ x 26½	OE 20	3.525	3.75	4.41	7.35
19¼ x 9¼ x 18	OE 30	2.765	2.94	3.46	5.76
22½ x 12¼ x 18	OE 40	3.285	3.48	4.10	6.83

These maximum prices are for the articles described in the manufacturer's application dated June 5, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are for the articles described in your application. They are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. These prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement with the model number and retail prices properly filled in:

Model No._____
OPA Retail Ceiling Price—$_____
Do Not Detach or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(3) This order shall become effective on the 16th day of August 1945.

Issued this 15th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15140; Filed, Aug. 17, 1945; 11:17 a. m.]

[MPR 188, Order 4260]

KREBS MFG. CO.

APPROVAL 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 § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Krebs Manufacturing Company of 971 Sells Avenue, Columbus 8, Ohio.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model	Maximum prices for sales by any seller to—				
		Wholesalers (jobbers)	Dropship jobbers	Retailers (6 units or more)	Retailers (less than 6 units)	Consumers
Charcoal broiler, shaft driven, 18" x 20"	B	*Each* $23.37	*Each* $23.78	*Each* $27.62	*Each* $29.74	*Each* $44.62
Charcoal broiler, chain driven	A	23.37	23.78	27.62	29.74	44.62

These maximum prices are for the articles described in the manufacturer's application dated June 18, 1945. These prices include the Federal Excise Tax.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are for the articles described in your application. They are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain either of the following statements with the correct Order Number filled in:

Order No. 4260
Model No._____
OPA Retail Ceiling Price—$_____
Federal Excise Tax Included
Do Not Detach or Obliterate
or
Krebs Manufacturing Company
971 Sells Avenue
Columbus 8, Ohio
Order No. 4260
OPA Retail Ceiling Price—$_____
Do Not Detach or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 16th day of August 1945.

Issued this 15th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15141; Filed, Aug. 17, 1945; 11:18 a. m.]

[MPR 188, Order 4261]

PRESCOTT PAINT CO., INC.

AUTHORIZATION OF MAXIMUM PRICES

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

(a) The maximum prices for sales of Show Card Color Process Extender, an extender used in water paints, manufactured by Prescott Paint Company, Inc., 445 West 31st Street, New York, N. Y., shall be:

	Per gallon	*Per quart*
Sales at retail	$3.00	$1.00
To dealers f. o. b. factory	1.80	.60
To distributors or jobbers f. o. b. factory	1.44	.48

Terms applicable to the above prices are 2% 10 days—net 30 days.

(b) No extra charge may be made for containers.

(c) With or prior to the first delivery of Show Card Color Process Extender on and after the effective date of this order to a distributor or jobber or to a dealer, Prescott Paint Company, Inc., or any other seller shall furnish such distributor or jobber or such dealer with a written notice containing the schedule of maximum prices set out in paragraph (a) above, a statement that they have been approved by the Office of Price Administration, and in the case of a delivery to a distributor or jobber, also a statement that with or prior to the distributor's or jobber's first delivery on and after the effective date of this order to a dealer, such distributor or jobber is required by the Office of Price Administration to furnish such dealer with a written notice containing the schedule of maximum prices set out in paragraph (a) above and a statement that they have been approved by the Office of Price Administration.

(d) Prior to making any delivery of Show Card Color Process Extender on and after the effective date of this order, Prescott Paint Company, Inc. shall mark or cause to be marked on each size of container, whichever of the following legends is applicable:

One gallon container "Retail ceiling price $3.00."

One quart container "Retail ceiling price $1.00."

(e) This order may be revoked or amended by the Administrator at any time.

This order shall become effective August 17, 1945.

Issued this 16th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15142; Filed, Aug. 17, 1945; 11:23 a. m.]

[MPR 188, Order 4262]

BEAULLIEU & CO.

APPROVAL 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 § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Beaullieu & Company, of 913 Boulevard Street, N. W., Atlanta, Ga.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by any seller to—				
		Wholesalers (jobbers)	Dropship	Chain and department stores	Other retailers	Consumers
Cookie, sheet aluminum, 13½" x 10"	None	*Each* $0.48	*Each* $0.48	*Each* $0.57	*Each* $0.63	*Each* $0.95

These maximum prices are for the articles described in the manufacturer's application dated June 14, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. They are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$0.95 each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 16th day of August 1945.

Issued this 15th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15143; Filed, Aug. 17, 1945; 11:10 a. m.]

[MPR 188, Order 4263]

PURPOSE TOOL AND MFG. CO.

APPROVAL 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 § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Purpose Tool and Manufacturing Company, of 5155 Loraine Avenue, Detroit 8, Michigan.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by any seller to—			
		Wholesalers (stocking jobber)	Dropship jobber	Retailer	Consumer
Automobile tire pump	F-[illegible]-1	*Each* $2.03	*Each* $1.10	*Each* $1.20	*Each* $1.6[illegible]

These maximum prices are for the articles described in the manufacturer's application dated June 14, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory, and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement

OPA Retail Ceiling Price—$1.86
Do Not Remove or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 17th day of August 1945.

Issued this 16th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15144; Filed, Aug. 17, 1945; 11:23 a. m.]

[MPR 188, Order 4264]

GEE VEE PRODUCTS CO.

APPROVAL 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 § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Gee Vee Products Company, 179 Wooster Street, New York, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
8" celanese taffeta vanity lamp shade with ruffle trim	401	*Each* $0.85	*Each* $1.00	*Each* $1.80

These maximum prices are for the articles described in the manufacturer's application dated March 12, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model No. ------
OPA Retail Ceiling Price—$------
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobber's maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of SR 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 17th day of August 1945.

Issued this 16th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15145; Filed, Aug. 17, 1945; 11:24 a. m.]

[MPR 188, Order 4265]

MELROSE LAMP & SHADE CO., INC.

APPROVAL 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 § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Melrose Lamp & Shade Co., Inc., 864 Melrose Avenue, Bronx, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
15" hand made rayon silk lamp shade with braid trim top and bottom	1501	*Each* $2.67	*Each* $3.14	*Each* $5.65
15" hand made rayon silk lamp shade with ruching trim	1502	3.19	3.75	6.75

These maximum prices are for the articles described in the manufacturer's application dated May 29, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model No. ------
OPA Retail Ceiling Price—$------
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobber's maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of SR 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 17th day of August 1945.

Issued this 16th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15146; Filed, Aug. 17, 1945; 11:24 a. m.]

[MPR 188, Order 4266]

CONCORD LAMP CO., INC.

APPROVAL 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 § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Concord Lamp Co., Inc., 6 West 18th Street, New York, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
16" Monks cloth over paper parchment lamp shade	500	*Each* $1.00	*Each* $1.25	*Each* $2.25
16" Antiqued paper parchment lamp shade	501	.55	.65	1.20

These maximum prices are for the articles described in the manufacturer's application dated April 14, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model No. _____
OPA Retail Ceiling Price—$_____
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobber's maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of SR 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 17th day of August 1945.

Issued this 16th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15147; Filed, Aug. 17, 1945; 11:24 a. m.]

[MPR 188, Order 4267]

DAVID FRIEDLANDER

APPROVAL 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 § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by David Friedlander, 91 Greenpoint Avenue, Brooklyn, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
Fluorescent desk lamp made with 24-gauge steel, equipped with ballast and finished in brown crackle enamel	1	*Each* $4.00	*Each* $1.75	*Each* $8.55

These maximum prices are for the articles described in the manufacturer's application dated May 14, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model No. _____
OPA Retail Ceiling Price—$_____
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobber's maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of SR 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 17th day of August 1945.

Issued this 16th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15148; Filed, Aug. 17, 1945; 11:24 a. m.]

[MPR 188, Order 4263]

ARMIN SALES CO.

APPROVAL 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 § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Armin Sales Company, 622 Arch Street, Philadelphia 6, Pa.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
17" Crystal table lamp with shade	WG	*Each* $2.20	*Each* $2.81	*Each* $3.65
23" Decorated semi-vitreous table lamp and 16" shade with top and bottom rushing trim	201	6.80	8.00	14.40
32½" Crystal table lamp with bobbell column and shade with top and bottom rushing trim	203	7.83	9.27	16.70
32½" Crystal table lamp with swirl column and shade with top and bottom rushing trim	204	5.70	6.73	12.20

These maximum prices are for the articles described in the manufacturer's application dated March 21, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 1% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model No. _____
OPA Retail Ceiling Price—$_____
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser.

(d) Jobber's maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of Supplementary Regulation 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 17th day of August 1945.

Issued this 16th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15149; Filed, Aug. 17, 1945; 11:24 a. m.]

[MPR 188, Order 4269]

CURLEY MFG. CO.

APPROVAL 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 § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Curley Manufacturing Company of 2113 South Orange Drive, Los Angeles 16, Calif.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model	Maximum prices for sales by any seller to—			
		Wholesalers (jobbers)	Retailers (6 units or more)	Retailers (less than 6 units)	Consumers
Hot plate 9 x 9 x 4 switch cord and plug 1 heat open element	1	*Each* $1.97	*Each* $2.33	*Each* $2.51	*Each* $3.75

These maximum prices are for the articles described in the manufacturer's application dated June 13, 1945. These prices include the Federal Excise Tax.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. They are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain either of the following statements with the correct model number, order number and retail prices properly filled in:

Order No. 4269
Model No. _____
OPA Retail Ceiling Price—$_____
Federal Excise Tax Included
Do Not Detach or Obliterate

or

Curley Manufacturing Company
2113 South Orange Drive
Los Angeles 16, California
Model No. _____
OPA Retail Ceiling Price—$_____
Federal Excise Tax Included
Do Not Detach or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 17th day of August 1945.

Issued this 16th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15150; Filed, Aug. 17, 1945; 11:25 a. m.]

[MPR 260, Order 1743]

ANNA CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260: *It is ordered,* That:

(a) Anna Cigar Factory, 3106 17th Street, Tampa 5, Fla. (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 brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Romora	Kings	50	$101.25	2 for 27
	Bills	50	101.25	2 for 27
	Panatela	50	75.00	10

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective August 17, 1945.

Issued this 16th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15152; Filed, Aug. 17, 1945; 11:26 a. m.]

[MPR 260, Order 1744]

MOLLY BLOCK

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered,* That:

(a) Molly Block, 97 Broadway, Brooklyn, N. Y. (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 brand and size of frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Lord Rector	Juniors [1]	50	$50.00	7
	Bouqets	50	109.75	2 for 20

[1] These prices apply to this brand and frontmark using only Havana (Type 81) short filler.

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective August 17, 1945.

Issued this 16th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15153; Filed, Aug. 17, 1945; 11:26 a. m.]

[MPR 260, Order 1745]

J. R. CAMERO CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered,* That:

(a) J. R. Camero Cigar Factory, 2920 11th Street, Tampa 5, Fla. (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 brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
J. R. Camero	Victory	50	$101.[illegible]	2 for 27
	Ideals	50	[illegible]	12
	Londres Grandes	50	103.[illegible]	14

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective August 17, 1945.

Issued this 16th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15154; Filed, Aug. 17, 1945; 11:26 a. m.]

[MPR 260, Order 1746]

HARRY C. SMITH

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered,* That:

(a) Harry C. Smith, North High Alley, Red Lion, Pa. (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 brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Skill	Diplomat	50	$82.50	11

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or

frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective August 17, 1945.

Issued this 16th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15155; Filed, Aug. 17, 1945; 11:27 a. m.]

[MPR 260, Order 1747]

AVILA & ACOSTA CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Avila & Acosta Cigar Factory, 1506 14th Avenue, Tampa 5, Fla. (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 brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Avila & Acosta	Conchas	50	$93.75	2 for 25
	Crema Especiales.	50	105.00	14

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective August 17, 1945.

Issued this 16th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15156; Filed, Aug. 17, 1945; 11:27 a. m.]

[MPR 260, Order 1748]

MARTIN QUINONES PINET

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Martin Quinones Pinet, Merhoff #70, San Juan 5, P. R. (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 brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
M. Quinones	Brevas	50	$40	5

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective August 17, 1945.

Issued this 16th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15157; Filed, Aug. 17, 1945; 11:27 a. m.]

[MPR 260, Order 1749]

ISODOR HAFLICH

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Isodor Haflich, 40 E. Fulton Street, (Rear) Ephrata, Pa. (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 brand and size of frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Park City De Luxe.	Corona	50	$115	15

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective August 17, 1945.

Issued this 16th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15168; Filed, Aug. 17, 1945; 11:23 a. m.]

[MPR 260, Order 1750]

PAUL EUGENE WALSH

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102a of Maximum Price Regulation No. 260, as amended; *It is ordered*, That:

(a) Paul Eugene Walsh, 519 W. 6th St., Gastonia, N. C. (hereinafter called "importer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand, frontmark and packing of the following imported cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
La Cordialidad	Corona	[illegible]	[illegible]	[illegible]
	Perfecto	[illegible]	[illegible]	[illegible]
	Petit Corona	[illegible]	[illegible]	[illegible]
	Belvederes	50	161.50	20
	Cremes	[illegible]	[illegible]	[illegible]
	Senoritas	50	161.50	20
	Petit Cetres	50	161.50	20
	Symbols	50	[illegible]	20
	Conchas	[illegible]	[illegible]	3 for [illegible]
	Panetelas	50	[illegible]	17
	Royal Palm	100	[illegible]	2 for 25
	Cubanitos	100	82.50	11

(b) The importer and wholesalers shall grant, with respect to their sales of each brand and frontmark of imported cigars for which maximum prices are established by this order, the discounts they customarily granted during March 1942 on their sales of imported cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and frontmark of cigars priced by this order and shall not be reduced. If a brand or frontmark of imported cigars for which maximum prices are established by this order is of a price class not sold by the importer or the particular wholesaler during March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) during March 1942 by his most closely competitive seller of the same class on sales of imported cigars of the same price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and frontmark of imported cigars for which maximum prices are established by this order, the importer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and frontmark of imported cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260, as amended.

(d) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 260, as amended, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective August 17, 1945.

Issued this 16th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15153; Filed, Aug. 17, 1945; 11:18 a. m.]

[MPR 260, Order 1751]

WOODHOUSE CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102a of Maximum Price Regulation No. 260, as amended; *It is ordered*, That:

(a) Woodhouse Cigar Co., 37 W. Jefferson Ave., Detroit, Mich. (hereinafter called "importer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand, frontmark and packing of the following imported cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Portagas	Corona Junior	25	[illegible]	25
	Corona Extra	25	[illegible]	35
	Corona Senior	25	[illegible]	39
	Corona Nature	25	[illegible]	39
	Fomo Cedro Corona Chica	50	[illegible]	35
	Fomo Cedro Corona	50	[illegible]	35

(b) The importer and wholesalers shall grant, with respect to their sales of each brand and frontmark of imported cigars for which maximum prices are established by this order, the discounts they customarily granted during March 1942 on their sales of imported cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the importer or a whole-

saler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and frontmark of cigars priced by this order and shall not be reduced. If a brand or frontmark of imported cigars for which maximum prices are established by this order is of a price class not sold by the importer or the particular wholesaler during March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) during March 1942 by his most closely competitive seller of the same class on sales of imported cigars of the same price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and frontmark of imported cigars for which maximum prices are established by this order, the importer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and frontmark of imported cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260, as amended.

(d) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 260, as amended, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective August 17, 1945.

Issued this 16th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15160; Filed, Aug. 17, 1945; 11:19 a. m.]

[MPR 260, Order 1752]

HAPPY G. CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered,* That:

(a) Happy G. Cigar Company, 1602 9th Avenue, Tampa 5, Fla. (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 brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Happy G	Cadates	50	$101.25	2 for 27
	Londres Corrientes.	50	97.50	13

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective August 17, 1945.

Issued this 16th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15161; Filed, Aug. 17, 1945; 11:19 a. m.]

[MPR 260, Order 1753]

ROYAL QUAKER CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered,* That:

(a) John Amoroso & Leroy Hertzog, d/b/a Royal Quaker Cigar Company R. D. #1, Windsor, Pa. (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 brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Blue Pennant	Perfecto	50	$56	7

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the

manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective August 17, 1945.

Issued this 16th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15162; Filed, Aug. 17, 1945; 11:20 a. m.]

[MPR 260, Order 1754]

CIGAR MAKERS COOPERATIVE CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered,* That:

(a) Cigar Makers Cooperative Company, 1929 Race Street, Cincinnati 10, 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 brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Cigmaco	Perfecto	50	*Per M* $75	*Cents* 10

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective August 17, 1945.

Issued this 16th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15163; Filed, Aug. 17, 1945; 11:20 a. m.]

[MPR 260, Order 1755]

A. B. CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered,* That:

(a) A. B. Cigar Factory, 1514 26th Avenue, Tampa 5, Fla. (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 brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
A. B	Londres Corrientes.	50	*Per M* $93.75	*Cents* 2 for 25
	Cadetes	50	191.25	2 for 27

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective August 17, 1945.

Issued this 16th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15164; Filed, Aug. 17, 1945; 11:20 a. m.]

[MPR 260, Order 1756]

G. TOMAS CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered,* That:

(a) G. Tomas Cigar Factory, 1420½ 7th Avenue, Tampa 5, Fla. (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 brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Dontello	Fancytales	50	$154.00	20
	Especiales	50	134.00	2 for 35
	Dianas	50	75.00	10
	Conchas	50	60.00	2 for 15
	Panetelas	50	134.00	2 for 35
	Brovas	50	169.00	22
	Reyes	50	177.00	23
	Londres Grandes	50	123.00	16
	Bostons	50	101.25	2 for 27
	Coronas	50	90.00	12

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective August 17, 1945.

Issued this 16th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15165; Filed, Aug. 17, 1945; 11:20 a. m.]

[MPR 260, Order 1757]

LEIHY CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Jesse Leihy, d/b/a Leihy Cigar Company, 1430 So. Los Angeles Street, Los Angeles 15, Calif. (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 brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Leihy's Special	Special 50's	50	$64.00	8

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective August 17, 1945.

Issued this 16th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15166; Filed, Aug. 17, 1945; 11:21 a. m.]

[MPR 260, Order 1758]

M. S. CIGAR MANUFACTURER

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) M. S. Cigar Manufacturer, 213 South Broadway, Los Angeles 12, Calif. (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 brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Misko	Air Flight	50	$78.50	2 for 21

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be reduced. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the

same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or front mark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective August 17, 1945.

Issued this 16th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15167; Filed, Aug. 17, 1945; 11:21 a. m.]

[MPR 260, Order 1759]

PABLO HERNANDEZ

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered,* That:

(a) Pablo Hernandez, De Diego Street, Carolina, P. R. (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 brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
P. Hernandez	Brevita	50	$24	3

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1353.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective August 17, 1945.

Issued this 16th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15168; Filed, Aug. 17, 1945; 11:21 a. m.]

[MPR 260, Order 1760]

JOSÉ FLORIDO GONZALEZ

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered,* That:

(a) José Florido Gonzalez, Baldorioty Street, Manati, P. R. (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 brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Cacho	Tropicales	50	$22.50	11

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1353.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective August 17, 1945.

Issued this 16th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15169; Filed, Aug. 17, 1945; 11:22 a. m.]

[MPR 591, Order 4]

STONER MFG. CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 9 of Maximum Price Regulation No. 591; *It is ordered:*

(a) The maximum net prices, f. o. b. point of shipment for sales by any person of the following farm and home freezer manufactured by the Stoner Manufacturing Company and as described in its application dated July 13, 1945, which is on file with the Building Materials Price Branch, Office of Price Administration, Washington 25, D. C., shall be:

Size	On sales to distributors	On sales to dealers	On sales to consumers
12 cu. ft. with ½ hp. condensing unit	$175	$210	$350

(b) On sales by the Stoner Manufacturing Company the maximum net prices established in (a) above may be increased by the following amount to each class of purchaser as a charge to cover the cost of crating, when crating is actually supplied: $6.00.

(c) The maximum net prices established by this order shall be subject to discounts and allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered to purchasers of the same class on comparable sales of similar commodities during March 1942.

(d) On sales by a distributor or dealer the following charges may be added to the maximum price established in (a) above:

(1) The actual amount of freight paid to obtain delivery to his place of business. Such charges shall not exceed the lowest common carrier rates.

(2) Crating charges actually paid to his supplier but in no instances exceeding the following: $6.00.

(e) Each seller of the commodity covered by this order, except a dealer, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum price established by this order for each such seller as well as the maximum price established for purchasers upon resale, including allowable transportation and crating charges.

(f) The Stoner Manufacturing Company shall stencil on the inside of the lid or cover of the farm and home freezer covered by this order, the maximum net price to consumers established by this order. The stencil shall contain substantially the following:

OPA Maximum Retail Price $350.00 plus freight and crating as provided in Order No. 4 under Maximum Price Regulation No. 591.

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

This order shall become effective August 17, 1945.

Issued this 16th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15173; Filed, Aug. 17, 1945; 11:22 a. m.]

[MPR 580, Order 105]

GIRL SCOUTS—NATIONAL EQUIPMENT SERVICE

ESTABLISHMENT OF MAXIMUM PRICES

Order 105 to Maximum Price Regulation 580. Establishing ceiling prices at retail for branded articles; Docket No. 6063-580-13-235.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to section 13 of Maximum Price Regulation No. 580, *It is ordered:*

(a) The following ceiling prices are established for sales by any seller at retail of the following branded articles sold at wholesale by Girl Scouts, 155 East 44 St., New York, N. Y., under its brand name "Girl Scouts—National Equipment Service" and described in its application filed June 8, 1945.

Article	Category No.	Selling price line at wholesale	Ceiling price at retail
			Each
Girl Scout light weight uniform, sizes 8-20, 40-44.	0-105	$3.20 each	$4.25
Girl Scout light weight uniform, (chubby) sizes 10½-16½.	0-105C	$3.20 each	4.25
Girl Scout standard uniform, sizes 8-20, 40-44.	0-107	$3.20 each	4.25
Girl Scout standard uniform (chubby) sizes 10½-16½.	0-107C	$3.20 each	4.25
Senior uniform, sizes 12-20.	0-109	$3.70 each	4.95
Official tie	0-122	$3.15 dozen	.35
Official beret	0-144	$10.46 dozen	1.15
Web belt, size 28"-46"	0-161	$4.50 dozen	.50
Girl Scout service cap	0-301	$0.51 each	1.00
Badge sash, Girl Scout cloth.	0-406	$0.45 each	.60
Girl Scout uniform pattern.	0-921	$0.20 each	.25
Senior uniform pattern.	0-923	$0.20 each	.25
Pique collar for senior uniform.	0-963	$2.25 dozen	.25
Brownie uniform, sizes 6-12.	1-104	$1.95 each	2.60
Brownie uniform (chubby) sizes 6½, 8½, 10½.	1-104C	$1.95 each	2.60
Brownie cap, sizes small, medium, large.	1-143	$4.50 dozen	.50
Brownie pattern	1-922-23	$0.20 each	.25
Leader's uniform, sizes 10-20, 40-44.	2-111	$5.65 each	7.50
Leader's uniform, spun rayon, long sleeved, sizes 10-20, 40-44.	2-112	$5.80 each	7.75
Leader's uniform (rayon suit), sizes 10-20, 40-44.	2-113	$14.95 each	19.95
Leader's hat	2-147	$1.12 each	1.50
Leader's narrow leather belt, sizes 28"-46".	2-166	$0.55 each	.75
Leader's service hat	2-201	$1.12 each	1.50
Leader's pattern	2-921	$0.23 each	.30
Pique facing	2-961	$0.26 each	.35
Mariner middy, sizes 12-20, 40.	3-101	$1.90 each	2.50
Mariner skirt, sizes 12-20, 40.	3-102	$1.90 each	2.50
Mariner uniform, sizes 12-20, 40.	3-105	$3.55 each	4.75
Mariner shorts	3-111	$1.45 each	1.95
Mariner black tie	3-121	$0.45 each	.60
Mariner beret	3-151	$0.83 each	1.10
Mariner gob hat	3-156	$0.49 each	.65
Mariner slacks, sizes 12-20, 40.	3-161	$2.05 each	2.75
Skipper's uniform, sizes 12-20, 40.	3-804	$4.85 each	6.50
Skipper's service hat (wool crepe).	3-848	$1.17 each	1.75
Black leather belt, sizes 28"-40".	3-866	$0.55 each	.79
Camp tie	5-623	$2.40 dozen	.30
Tie slide	5-561	$0.80 dozen	.10
Green tweed anklet (insignia) sizes 8½-11.	7-101	$2.80 dozen	.35
Tan anklet (insignia) sizes 8-10½.	7-141	$2.80 dozen	.35
Senior slacks, sizes 12-20.	8-110	$2.50 each	$3.75
Swim suit, sizes 8-18	8-163	$31.60 dozen	3.95
Denim shirt and slacks, sizes 12-20.	8-171	$32.00 dozen	[1] 4.00
Work hat (denim, adjustable).	8-173	$6.00 dozen	.75
Green worsted sweater	8-243	$2.10 each	4.25
Basque shirt, sizes small, medium, large.	8-263	$8.00 dozen	1.00
Cardigan, green	8-265	$0.70 each	1.35
Sweat shirt, sizes small, medium, large.	8-270	$12.70 dozen	1.69
Brownie apron	8-297	$8.80 dozen	1.10
Girl Scout apron, sizes small, medium, large.	8-298	10.00 dozen	1.25
Brownie apron, sizes small, medium, large.	8-299	$9.20 dozen	1.15
Pajamas (insignia) sizes small, medium, large.	8-411	$1.85 each	2.75
Brownie pajamas, sizes 8-12.	8-416	$1.39 each	1.95
Fringed scarf (Girl Scout design).	8-521	$8.00 dozen	1.00
Fringed scarf (Girl Scout design).	8-522	$8.00 dozen	1.00
Fringed scarf (Girl Scout design).	8-523	$8.00 dozen	1.00
Rayon handkerchief	8-907	$2.00 dozen	.25
Brownie handkerchief	8-914	$1.20 dozen	.15
Printed handkerchief	8-916	$1.20 dozen	.15
Printed handkerchief	8-917	$1.20 dozen	.15
Printed handkerchief	8-918	$1.20 dozen	.15

[1] Set.

(b) The retail ceiling prices contained in paragraph (a) shall apply in place of the ceiling prices which would otherwise be established under the pricing rules of Maximum Price Regulation No. 580.

(c) On and after September 1, 1945, Girl Scouts must mark each article listed in paragraph (a) with the retail ceiling price under this order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

(Section 13, MPR 580)
OPA Retail Ceiling Price $_____

On and after October 1, 1945, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to October 1, 1945, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of Maximum Price Regulation No. 580.

(d) On or before the first delivery to any purchaser for resale of each article listed in paragraph (a), the seller shall send the purchaser a copy of this order.

(e) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 580 shall apply to sales for which retail ceiling 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 August 17, 1945.

Issued this 16th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15171; Filed, Aug. 17, 1945; 11:22 a. m.]

[Rev. Supp. Order 99,[1] Order 12]

SIGNAL KNITTING MILLS

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to Revised Supplementary Order 99 and § 1372.101 (c) of Maximum Price Regulation 210, it is ordered:

(a) *Ceiling prices for sales by Signal Knitting Mills.* (1) On and after August 15, 1945, Signal Knitting Mills, Chattanooga, Tennessee, may sell and deliver to any retailer, and any retailer may buy and receive from it, the following designated fall and winter knitted underwear manufactured by Signal Knitting Mills, at prices not in excess of the following adjusted ceiling prices:

Style No.	Description	Adjusted Ceiling Price
		Dozen
PM16ESS	Men's unionsuit made of 11/1, 13/1carded cotton yarn, purchased from Gate City Cotton Mills (made of strict middling to good middling cotton), net weight 15¾ pounds per dozen (based on size 42), sizes 36–46, rib knit, dyed, short sleeve, ankle length.	$12.72
PM16ELS	Men's unionsuit made of 11/1, 13/1 carded cotton yarn purchased from Gate City Cotton Mills (made of strict middling to good middling cotton), net weight 16 pounds per dozen (based on size 42), sizes 36–46, rib knit, dyed, long sleeve, ankle length.	13.07
OM14ESS	Men's unionsuit made of 13/1 carded cotton yarn purchased from Gate City Cotton Mills (made of strict middling to good middling cotton), net weight 13¼ pounds per dozen (based on size 42), sizes 36–46, rib knit, dyed, short sleeve, ankle length.	11.69
OM14ELS	Men's unionsuit made of 13/1 carded cotton yarn purchased from Gate City Cotton Mills (made of strict middling to good middling cotton), net weight 14 pounds per dozen (based on size 42), sizes 36–46, rib knit, dyed, long sleeve, ankle length.	12.10
OM12ESS	Men's unionsuit made of 15/1, 13/1 carded cotton yarn purchased from Gate City Cotton Mills (made of strict middling to good middling cotton), net weight 11¼ pounds per dozen, (based on size 42), sizes 36–46, rib knit, dyed, short sleeve, ankle length.	10.77
OM12ELS	Men's unionsuit made of 15/1, 13/1 carded cotton yarn purchased from Gate City Cotton Mills (made of strict middling to good middling cotton), net weight 12 pounds per dozen (based on size 42), sizes 36–46, rib knit, dyed, long sleeve, ankle length.	11.07
600ESSK	Boy's unionsuit, made of 16/1, 13/1 carded cotton yarn purchased from Gate City Cotton Mills (made of strict middling to good middling cotton), net weight 6½ pounds per dozen (based on size 16), sizes 4–16, rib knit, dyed, short sleeve, knee length.	6.35
600ELS	Boy's unionsuit made of 16/1, 13/1 carded cotton yarn purchased from Gate City Cotton Mills (made of strict middl ng to good middling cotton), net weight 8½ pounds per dozen (based on size 16), sizes 4–16, rib knit, dyed, long sleeve, ankle length.	7.49

[1] 10 F. R. 6796, 8657.

(2) The adjusted ceiling prices set forth in paragraph (a) above are subject to trade practices, including practices relating to terms and allowances, shipping and the payment of shipping charges and premiums for extra sizes, customarily used by Signal Knitting Mills during the period from July 15, 1941 to February 10, 1942, both inclusive, on deliveries of comparable types of fall and winter knitted underwear.

(b) *Statement which Signal Knitting Mills must send to retailers.* (1) On and after August 15, 1945, Signal Knitting Mills shall transmit to each retailer to whom it makes delivery, on and after that date, of any of the garments listed in paragraph (a) of this order, the following statement:

STATEMENT TO RETAILERS OF ADJUSTED CEILING PRICES

The Office of Price Administration has permitted us to add the adjustment charges set forth below to our ceiling prices on the following garments:

Style	Column A Old ceiling price	Column B OPA adjustment charges under MPR 221 and RSO 99	Column C Amount of adjustment which retailer may add to his ceiling price
	Per dozen	*Per dozen*	*Per garment*
PM16ESS	$9.25	$3.47	$0.23
PM16ELS	9.50	3.57	.23½
OM14ESS	8.75	2.94	.18
OM14ELS	9.00	3.10	.19
OM12ESS	8.00	2.77	.17
OM12ELS	8.25	2.82	.17
600ESSK	5.12½	1.22½	.05
600ELS	5.50	1.00	.13

Please note that the OPA requires you to price these garments in accordance with Maximum Price Regulation 580 or Maximum Price Regulation 210 (whichever regulation governs your sales of the garments listed in this notice). In determining your ceiling prices for these garments OPA has ruled that you must use as your "net cost" under MPR 580, or your "cost base" under MPR 210, the "old ceiling price" stated in Column A above, for the garment being priced and you must not include the OPA adjustment charges stated in Column B above, in computing your ceiling prices for these garments under either of these regulations.

The OPA has ruled, however, that after you have properly determined your ceiling price under MPR 580 or MPR 210 in the foregoing manner, you may then add to your ceiling price so computed the amount of adjustment set forth for the garment in Column C above.

(2) The statement required to be sent to its retailers by Signal Knitting Mills, as provided in this paragraph (b), and containing the information applicable to the styles of garments included in the particular shipment, shall be transmitted with, or annexed to the invoice, billing or other statement of price accompanying every shipment made by Signal Knitting Mills of any of the garments listed in paragraph (a) of this order. This statement, with respect to any garment for which Signal Knitting Mills is permitted an adjustment of its ceiling price under this order shall be sent by Signal Knitting Mills in lieu of the statement required under Section 1389.204 (as amended) of Maximum Price Regulation 221.

(c) *Garments to which the provisions of this order shall apply.* This order shall apply only to those garments of the styles enumerated in paragraph (a) which are shipped by Signal Knitting Mills on or after August 15, 1945, and before November 1, 1945.

(d) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective August 15, 1945.

Issued this 15th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15236; Filed, Aug. 17, 1945; 4:46 p. m.]

[MPR 532, Amdt. 2 to Order 1]

SPECIFIED CONSTRUCTION MATERIALS AND REFRACTORIES

ADJUSTMENT OF MAXIMUM PRICES

An opinion accompanying this Amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 4.3 (d) is amended to read as follows:

(d) The maximum prices for certain sizes of Grade "A" concrete building blocks (having a compressive strength of 1,000 pounds per square inch gross area), and Grade "B" concrete building blocks (having a compressive strength of 700 pounds per square inch gross area), all in accordance with American Society for Testing Materials Standard Specifications for Hollow Load-bearing Concrete Masonry Units C90–44, produced within a radius of 15 air-miles of the Dade County (Florida) Court House, shall be as follows:

GRADE "A"

Size	Maximum prices per block f. o. b. plant	Maximum prices per block, delivered within the Miami area
8 x 8 x 16	$0.11	$0.13
8 x 12 x 16	.19	.215
4 x 8 x 16	.0775	.0875
8 x 8 x 16 (corners and jams)	.11	.13
8 x 12 x 16 (corners)	.19	.215
8 x 8 x 8 (single corners and half jams)	.0775	.0875
8 x 4 x 16 or 8 x 3 x 16 partition tile	.0775	.0875

GRADE "B"

Size	Maximum prices per block f. o. b. plant	Maximum prices per block delivered within the Miami area
8 x 8 x 16	$0.10	$0.12
8 x 12 x 16	.175	.20
4 x 8 x 16	.0725	.0825
8 x 8 x 16 (corners and jams)	.10	.12
8 x 12 x 16 (corners)	.175	.20
8 x 8 x 8 (single corners and half jams)	.0725	.0825
8 x 4 x 16 or 8 x 3 x 16 partition tile	.0725	.0825

This Amendment No. 2 shall become effective August 20, 1945.

Issued this 15th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15233; Filed, Aug. 17, 1945; 4:46 p. m.]

[Order 757 Under 3 (b)]

SOCONY-VACUUM OIL CO., INC.

AUTHORIZATION OF MAXIMUM PRICES

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

Socony-Vacuum Oil Company, Inc. of New York, is hereby authorized to sell Wax Fuel Tablets in bars designed to be broken into three tablets, in retail size packages containing four bars or twelve individual tablets, within the United States at wholesale prices not to exceed 22¾¢ per retail package ($2.73 per dozen retail packages), and the Socony-Vacuum Oil Company, Inc. and all other retailers are hereby authorized to sell Wax Fuel Tablets in the retail package described above at retail at prices not to exceed 35¢ per retail package at all points within the United States.

The following scale of dealer and jobber discounts will apply to the list retail package price of 35¢ per package ($4.20 per dozen retail packages):

Dealers: 1 to 5 Dozen—35%.
Dealers: 6 to 11 Dozen—35% and 5%.
Dealers: 12 Dozen or more—35% and 10%.
Jobbers: 12 Dozen or more—35% and 20%.

All sellers are required to maintain these discounts.

The Socony-Vacuum Oil Company, Inc. shall, for a period of 90 days place in each package of Wax Fuel Tablets a notice to retailers as follows:

The Office of Price Administration has established maximum prices for retail sales of Wax Fuel Tablets at 35¢ per retail package of four bars designed to be broken into three tablets each.

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

This Order No. 757 shall become effective the 18th day of August 1945.

Issued this 17th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15235; Filed, Aug. 17, 1945; 4:49 p. m.]

[MPR 120, Amdt. 1 to Order 1397]

JESSE NICE ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to § 1340.210 (a) (6) of Maximum Price Regulation No. 120; *It is ordered:*

Order No. 1397 under Maximum Price Regulation No. 120 is hereby amended in the following respect:

The item relating to the establishment of price classifications and maximum prices for the coals of the Nine Mile Mine of the Nine Mile Coal Company is deleted in its entirety.

This Amendment No. 1 to Order No. 1397 under Maximum Price Regulation No. 120 shall become effective August 18, 1945.

Issued this 17th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15225; Filed, Aug. 17, 1945; 4:47 p. m.]

[MPR 120, Corr. to Order 1422]

KIEFER COAL MINING CO., ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

Order No. 1422 under Maximum Price Regulation No. 120 is hereby corrected in the following respects:

1. In the item relating to the establishment of price classifications and maximum prices for the coals of the Ray's Hill No. 1 Mine, Mine Index No. 5424, in Subdistrict No. 39 of District No. 1, of Miller & Corrie, Robertsdale, Pennsylvania, the price classification "B" for Size Group No. 5 is corrected to read "C".

2. In the item relating to the establishment of price classifications and maximum prices for the coals of the Ray's Hill No. 2 Mine, Mine Index No. 5425, in Subdistrict No. 39 of District No. 1, of Miller & Corrie, Robertsdale, Pennsylvania, the price classification "A" for Size Group Nos. 1, 2, 3, 4 and 5 is corrected to read "B" for Size Group Nos. 1, 2, 3 and 4, and "C" for Size Group No. 5.

This correction to Order No. 1422 under Maximum Price Regulation No. 120 shall become effective August 18, 1945.

Issued this 17th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15226; Filed, Aug. 17, 1945; 4:47 p. m.]

[MPR 188, Rev. Order 4037]

THE MAJESTIC CO.

APPROVAL 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 § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

Order No. 4037 under § 1499.158 of Maximum Price Regulation No. 188 is amended and revised to read as follows:

(a) This revised order establishes maximum prices for sales and deliveries of an aluminum dutch oven manufactured by The Majestic Company, Huntington, Ind.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Size	Maximum prices for sales by any seller to—			
		Wholesalers (jobbers)	Department and chain stores	Other retailers	Consumers
Aluminum dutch oven—chicken fryer	10 7/16 x 6"	*Each* $3.06	*Each* $3.67	*Each* $4.09	*Each* $6.12

These maximum prices are for the articles described in the manufacturer's application dated April 12, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries on and after the effective date of this revised order. They are f. o. b. factory and are subject to a cash discount of 2% for payment within ten days, net thirty days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries made by the manufacturer on and after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$6.12
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This revised order may be revoked or amended by the Price Administrator at any time.

(e) This revised order shall become effective on the 18th day of August 1945.

Issued this 17th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15227; Filed, Aug. 17, 1945; 4:50 p. m.]

[MPR 188, Revocation of Order 4083]

SCHOEMANN AND MAYER, INC.

APPROVAL 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 § 1499.158 of Maximum Price Regulation No. 188, *It is ordered,* That Order No. 4083 under § 1499.158 of Maximum Price Regulation No. 188 is hereby revoked.

This order of revocation shall become effective on the 18th day of August 1945.

Issued this 17th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15230; Filed, Aug. 17, 1945; 4:47 p. m.]

[MPR 188, Order 4270]

GENERAL DIE AND STAMPING CO.

APPROVAL 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 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by General Die and Stamping Company, of 262 Mott Street, New York 12, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Maximum Prices for sales by any Seller to—			
	Jobber	Retailer, 3 units or more	Retailer, less than 3 units	Consumer
Bar-B-Q (motor driven)	$19.75	$23.70	$25.67	$39.50

These prices include the Federal excise tax.

These maximum prices are for the articles described in the manufacturer's application dated June 15, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$39.50
Do Not Remove or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 18th day of August 1945.

Issued this 17th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15228; Filed, Aug. 17, 1945; 4:50 p. m.]

[MPR 188, Order 4271]

CRYSTAL MART

APPROVAL 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 § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Crystal Mart, 31 East 27th Street, New York 16, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sale by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
Hand decorated opal glass table lamp base composed of base, vase, fount and disc. Over-all height, 33"	516	*Each* $11.00	*Each* $13.75	*Each* $21.75
Opal lamp base composed of base, hand decorated vase and 2 discs. Over-all height, 31"	515	7.07	9.08	16.00
Opal lamp base composed of base, vase and fount. Over-all height, 32½"	517	4.61	4.75	8.25
Opal glass table lamp base composed of base and hobnailed column. Over-all height, 32"	507	4.70	5.00	10.10
Opal glass table lamp composed of base, reeded column and fount. Over-all height, 34½"	514	5.71	6.72	12.10
Opal glass lamp base composed of base and column with swirl effect. Hand decoration on base and column. Over-all height, 23"	504	7.27	8.25	15.40
Crystal hurricane lamp composed of cut and polished base, break, two pyramids, and ball break. 10 cut prisms 8" long and hand cut and polished scalloped chimney. Height, 21"	703	*Pair* 42.00	*Pair* 50.00	*Pair* 90.00
Crystal and ruby hurricane lamp composed of pressed crystal and ruby base and breaks. Hand cut ruby chimney. Three bead prisms. Height, 17½"	709	12.75	15.00	27.00
Hand cut and polished crystal hurricane lamp with imported cut prisms. Height, 18½"	731	21.25	25.00	45.00
Crystal and ruby hurricane lamp with hand cut ruby chimney, 3 bead prisms and ruby base. Height, 15"	709	*Each* $8.50	*Each* $10.00	*Each* $18.00
Hand cut and polished crystal hurricane lamp. One bead hand cut prism 8" long. Height, 22"	735	*Pair* 42.00	*Pair* 50.00	*Pair* 90.00
Cut crystal hurricane lamp, 6" prisms with base, 3 breaks and ball break. Hand cut chimney. Height, 20"	739	*Each* 6.38	*Each* 7.50	*Each* 13.50
Crystal hurricane lamp with hand cut ruby chimney, long tear drop prisms. Height, 17"	733	*Pair* 10.63	*Pair* 12.50	*Pair* 22.50
Cut crystal hurricane lamp with cut base, ball break, pyramid and two breaks, long cut prisms	701	*Each* 17.00	*Each* 20.00	*Each* 35.00
Ruby and crystal table lamp composed of two-coat ruby hand cut base, two-cut crystal breaks, ruby cut ball, and two-coat cut ruby fount and hourglass shaped break. Height, 30½"	523	15.01	17.66	31.80
Crystal table lamp with base, round disk, ball break and fluted column with neck break. Height, 31"	520	5.63	6.62	11.40
Crystal and ruby table lamp with hand-cut ruby crystal base and vase, crystal cover for vase, neck break and ball break. Height, 32"	521	14.20	16.70	30.10
Crystal and ruby table lamp with two-coat ruby hand-cut base, cut crystal ball and two-coat ruby hand-cut vase column. Height, 33½"	522	15.96	18.78	33.80
Crystal table lamp with hand-cut and polished crystal base, ball, column and diamond break. Height, 32"	501	9.95	11.71	21.10
Cut crystal table lamp with base, break, three-ball break, two-diamond break, and three-pyramid breaks. Height, 32"	503	11.47	13.49	24.20
Crystal and ruby table lamp with two-coat ruby base, fired crystal, two-coat hand-cut ruby Victorian vase, crystal cover, 3½" cut ruby ball, and crystal diamond break. Height, 31¼"	511	12.54	14.75	26.55

These maximum prices are for the articles described in the manufacturer's application dated April 4, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacurer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the

Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model No. ------
OPA Retail Ceiling Price—$------
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobber's maximum prices for sales of the articles covered by this order shall be established under the provisions of Section 4.5 of SR 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 18th day of August 1945.

Issued this 17th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15229; Filed, Aug. 17, 1945; 4:50 p. m.]

[RMPR 499, Amdt. 1 to Order 20]

JEAN R. GRAEF, INC.

APPROVAL 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 14 of Revised Maximum Price Regulation 449, *It is ordered,* That paragraph (b) of Order No. 20 under Revised Maximum Price Regulation 499 be amended in the following respect:

1. There are added to the list of watches and maximum prices in paragraph (b) the following model numbers and maximum prices:

Style	Description	Maximum prices to retailers	Maximum retail prices exclusive of the Federal excise tax
P6894	6x8L 17J 14k gold cord watch	$24.25	$47.50
R6824	do	24.25	47.50
R6825	do	25.75	50.00
R6227	5L 17J 14k gold bracelet	85.00	150.00
R7528	7 3/4L 17J 10k gold lapel watch	30.00	60.00
R7529	do	30.00	60.00
F6842	6x8L 17J 10k gold filled cord watch	19.25	37.50
G6864	do	19.25	37.50
HC806	do	19.25	37.50
R8626	8x9L 17J 14k gold strap watch	42.50	77.50
F8638	8x9L 17J 10k gold filled strap watch	20.25	40.00
H8603	do	20.25	40.00
F8633	do	20.25	40.00
F0644	10½L 17J 10k gold filled strap watch	18.35	35.00

This amendment shall become effective on the 18th day of August 1945.

Issued this 17th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15231; Filed, Aug. 17, 1945; 4:47 p. m.]

[RMPR 499, Amdt. 1 to Order 21]

RIBAUX WATCH AGENCY

APPROVAL 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 14 of Revised Maximum Price Regulation No. 499, *It is ordered,* That Order No. 21 under Revised Maximum Price Regulation No. 499 is amended in the following respects:

1. The firm name is amended to read "Ribaux Watch Company."

2. There are added to the list of watches and maximum prices in paragraph (b) the following model numbers and maximum prices:

Style	Description	Maximum prices: Importer to wholesaler	Wholesaler to retailer	Retailer to consumer including 10% Federal excise tax
70009	17J 11½L waterproof, incabloc, stainless steel.	$14.45	$18.80	$41.25
40609	17J 11½L 10K gold filled Wadsworth case.	13.10	17.05	37.50
60009	7J 11½L chrome steel back strap.	6.95	9.05	19.75
11009	7J 11½L rolled go'd plate strap.	8.65	11.25	24.75
10609, 10709, 10809, 10909	7J 10½ rolled gold plate/steel back Wadsworth case.	8.65	11.25	24.75
10062, 10162, 10262, 10362, 10462, 10562	7J 6¾ x 8L rolled gold plate/steel back Wadsworth case.	9.65	12.55	27.50

This amendment shall become effective on the 18th day of August 1945.

Issued this 17th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15232; Filed, Aug. 17, 1945; 4:47 p. m.]

[RMPR 129, Order 14]

CERTAIN CONVERTED PAPER PRODUCTS AND CERTAIN INDUSTRIAL PAPERS

AUTHORIZATION OF ADJUSTABLE PRICING

Revised Supplementary Order 114, effective August 7, 1945, granted adjustable pricing authority to producers, converters and jobbers of certain cotton textiles pending a study of the current maximum prices of these items. In the event an increase in the price of two of these items, namely osnaburg and sheeting, is granted, manufacturers of gummed cloth tape under Revised Maximum Price Regulation 129 will be affected. Consequently, the Office of Price Administration is conducting a cost study in order to determine what resulting adjustments, if any, should be made in the maximum prices of gummed cloth tape.

This study will of necessity require conferences with the industry affected and the passage of some considerable amount of time. Unless adjustable pricing authority is granted in the interim to each of the manufacturers of gummed cloth tape to prevent the absorption of a retroactive increase in the prices of osnaburg and sheeting, the production and distribution of this commodity will be seriously endangered and the war effort impeded. The granting of such authority will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and in accordance with section 2 of Revised Maximum Price Regulation 129, *It is ordered,* That:

(1) Any manufacturer of gummed cloth tape may sell and deliver or agree to sell and deliver this commodity at the maximum prices now established under Revised Maximum Price Regulation 129 with an agreement with the purchaser to collect the difference, if any, between the manufacturer's current maximum prices and any higher maximum prices which may be established by the Office of Price Administration as a result of the proposed study of the effect of any increased prices of cotton textiles.

(2) Payments in excess of the current maximum prices of gummed cloth tape established under Revised Maximum Price Regulation 129 may be collected or paid, if and when any increase in such maximum prices has been granted by the Office of Price Administration, and the amount so collected or paid shall be the difference, if any, between the current maximum prices and any higher maximum prices hereafter granted as a result of this study.

(3) This order shall remain in effect until the proposed cost study on gummed cloth tape has been made and action of general applicability with respect to the present maximum prices of gummed cloth tape has been taken by the Office of Price Administration, unless sooner revoked.

This order shall become effective August 14, 1945.

Issued this 14th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15084; Filed, Aug. 14, 1945; 4:41 p. m.]

[RMPR 136, Order 487]

THE STUDEBAKER CORP.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 487 under Revised Maximum Price Regulation 136. Machines, parts and industrial equipment. The Studebaker Corporation; Docket No. 6083-136.21-463.

For the reasons set forth in an opinion issued simultaneously herewith and filed

with the Division of the Federal Register, and pursuant to section 21 of Revised Maximum Price Regulation 136; *It is ordered:*

(a) The Studebaker Corporation, South Bend, Indiana, is authorized to sell its Studebaker motor truck listed in subparagraph (1) below, produced under the War Production Board's 1945 allocation to date to The Studebaker Corporation for production of 4000 medium-weight trucks, when equipped with synthetic rubber tires delivered to The Studebaker Corporation on or after April 18, 1944, at a price not to exceed the total of the applicable "List Price," f. o. b. factory, South Bend, Indiana, listed in subparagraph (1) below and the applicable charges in subparagraph (2) below (subject to the discounts and allowances in effect on March 31, 1942, to the applicable class of purchasers):

(1) *Model, description, and list price f. o. b. factory, South Bend, Indiana.*

Model No.	Description	List price
M15-20	Truck, chassis and cab, one ton nominal rating, 120" wheel base, with 8' express body; with 1942 standard specifications and equipment plus the following changes and additions: military type cab; oil filter; air cleaner, auxiliary rear springs; extra sun visor; extra windshield wiper; 4-7.50 x 20 8-ply tires.	$1,170

(2) *Charges.* (i) A charge for extra, special, and optional equipment not to exceed the "List Prices" in effect on March 31, 1942 (subject to the discounts in effect on March 31, 1942, to the applicable class of purchasers), for such equipment when sold as original equipment;

(ii) A charge to cover handling and delivery expense, computed in accordance with the method that the seller had in effect on March 31, 1942;

(iii) A charge to cover freight expense, based on current freight rates and computed in accordance with the method that the seller had in effect on March 31, 1942;

(iv) A charge to include the Federal excise tax on tires and tubes and other Federal excise taxes, and State and local taxes on the truck being sold, computed in accordance with the method the seller had in effect on March 31, 1942;

(v) The dollar amount of all other charges which the seller had in effect on March 31, 1942, to the applicable class of purchasers.

(b) A reseller of Studebaker motor trucks is authorized to sell, deliver at its place of business the Studebaker motor truck listed in subparagraph (1) below produced under the War Production Board's 1945 allocation to date to The Studebaker Corporation for production of 4,000 medium-weight trucks when equipped with synthetic rubber tires delivered to The Studebaker Corporation on or after April 18, 1944, at a price not to exceed the total of the applicable "List Price" in subparagraph (1) below and the applicable charges in subparagraph (2) below (subject to the discounts in effect on March 31, 1942, to the applicable class of purchasers):

(1) *Model, description, and list price f. o. b. factory, South Bend, Indiana.*

Model No.	Description	List price
M15-20	Truck, chassis and cab, one ton nominal rating, 120" wheel base, with 8' express body; with 1942 standard specifications and equipment plus the following changes and additions: military type cab, oil filter; air cleaner, auxiliary rear springs, extra sun visor, extra windshield wiper, 4-7.50 x 20 8-ply tires.	$1,170

(2) *Charges.* (i) A charge for extra, special, and optional equipment, not to exceed the charge the reseller had in effect on March 31, 1942 to the applicable class of purchasers for such equipment, when sold as original equipment;

(ii) A charge for transportation which shall not exceed the charge The Studebaker Corporation would make for the transportation, by the means and route used, of the trucks from the factory to the place of business of the reseller;

(iii) A charge to cover Federal, State, and local taxes on the purchase, sale or delivery of the truck, computed in accordance with the method that the reseller had in effect on March 31, 1942;

(iv) A charge for handling and delivery equal to the charge that the reseller had in effect on March 31, 1942;

(v) The dollar amount of all other charges which the reseller had in effect on March 31, 1942, to the applicable class of purchasers.

(c) A reseller that cannot establish a price under paragraph (b) because it was not in business on March 31, 1942, shall determine its maximum price by adding to the applicable "List Price," f. o. b. factory, South Bend, Indiana, set forth in subparagraph (1) of paragraph (b), the following applicable charges:

(1) *Charges.* (i) A charge equal to the original equipment retail charge that The Studebaker Corporation suggested on March 31, 1942, be made by resellers for the extra, special, and optional equipment attached to the truck as original equipment;

(ii) A charge for transportation which shall not exceed the charge The Studebaker Corporation would make for the transportation, by the means and route used, of the trucks from the factory to the place of business of the reseller;

(iii) A charge equal to the charge made to the reseller by The Studebaker Corporation, in accordance with the method The Studebaker Corporation had in effect on March 31, 1942, to cover the Federal excise tax on tires and tubes and other Federal excise taxes;

(iv) A charge equal to the reseller's expense for payment of state and local taxes on the purchase, sale or delivery of the truck;

(v) A charge equal to the reseller's actual expense for handling and delivery of the truck.

(d) A reseller of Studebaker motor trucks in any of the territories or possessions of the United States is authorized to sell the truck described in paragraph (b), at a price not to exceed the applicable price established in paragraph (b) or (c), to which it may add a sum equal to the expense incurred by or charged to it, for payment of territorial and insular taxes on the purchase, sale or introduction of the truck; export premiums, boxing and crating for export purposes; marine and war risk insurance; and landing, wharfage, and terminal operations.

(e) All requests not granted herein are denied.

(f) This order may be amended or revoked by the Administrator at any time.

NOTE: Where the manufacturer has an established price under section 8 of Revised Maximum Price Regulation 136 which is different than a price permitted under paragraph (a) because of a substantial modification in design, specifications, or equipment in the truck, the reseller may add to its price under paragraph (b), (c) or (d) any increase in price to it over the price it would otherwise pay under paragraph (a) plus its customary markup on such a cost increase, but in the case of a decrease in the price under paragraph (a), the reseller must reduce its price under paragraph (b), (c), or (d) by the amount of the decrease and its customary markup on such an amount.

This order shall become effective August 14, 1945.

Issued this 14th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15087; Filed, Aug. 14, 1945; 4:41 p. m.]

[MPR 210, Order 6]

ECONOMASTER PRODUCTS CO.

APPROVAL 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 § 1372.101 of Maximum Price Regulation No. 210, *It is ordered:*

(a) This order establishes maximum prices for all sales at wholesale and retail of the Model D "Economaster" heater manufactured by Economaster Products Co., 117 Ninth Avenue, North, Nashville, Tennessee, as follows:

Article	Model	Maximum prices for sales by—		
		Wholesalers to retailers		Retailers to consumers
		Lots of 3 or more	Lots of less than 3	
Economaster electric heater	D	*Each* $5.01	*Each* $5.45	*Each* $9.10

These maximum prices apply to all sales and deliveries after the effective date of this order. They include the Federal excise tax.

(1) For sales by wholesalers to retailers these maximum prices are f. o. b. the wholesaler's city.

(2) For sales by all sellers these prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(b) At the time of, or prior to, the first invoice to each purchaser for resale, the manufacturer and all other sellers shall notify the purchaser in writing of the

maximum prices and conditions established by this order for sales at wholesale and retail. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

(d) This order shall become effective on the 20th day of August 1945.

Issued this 18th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15297; Filed, Aug. 18, 1945; 11:59 a. m.]

[RMPR 528, Order 59]

B. F. GOODRICH CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and filed with the Division of the Federal Register, and pursuant to section 16 (d) of Revised Maximum Price Regulation 528, *It is ordered:*

(a) The maximum retail price for a new 21.00-24, 24 ply, Super Traction cotton tire manufactured by The B. F. Goodrich Company of Akron, Ohio, shall be $828.55 each.

(b) All provisions of Revised Maximum Price Regulation 528 not inconsistent with this order shall apply to sales covered by this order.

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

[RMPR 528, Order 58]

THE PHARIS TIRE & RUBBER CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and filed with the Division of the Federal Register, and pursuant to section 16 (d) of Revised Maximum Price Regulation 528, *It is ordered:*

(a) The maximum retail prices for wheelbarrow, industrial pneumatic and lawn mower tires and wheelbarrow tubes manufactured by The Pharis Tire & Rubber Company, Newark, Ohio, in the following types and sizes shall be:

Size	Ply	Type	Maximum retail price, per tire: Rib tread	Maximum retail price, per tire: Power tread	Maximum retail price, per tube
		Wheelbarrow			
4.00-8	2	Pneumatic	$4.60	$5.15	$1.65
4.00-8	4	Pneumatic	5.30	6.10	1.65
4.00-8	6	Pneumatic	6.11	7.22	1.65
10.50 x 2.75	2	Semi-pneumatic	$2.50		
		Lawn mower			
10.50 x 1.75		Pneumatic	$2.25		
10.50 x 1.75		Semi-pneumatic	1.90		
10.50 x 1.75		Solid	1.65		
		Industrial pneumatic			
4.00-8	4		$7.75		
4.00-8	6		9.10		

(b) All provisions of Revised Maximum Price Regulation 528 not inconsistent with this order shall apply to sales covered by this order.

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

This order shall become effective August 18, 1945.

Issued this 17th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15299; Filed, Aug. 18, 1945; 12 m.]

[Supp. Order 108,[1] Special Order 2]

MANUFACTURERS' MAXIMUM AVERAGE PRICES FOR CERTAIN ITEMS OF APPAREL AND APPAREL ACCESSORIES

SPECIAL PROVISIONS APPLICABLE TO MANUFACTURERS WHO PRODUCE SPECIFIED COTTON AND WOOL MACHINE KNITTED APPAREL ITEMS UNDER SCHEDULE B TO WAR PRODUCTION BOARD CONSERVATION ORDER M-328B

An opinion accompanying this Special Order No. 2, under section 17 of Supplementary Order 108 has been issued simultaneously herewith and filed with the Division of the Federal Register.

SECTION 1. *Purpose of this order.* The purpose of this special order is to provide an optional method of operation which will enable manufacturers who produce items of machine knitted apparel listed in Schedule B to War Production Board Conservation Order M-328B to comply with the WPB's requirements under that order without being subject to the maximum average price limitation of section 5 of SO 108 or the surcharge provisions of section 6 of SO 108 on deliveries of those items, during the period ending September 30, 1945.

SEC. 2. *What this order does.* If, during the period ending September 30, 1945, you manufacture any machine-knitted item of apparel listed in Schedule B to Order M-328B of the WPB under a grant of priorities assistance issued by the WPB under that program, and if your production of that item is in the quantities, and at the prices, specified by the WPB, this order permits you, at your option, either to continue to remain subject to all of the provisions of SO 108 with respect to your deliveries of that item during the period ending September 30, 1945, or to operate under the provisions of this special order with respect to your deliveries of that item during that period. In the latter case, you are required to report your election to the OPA within the time, and in the manner, prescribed in section 3 of this order.

SEC. 3. *Report to OPA of election under this special order.* If you apply to the WPB for priorities assistance for cotton, worsted or woolen yarn under Schedule B to Order M-328B and receive an allocation of yarn for the production of any knitwear item specified in that program, and if you elect to operate under the provisions of this special order with respect to deliveries of that item made during the period ending September 30, 1945 you must, within thirty days from the date you receive the WPB yarn allocation, send by registered mail, to OPA, Knitwear and Hosiery Section, Washington 25, D. C., a notice of election, in duplicate, setting forth:

(1) Your business name and address;

(2) Your WPB serial number (or case number) under Schedule B to Order M-328B;

(3) The date on which you received your allocation of yarn for the third calendar quarter of 1945 from WPB under Schedule B to Order M-328B;

(4) A statement that you elect to operate under the provisions of Special Order No. 2 under SO 108 with respect to your deliveries, during the period June 1 through September 30, 1945, of the machine-knitted items (to be listed below) to be produced under WPB Schedule B to Order M-328B, which are included in the designated categories of SO 108 (for which you have base periods under section 2 of SO 108).

Item (as designated in WPB Schedule B to Order M-328B)	*Number and title of category* of SO 108 in which this item is included

NOTE: If you do not have a base period under SO 108 for any category which includes any item to be produced by you under Schedule B to WPB Order M-328B you are not permitted to operate under the provisions of this special order with respect to that category. You should therefore not list such category in this report of election.

SEC. 4. *Failure to notify OPA of election.* If you do not report to OPA your election to operate under this special order in the manner, and within the time, provided for in section 3 above, you will continue to remain subject to all provi-

[1] 10 F.R. 4336, 5994, 6402, 7008, 8368.

sions of SO 108 with respect to your deliveries of all items within a category of SO 108 whether or not you produce any of those items under a grant of priorities assistance under Schedule B to WPB Order M-328B.

SEC. 5. *How you operate under this special order.* (a) If you have failed to send the report of election required under section 3 above, the following provisions of this special order will not apply to you.

(b) If you elect to operate under this special order and have properly reported your election to do so, as required in section 3 above, and if you produce any item of machine knitted apparel during the third calendar quarter of 1945 under Schedule B to WPB Order M-328B, the following rules will apply to you.

Rule 1. Where your deliveries within a category of SO 108 consist solely of machine knitted items listed in Schedule B to WPB Order M-328B. If, during the period June 1 through September 30, 1945, your deliveries of items included in a category of SO 108 consist only of machine-knitted items as to which you have obtained a grant of priorities assistance under Schedule B to WPB Order M-328B for the third calendar quarter of 1945 under that WPB order, your deliveries in that category during that period are not subject to the maximum average price limitation of section 5 of SO 108, the surcharge provisions of section 6 of SO 108, or the makeup operation provisions of section 7 of SO 108. Also, you are not required to include your deliveries of items in that category in the quarterly report which you are required to file under section 12 (b) of SO 108.

Under this order an item is considered to be one for which you have received priorities assistance under Schedule B to WPB Order M-328B if, at any time during the third calendar quarter of 1945, you have received an allocation for that item under that WPB order even though some of your deliveries of that item are not made of yarns allocated under that order.

For example: You are a manufacturer of men's sweat shirts. Men's sweat shirts are included in Category E-115 of SO 108 under "E-115, Sweat Shirts: Men's—All Yarns and Mixtures." Between June 1 and July 15, 1945 you delivered 300 dozen men's cotton sweat shirts at a weighted average price of $7.00 per dozen. On July 15, 1945 you applied to the WPB for priorities assistance for cotton yarn under Schedule B to Order M-328B to make 1000 dozen cotton sweat shirts (item C-4 in Preference Rating Schedule Number 1 of Schedule B to WPB Order M-328B) during the third calendar quarter of 1945. Between July 15 and September 30, 1945 you obtain the necessary yarn under priorities and manufacture the 1000 dozen cotton sweat shirts at the prices called for in your WPB allocation. The only men's sweat shirts which you deliver during the period from June 1 through September 30, 1945 are men's cotton sweat shirts. Therefore, since your deliveries in Category E-115 of SO 108 during the period between June 1 through September 30, 1945 consist solely of cotton sweat shirts covered by Schedule B to WPB Order M-328B your deliveries in that category (including those sweat shirts delivered between June 1 and July 15, 1945) are not subject to the maximum average price limitation of section 5 of SO 108 or the surcharge provisions of section 6 of SO 108 and do not have to be included in your quarterly report to OPA under section 12 (b) of SO 108.

NOTE: In the above example the 300 dozen men's cotton sweat shirts delivered by you between June 1 and July 15, 1945 are also excluded under this rule since they are an "item" which you produce during the balance of the calendar quarter under Schedule B to WPB Order M-328B. However, if at any time during the period June 1 through September 30, 1945 you delivered any men's wool sweat shirts, you would be governed by Rule 3 below rather than this Rule 1 since men's wool sweat shirts are not an item listed in Schedule B to WPB Order M-328B.

Rule 2. Where your deliveries within a category of SO 108 consist solely of items other than machine knitted items as to which you have obtained priorities assistance under Schedule B to WPB Order M-328B. If, during the period June 1 through September 30, 1945, none of the items which you deliver in a category of SO 108 are machine-knitted items as to which you have obtained a grant of priorities assistance under Schedule B to WPB Order M-328B, all your deliveries in that category during that period remain subject to all of the provisions of SO 108.

For example: During the period June 1 through September 30, 1945 you deliver 1000 dozen men's wool bathing suits (Category E-100 of SO 108). Men's bathing suits are not one of the items for which priorities yarn is allocated under Schedule B to WPB Order M-328B. Therefore, all of your deliveries in Category E-100 remain subject to all of the provisions of SO 108.

Rule 3. Where your deliveries within a category include both machine-knitted items as to which you received priorities assistance under Schedule B to WPB Order M-328B and other items not listed in that schedule. If, during the period June 1 through September 30, 1945 you make deliveries in a category of SO 108 of both machine-knitted items as to which you have obtained a grant of priorities assistance under Schedule B to WPB Order M-328B and other items as to which no priorities assistance was granted to you by the WPB under that program, you treat your deliveries of these two kinds of items separately, in the following manner:

(i) Your deliveries, during that period, of those machine-knitted items as to which you have obtained a grant of priorities assistance under Schedule B to WPB Order M-328B are not subject to the maximum average price limitation of section 5 of SO 108, the surcharge provisions of section 6 of SO 108 or the makeup operation provisions of section 7 of SO 108. Your deliveries of these machine-knitted items are excluded in computing your weighted average price for that category for the period June 1 through September 30, 1945.

(ii) Your deliveries, during that period, of those items in the category as to which you did not obtain any grant of priorities assistance under Schedule B to WPB Order M-328B, remain subject to the maximum average price limitation of section 5 of SO 108 and to all other provisions of that supplementary order.

(iii) However, since your maximum average price for the category under SO 108 was the weighted average price at which you delivered all items within that category during the appropriate base period (selected by you for the category under section 2 of SO 108), and since you now exclude your deliveries of those items which you produce under the WPB program in determining your weighted average price for the category (as provided in (i) above), you must re-figure your base period maximum average price for that category. You find such re-figured maximum average price for the category by excluding from your base period deliveries of items in that category your deliveries of those machine knitted items of apparel which you produce under Schedule B to WPB Order M-328B during the third quarter of 1945. In re-figuring your maximum average price for the category you may, if you wish, choose quarter, annual or half-yearly base periods, although you originally selected different length base periods for the category.

For example: In your base period under SO 108 you delivered 800 dozen men's athletic shirts ("Category E-92-Athletic shirts: Men's—all Yarns and Mixtures"). Of these, 200 dozen were *rayon* which were delivered at $8.00 per dozen, 200 dozen more were *rayon*, which you delivered at $10.00 per dozen, 200 dozen were *cotton*, delivered at $6.00 per dozen and the remaining 200 dozen also were *cotton*, delivered at $4.00 per dozen. Your maximum average price for category E-92 was therefore $7.00 per dozen (200×$8.00+200×$10.00+200×$6.00+200×$4.00=$5600. $5600÷800=$7.00).

During the period from July 1 to July 15, 1945, you delivered 200 dozen men's *rayon* athletic shirts at $3.00 per dozen and 300 dozen men's *cotton* athletic shirts at $6.00 per dozen. On July 15, 1945 you apply for, and receive an allocation from WPB for cotton yarn to produce 500 dozen men's *cotton* athletic shirts under Schedule B to WPB Order M-328B (item B-9 under that WPB order). Between July 15 and September 30, 1945 you produce and deliver these 500 dozen men's *cotton* athletic shirts at the prices specified in your WPB allocation. Between July 15 and September 30, 1945 you also deliver 200 dozen men's *rayon* athletic shirts which are not included in the WPB program.

Under Rule 3, therefore, your deliveries of men's *cotton* athletic shirts (including those delivered between June 1 and July 15, 1945) are excluded in computing your weighted average price for Category E-92. The weighted average price at which you delivered your 400 dozen men's *rayon* athletic shirts during the period June 1 through September 30, 1945 should not exceed your refigured maximum average price for that category. Your re-figured maximum average price for the category is determined on the basis of your deliveries of men's rayon athletic shirts only during the base period. In this case, your re-figured maximum average price is $9.00 per dozen (200 × $8.00 + 200 × $10.00 =$3600. $3600 ÷ 400 = $9.00). Thus the weighted average price at which you deliver the 400 dozen men's rayon athletic shirts during the period June 1 through September 30, 1945 should not exceed your re-figured maximum average price of $9.00.

NOTE: If you choose to use a different length base period in re-figuring your maximum average price for the category, you may do so provided the new base period selected by you is an appropriate one under section 2 of SO 108.

Rule 4. Where you do not have a base period under section 2 of SO 108 for a category. Where you have been unable to establish a base period under section 2 of SO 108 for any category and have, therefore, been required to file an application with your OPA District Office for a maximum average price for that category under section 9 of SO 108, you are not permitted to operate under Rules 1 or 3 with respect to that category. Accordingly, all of your deliveries of the items included in that category remain subject to all the provisions of SO 108 notwithstanding the fact that you received priorities assistance under Schedule B to WPB Order M-328B as to some of the items delivered by you in that category.

SEC. 6. *Re-figured maximum average price charts.* If you operate under Rule 3 of section 5 of this special order and are therefore required to re-figure a maximum average price for any category, you must file, (together with your MAP report for the third quarter of 1945) with your OPA District Office, on or before October 20, 1945, two copies (signed by an owner, officer or principal) of a new maximum average price chart containing the information required by section 4 (b) of SO 108 for each category for which you are required to re-figure a maximum average price under that rule.

NOTE: Although you are not required to file this re-figured maximum average price chart before October 20, 1945, if you obtain an allocation from WPB for the third calendar quarter under Schedule B to Order M-328B and you have categories which include items listed in that WPB program and other items not listed in that program, you should, immediately upon receipt of your WPB allocation re-figure your maximum average price for each category which includes these two kinds of items. This will enable you to arrange your subsequent deliveries of those items which will remain subject to SO 108 so that you will not exceed your re-figured maximum average price for the category.

SEC. 7. *Quarterly reports under section 12 (b) of SO 108.* The quarterly report which you are required to file with your OPA District Office under section 12 (b) of SO 108 must contain all of the information required under that section for your deliveries, during the period June 1 through September 30, 1945, of the remaining items (those not included in your WPB allocation) in the categories for which re-figured maximum average prices are established under this special order.

SEC. 8. *Invoices, records, reports.* (a) If you file a report of election under this special order, as provided in section 3 above, you must keep a copy of that report available for inspection by the OPA.

(b) If you operate under rule 3 of section 5 of this special order with respect to any category, you must keep and make available for inspection by the OPA, a copy of your re-figured maximum average price chart.

(c) Although you operate under Rule 1 or Rule 3 of section 5 of this special order, you are required to comply with the provisions of section 11 of SO 108 (Invoices) and of paragraphs 1, 2 and 3 of section 12 (a) of SO 108 (Records) with respect to all items included in a category of SO 108, whether or not any of these items are produced by you under Schedule B to WPB Order M-328B. You are not subject to the provisions of section 12 (a) (4), section 12 (b) or section 14, of SO 108 with respect to your deliveries of those machine-knitted items listed in Schedule B to WPB Order M-328B as to which you obtain priorities assistance for the third calendar quarter of 1945.

This special order shall become effective August 18, 1945.

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

Issued this 18th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15296; Filed, Aug. 18, 1945; 11:54 a. m.]

[RMPR 136, Order 489]

RICE & ADAMS CORP.

DETERMINATION OF MAXIMUM PRICES

Order No. 489 under Revised Maximum Price Regulation 136. Machines, parts and industrial equipment; Rice and Adams Corporation, Docket No. 6083-136.21-436.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 21 of Revised Maximum Price Regulation 136, *It is ordered:*

(a) The maximum prices for sales by Rice and Adams Corporation, 1144 Military Road, Buffalo 17, New York, of the following dairy equipment shall be determined as follows:

The manufacturer shall increase the maximum net price he had in effect to a purchaser of the same class just prior to the issuance of this order by the applicable percentage set forth below:

#10-8 Can Washers, 10%.
#8-6 Can Washers, 5%.
Rotary Can Washers, 13%.
Octagon Can Washers, 10%.
Bottle Washers, 23%.
S. W. Bottle Washers, 29%.
Power Conveyors, 27%.
Stainless Steel Equipment, 12%.
Miscellaneous Equipment, 2%.

(b) The maximum prices for sales of the dairy equipment listed under (a) by resellers shall be determined as follows: The reseller shall add to the maximum net price he had in effect to a purchaser of the same class, just prior to the issuance of this order, the amount, in percent, by which his net invoiced cost has been increased due to the adjustment granted the manufacturer by this order.

(c) The Rice and Adams Corporation shall notify each person who buys the dairy equipment listed in (a) for resale of the percentage amount by which this order permits the reseller to increase his maximum net price. A copy of each such notice shall be filed with the Machinery Branch, Office of Price Administration, Washington, D. C.

(d) All requests not granted herein are denied.

This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective August 21, 1945.

Issued this 20th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15375; Filed, Aug. 20, 1945; 11:42 a. m.]

[RMPR 136, Order 490]

MUMMERT-DIXON CO.

DETERMINATION OF MAXIMUM PRICES

Order No. 490 under Revised Maximum Price Regulation 136. Machines, parts and industrial equipment; Mummert-Dixon Company, Docket No. 6083-136.21-466.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 21 of Revised Maximum Price Regulation 136, *It is ordered:*

(a) The maximum prices for sales by all sellers (manufacturers and resellers) of the following Oilstone Tool Grinders manufactured by the Mummert-Dixon Company, Hanover, Pennsylvania, shall be determined as follows: The seller shall add the amounts shown below to the maximum net price he had in effect to a purchaser of the same class, just prior to the issuance of this order:

Item:	*Maximum increase*
Model #475	$160
Model #450	134
Model #425	86

(b) The Mummert-Dixon Company shall notify each person who buys Models #475, 450 and 425 Oilstone Tool Grinders for resale of the dollar and cent amounts by which this order permits the reseller to increase his maximum net prices. A copy of each such notice shall be filed with the Machinery Branch, Office of Price Administration, Washington 25, D. C.

(c) On or before February 15, 1946, the Mummert-Dixon Company shall submit to the Machinery Branch, Office of Price Administration, Washington 25, D. C., a profit and loss statement for 1945 and a breakdown of current costs for Models #425, 450 and 475 Oilstone Tool Grinders.

(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 August 21, 1945.

Issued this 20th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15376; Filed, Aug. 20, 1945; 11:42 a. m.]

[RMPR 136, Order 491]

FARADAY ELECTRIC CORP.

DETERMINATION OF MAXIMUM PRICES

Order No. 491 under Revised Maximum Price Regulation 136. Machines, parts and industrial equipment; Faraday Electric Corporation, Docket No. 6083-136 21-438.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 21 of Revised Maximum Price Regulation 136; *It is ordered:*

(a) The maximum price list discount structure of the Faraday Electric Corporation, Adrain, Michigan, for the sale of its products shall be its Price List of Electric Signals as shown in Faraday Catalog No. 61 and Distributor's Schedule of Discounts effective November 1, 1944.

(b) The maximum prices for sales by resellers of these products shall be determined by the application of the discount schedule such reseller had in effect to a purchaser of the same class just prior to the issuance of this Order, to the list price as published by the Faraday Electric Corporation permitted by this order.

(c) Faraday Electric Corporation shall notify each person who buys their products for resale the method of computation this order fixes for the resale of its

products. A copy of each such notice shall be filed with the Machinery Branch, Office of Price Administration, Washington 25, D. C.

(d) On or before February 19, 1946, Faraday Electric Corporation shall file with the Machinery Branch, Office of Price Administration, Washington 25, D. C., a report for the 6 months period following the issuance of this order showing its unit and dollar volume of sales of its products at the maximum prices established by this order, and at the maximum prices in effect just prior to the issuance of this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective August 21, 1945.

Issued this 20th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15377; Filed, Aug. 20, 1945; 11:42 a. m.]

Regional and District Office Orders.

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register August 8, 1945.

REGION I

Boston Order 7-F, Amendment 8, covering fresh fruits and vegetables in certain areas in the Boston Area. Filed 9:03 a. m.

Concord Order 3-W, Amendment 5, covering dry groceries. Filed 3:42 p. m.

Concord Order 9-F, Amendment 12, covering fresh fruits and vegetables in certain areas in New Hampshire. Filed 9:23 a. m.

Montpelier Order 2-F, Amendment 11, covering fresh fruits and vegetables in certain areas in Vermont. Filed 9:14 a. m.

REGION II

Binghamton Order 2-F, Amendment 42, covering fresh fruits and vegetables in certain counties in New York. Filed 9:23 a. m.

Philadelphia Order 6-F, Amendment 37, covering fresh fruits and vegetables in the city and county of Philadelphia. Filed 9:29 a. m.

Philadelphia Order 11-F, Amendment 12, covering fresh fruits and vegetables in certain counties in Pennsylvania. Filed 9:29 a. m.

Philadelphia Order 12-F, Amendment 12, covering fresh fruits and vegetables in certain counties in Pennsylvania. Filed 9:29 a. m.

Scranton Order 4-F, Amendment 33, covering fresh fruits and vegetables in certain counties in Pennsylvania. Filed 9:29 a. m.

Scranton Order 18, Amendment 2, covering dry groceries in certain counties in Pennsylvania. Filed 3:42 p. m.

Syracuse Order 3-F, Amendment 38, covering fresh fruits and vegetables in Utica, Syracuse and Watertown, New York. Filed 9:13 a. m.

Syracuse Order 3-F, Amendment 39, covering fresh fruits and vegetables in Utica, Syracuse and Watertown, New York. Filed 9:13 a. m.

Syracuse Order 4-F, Amendment 26, covering fresh fruits and vegetables in certain areas in New York. Filed 9:13 a. m.

Trenton Order 12-F, Amendment 18, covering fresh fruits and vegetables in certain counties in New Jersey. Filed 9:30 a. m.

Williamsport Order 2-F, Amendment 47, covering fresh fruits and vegetables in certain counties in Pennsylvania. Filed 9:30 a. m.

Wilmington Order 4-F, Amendment 44, covering fresh fruits and vegetables in the entire state of Delaware. Filed 9:23 a. m.

REGION III

Cincinnati Order 4-F, Amendment 30, covering fresh fruits and vegetables in Hamilton County, Ohio. Filed 9:24 a. m.

Cincinnati Order 8-F, covering fresh fruits and vegetables in certain areas in Ohio. Filed 9:24 a. m.

Cleveland Order F-1, Amendment 50, covering fresh fruits and vegetables in Cuyahoga County, Ohio. Filed 9:24 a. m.

Cleveland Order 3-F, Amendment 50, covering fresh fruits and vegetables in Mahoning and Trumbull Counties, Ohio. Filed 9:24 a. m.

Cleveland Order 4-F, Amendment 50, covering fresh fruits and vegetables in Stark and Summit Counties, Ohio. Filed 9:25 a. m.

Detroit Order 5-F, Amendment 25, covering fresh fruits and vegetables in Wayne and Macomb Counties, Michigan. Filed 9:24 a. m.

Grand Rapids Order 14-F (Appendix C), Amendment 58, covering fresh fruits and vegetables in certain counties in Michigan. Filed 3:34 p. m.

Grand Rapids Order 14-F (Appendix A), Amendment 84, covering fresh fruits and vegetables in Grand Rapids, Michigan. Filed 3:33 p. m.

Lexington Order 5-F, Amendment 18, covering fresh fruits and vegetables in Fayette County, Kentucky. Filed 9:25 a. m.

Lexington Order 6-F, Amendment 18, covering fresh fruits and vegetables in Campbell and Kenton Counties, Kentucky. Filed 9:25 a. m.

Lexington Order 7-F, Amendment 18, covering fresh fruits and vegetables in Boyd County, Kentucky. Filed 9:25 a. m.

REGION IV

Atlanta Order 7-F, Amendment 12, covering fresh fruits and vegetables in certain areas in Georgia. Filed 9:30 a. m.

Atlanta Order 8-F, Amendment 12, covering fresh fruits and vegetables in certain areas in Georgia. Filed 9:30 a. m.

Atlanta Order 9-F, Amendment 15, covering fresh fruits and vegetables in Phenix City, Alabama and Bibb and Muscogee Counties, Georgia. Filed 9:13 a. m.

Birmingham Order 1-O, Amendment 4, covering eggs in the certain counties in the Birmingham Area. Filed 3:36 p. m.

Birmingham Order 2-O, Amendment 4, covering eggs in certain counties in the Birmingham Area. Filed 3:37 p. m.

Birmingham Order 3-O, Amendment 4, covering eggs in certain counties in the Birmingham Area. Filed 3:37 p. m.

Birmingham Order 4-F, Amendment 14, covering fresh fruits and vegetables in the Birmingham Area. Filed 3:37 p. m.

Columbia Order 7-F, Amendment 10, covering fresh fruits and vegetables in the entire state of South Carolina. Filed 3:38 p. m.

Jackson Order 4-F, Amendment 41, covering fresh fruits and vegetables in certain areas in Mississippi. Filed 9:26 a. m.

Jackson Order 5-F, Amendment 8, covering fresh fruits and vegetables in certain areas in Mississippi. Filed 9:29 a. m.

Miami Order 1-F, Amendment 25, covering fresh fruits and vegetables in certain areas in Florida. Filed 3:43 p. m.

Miami Order 2-F, Amendment 23, covering fresh fruits and vegetables in Tampa, Florida. Filed 3:43 p. m.

Miami Order 4-F, Amendment 11, covering fresh fruits and vegetables in Monroe County, Florida. Filed 3:43 p. m.

Roanoke Order 12-F, Amendment 10, covering fresh fruits and vegetables in certain areas in Virginia. Filed 3:33 p. m.

Savannah Order 7-F, Amendment 41, covering fresh fruits and vegetables in certain areas in Georgia. Filed 9:26 a. m.

Savannah Order 9-F, Amendment 41, covering fresh fruits and vegetables in certain areas in Georgia. Filed 9:26 a. m.

Savannah Order 10-F, Amendment 41, covering fresh fruits and vegetables in certain areas in Georgia. Filed 9:26 a. m.

Savannah Order 12-F, Amendment 11, covering fresh fruits and vegetables in certain areas in Georgia. Filed 9:27 a. m.

Savannah Order 13-F, Amendment 5, covering fresh fruits and vegetables in certain areas in Georgia. Filed 3:27 p. m.

REGION V

Fort Worth Order 7-F, Amendment 17, covering fresh fruits and vegetables in Tarrant County, Texas. Filed 9:17 a. m.

Fort Worth Order 8-F, Amendment 17, covering fresh fruits and vegetables in Taylor County, Texas. Filed 9:18 a. m.

Fort Worth Order 9-F, Amendment 17, covering fresh fruits and vegetables in Tom Green County, Texas. Filed 9:18 a. m.

Fort Worth Order 10-F, Amendment 17, covering fresh fruits and vegetables in McLennan County, Texas. Filed 9:18 a. m.

Fort Worth Order 11-F, Amendment 17, covering fresh fruits and vegetables in Wichita County, Texas. Filed 9:18 a. m.

Fort Worth Order 13-F, covering fresh fruits and vegetables in Tarrant County, Texas. Filed 3:29 p. m.

Fort Worth Order 14-F, covering fresh fruit and vegetables in Taylor County, Texas. Filed 3:30 p. m.

Houston Order 1-F, Amendment 64, covering fresh fruits and vegetables in certain areas in Texas. Filed 9:18 a. m.

Houston Order 3-F, Amendment 52, covering fresh fruits and vegetables in Orange and Jefferson Counties, Texas. Filed 9:19 a. m.

Little Rock Order 4-F, Amendment 55, covering fresh fruits and vegetables in Miller County, Arkansas. Filed 9:19 a. m.

Little Rock Order 8-F, covering fresh fruits and vegetables in certain areas in Arkansas. Filed 9:20 a. m.

Little Rock Order 10-F, covering fresh fruits and vegetables in certain areas in Arkansas. Filed 9:20 a. m.

Little Rock Order 10-F, Amendment 1, covering fresh fruits and vegetables in Garland County, Arkansas. Filed 9:27 a. m.

Little Rock Order 11-F, covering fresh fruits and vegetables in certain areas in Arkansas. Filed 9:23 a. m.

Little Rock Order 11-F, Amendment 1, covering fresh fruits and vegetables in Sebastian and Crawford Counties, Arkansas. Filed 9:28 a. m.

Lubbock Order 3-F, Amendment 64, covering fresh fruits and vegetables. Filed 9:16 a. m.

Lubbock Order 6-F, covering fresh fruits and vegetables in certain areas in Lubbock County, Texas. Filed 3:28 p. m.

Lubbock Order 7-F, covering fresh fruits and vegetables in certain areas in Texas. Filed 3:33 p. m.

New Orleans Order 27-C, Amendment 7, covering poultry in certain areas in Louisiana. Filed 3:30 p. m.

New Orleans Order 28-C, Amendment 7, covering poultry in certain areas in Louisiana. Filed 3:31 p. m.

San Antonio Order 2-C, covering poultry in certain counties in Texas. Filed 3:33 p. m.

San Antonio Order 3-C, covering poultry in certain counties in Texas. Filed 3:34 p. m.

Shreveport Order G-17, Amendment 7, covering eggs in certain areas in Louisiana. Filed 3:34 p. m.

St. Louis Order 4-F, Amendment 1, covering fresh fruits and vegetables in St. Louis City and County, Missouri. Filed 3:33 p. m.

REGION VI

Chicago Order 2-F, Amendment 70, covering fresh fruits and vegetables in certain

areas in Illinois and Lake County, Indiana. Filed 9:02 a. m.

Des Moines Order 1-F, Amendment 72, covering fresh fruits and vegetables in Des Moines, Polk County, Iowa. Filed 9:01 a. m.

Des Moines Order 2-F, Amendment 26, covering fresh fruits and vegetables in certain areas in Iowa. Filed 9:01 a. m.

Des Moines Order 3-F, Amendment 20, covering fresh fruits and vegetables in certain counties in Iowa. Filed 9:01 a. m.

Duluth-Superior Order 1-F, Amendment 78, covering fresh fruits and vegetables in certain areas in Minnesota. Filed 9:02 a. m.

Green Bay Order 4-F, Amendment 22, covering fresh fruits and vegetables in certain areas in Wisconsin. Filed 9:05 a. m.

Green Bay Order 4-F, Amendment 23, covering fresh fruits and vegetables in certain areas in Wisconsin. Filed 9:17 a. m.

Green Bay Order 4-F, Amendment 25, covering fresh fruits and vegetables in certain counties in Wisconsin. Filed 3:31 p. m.

Green Bay Order 5-F, Amendment 22, covering fresh fruits and vegetables in certain counties in Wisconsin. Filed 9:05 a. m.

Green Bay Order 5-F, Amendment 25, covering fresh fruits and vegetables in certain areas in Wisconsin. Filed 3:31 p. m.

Green Bay Order 6-F, Amendment 22, covering fresh fruits and vegetables in Florence, Forest, and Marinette. Filed 9:06 a. m.

Green Bay Order 6-F, Amendment 25, covering fresh fruits and vegetables in Florence, Forest and Marinette. Filed 3:31 p. m.

La Crosse Order 1-F, Amendment 77, covering fresh fruits and vegetables in certain areas in Wisconsin and Winona, Minnesota. Filed 9:01 a. m.

La Crosse Order 1-F, Amendment 78, covering fresh fruits and vegetables in La Crosse and Sparta, Wisconsin and Winona, Minnesota. Filed 8:59 a. m.

La Crosse Order 1-F, Amendment 79, covering fresh fruits and vegetables in La Crosse and Sparta, Wisconsin and Winona, Minnesota. Filed 8:59 a. m.

La Crosse Order 1-F, Amendment 81, covering fresh fruits and vegetables in La Crosse and Sparta, Wisconsin and Winona, Minnesota. Filed 3:27 p. m.

La Crosse Order 1-F, Amendment 82, covering fresh fruits and vegetables in La Crosse and Sparta, Wisconsin and Winona, Minnesota. Filed 3:27 p. m.

La Crosse Order 2-F, Amendment 22, covering fresh fruits and vegetables in certain areas in Wisconsin and Minnesota. Filed 9:06 a. m.

La Crosse Order 2-F, Amendment 23, covering fresh fruits and vegetables in certain areas in Wisconsin and Minnesota. Filed 3:30 p. m.

La Crosse Order 3-F, Amendment 72, covering fresh fruits and vegetables in Eau Claire and Chippewa Falls, Wisconsin. Filed 8:58 a. m.

La Crosse Order 3-F, Amendment 73, covering fresh fruits and vegetables in Eau Claire and Chippewa Falls, Wisconsin. Filed 8:58 a. m.

La Crosse Order 3-F, Amendment 74, covering fresh fruits and vegetables in Eau Claire and Chippewa Falls, Wisconsin. Filed 8:58 a. m.

La Crosse Order 3-F, Amendment 76, covering fresh fruits and vegetables in Eau Claire and Chippewa Falls, Wisconsin. Filed 9:23 a. m.

La Crosse Order 5-F, Amendment 71, covering fresh fruits and vegetables in Rochester, Minnesota. Filed 8:58 a. m.

La Crosse Order 5-F, Amendment 72, covering fresh fruits and vegetables in Rochester, Minnesota. Filed 8:57 a. m.

La Crosse Order 5-F, Amendment 73, covering fresh fruits and vegetables in Rochester, Minnesota. Filed 9:07 a. m.

Peoria Order 7-F, Amendment 16, covering fresh fruits and vegetables in certain areas in Illinois. Filed 3:31 p. m.

Peoria Order 8-F, Amendment 16, covering fresh fruits and vegetables in certain areas in Illinois. Filed 3:32 p. m.

Peoria Order 9-F, Amendment 16, covering fresh fruits and vegetables in certain areas in Illinois. Filed 3:32 p. m.

Peoria Order 10-F, Amendment 16, covering fresh fruits and vegetables in certain areas in Illinois. Filed 3:32 p. m.

Quad-Cities Order 2-F, Amendment 44, covering fresh fruits and vegetables in certain areas in Illinois and Iowa. Filed 9:06 a. m.

Sioux City Order 2-F, Amendment 82, covering fresh fruits and vegetables in Sioux City, Iowa and South Sioux City, Nebraska. Filed 9:28 a. m.

Sioux Falls Order 2-F, Amendment 8, covering fresh fruits and vegetables in certain areas in Sioux Falls, South Dakota. Filed 3:34 p. m.

Sioux Falls Order 3-F, Amendment 7, covering fresh fruits and vegetables in certain areas in South Dakota and Iowa. Filed 3:35 p. m.

Sioux Falls Order 4-F, Amendment 7, covering fresh fruits and vegetables in certain areas in South Dakota and Iowa. Filed 3:35 p. m.

Twin Cities Order 1-F, Amendment 24, covering fresh fruits and vegetables in St. Paul and Minneapolis. Filed 9:06 a. m.

Twin Cities Revised Order 1-F, Amendment 27, covering fresh fruits and vegetables in St. Paul and Minneapolis. Filed 9:28 a. m.

REGION VII

Boise Order 6-F, Amendment 2, covering fresh fruits and vegetables in certain areas in Idaho. Filed 9:28 a. m.

Boise Order 5-F, Amendment 3, covering fresh fruits and vegetables in certain areas in Idaho. Filed 9:28 a. m.

Denver Order 4-F, Amendment 7, covering fresh fruits and vegetables in Denver Area. Filed 3:35 p. m.

Denver Order 5-F, Amendment 7, covering fresh fruits and vegetables in the Pueblo Area. Filed 3:36 p. m.

Denver Order 6-F, Amendment 7, covering fresh fruits and vegetables in the Colorado Springs-Manitou Area. Filed 3:36 p. m.

Denver Order 7-F, Amendment 7, covering fresh fruits and vegetables in the Boulder-Fort Collins-Greeley Area. Filed 3:36 p. m.

Helena Order 43-F, Amendment 5, covering fresh fruits and vegetables in the Missoula and Kalispell Area. Filed 3:39 p. m.

Helena Order 44-F, Amendment 5, covering fresh fruits and vegetables in certain areas in Montana. Filed 3:39 p. m.

Helena Order 45-F, Amendment 5, covering fresh fruits and vegetables in the Billings, Great Falls and Butte Areas. Filed 3:39 p. m.

Helena Order 46-F, Amendment 5, covering fresh fruits and vegetables in the Miles City, Sidney, Glasgow and Glendive Areas. Filed 3:39 p. m.

Helena Order 47-F, Amendment 5, covering fresh fruits and vegetables in certain areas in Montana. Filed 3:40 p. m.

Helena Order 48-F, Amendment 5, covering fresh fruits and vegetables in certain areas in Montana. Filed 3:40 p. m.

Helena Order 49-F, Amendment 5, covering fresh fruits and vegetables in certain areas in Montana. Filed 3:40 p. m.

Helena Order 50-F, Amendment 5, covering fresh fruits and vegetables in certain areas in Montana. Filed 3:40 p. m.

REGION VIII

Fresno Order 1-F, Amendment 79, covering fresh fruits and vegetables in Fresno, California. Filed 9:15 a. m.

Fresno Order 2-F, Amendment 67, covering fresh fruits and vegetables in Modesto, California. Filed 9:15 a. m.

Fresno Order 3-F, Amendment 64, covering fresh fruits and vegetables in certain areas in California. Filed 9:15 a. m.

Fresno Order 4-F (Revised), Amendment 39, covering fresh fruits and vegetables in certain areas in California. Filed 9:15 a. m.

Fresno Order 6-F, Amendment 50, covering fresh fruits and vegetables in certain areas in California. Filed 9:15 a. m.

Fresno Order 7-F, Amendment 20, covering fresh fruits and vegetables in Merced, California. Filed 9:16 a. m.

Portland Order 14-F, Amendment 25, covering fresh fruits and vegetables in certain areas in Oregon. Filed 9:07 a. m.

Portland Order 14-F, Amendment 26, covering fresh fruits and vegetables in certain areas in Oregon. Filed 9:07 a. m.

Portland Order 15-F, Amendment 25, covering fresh fruits and vegetables in certain areas in Oregon. Filed 9:07 a. m.

Portland Order 15-F, Amendment 26, covering fresh fruits and vegetables in certain areas in Oregon. Filed 8:57 a. m.

Portland Order 31-F, covering fresh fruits and vegetables in the Hood River-McMinnville, Ore.-Camas, Wn., Area. Filed 9:03 a. m.

Sacramento Adopting Order 30-F, Amendment 5, covering fresh fruits and vegetables in certain areas in California. Filed 9:05 a. m.

Sacramento Adopting Order 31-F, Amendment 4, covering fresh fruits and vegetables in certain areas in California. Filed 9:05 a. m.

San Diego Order 3-F, Amendment 15, covering fresh fruits and vegetables in the Imperial County, California. Filed 3:42 p. m.

San Diego Order 1-F, Amendment 41, covering fresh fruits and vegetables. Filed 9:24 a. m.

San Francisco Order 13-F, Amendment 10, covering fresh fruits and vegetables in certain areas in California. Filed 3:41 p. m.

San Francisco Order 14-F, Amendment 10, covering fresh fruits and vegetables in certain areas in California. Filed 3:41 p. m.

San Francisco Order 15-F, Amendment 10, covering fresh fruits and vegetables in certain areas in California. Filed 3:41 p. m.

San Francisco Order 16-F, Amendment 10, covering fresh fruits and vegetables in Del Norte and Humboldt (except the city of Eureka). Filed 3:41 p. m.

Seattle Order 2-W, Amendment 9, covering dry groceries in Chelan, Kittitas and Yakima, Washington. Filed 9:02 a. m.

Seattle Order 34, Amendment 5, covering dry groceries in Chelan, Kittitas and Yakima, Washington. Filed 9:02 a. m.

Spokane Order 3-C, covering poultry in certain areas in Washington and Idaho. Filed 9:03 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. 45-15237; Filed, Aug. 17, 1945; 4:50 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 August 8, 1945.

REGION I

Rhode Island Order 3-F, Amendment 10, covering fresh fruits and vegetables in certain areas in Rhode Island. Filed 10:08 a. m.

Rhode Island Order 4-F, Amendment 5, covering fresh fruits and vegetables in certain areas in Rhode Island. Filed 10:08 a. m.

REGION II

Scranton Order 4-F, Amendment 31, covering fresh fruits and vegetables in certain counties in Pennsylvania. Filed 10:09 a. m.

Williamsport Order 2-F, Amendment 45, covering fresh fruits and vegetables in certain counties in Pennsylvania. Filed 10:09 a. m.

REGION III

Charleston Order 1-O, covering eggs in certain areas in West Virginia. Filed 10:12 a. m.

Charleston Order 7-F, Amendment 21, covering fresh fruits and vegetables in certain areas in West Virginia. Filed 10:10 a. m.

Charleston Order 9-F, Amendment 21, covering fresh fruits and vegetables in certain areas in West Virginia. Filed 10:10 a. m.

Charleston Order 10-F, Amendment 21, covering fresh fruits and vegetables in certain counties in West Virginia. Filed 10:10 a. m.

Charleston Order 11-F, Amendment 21, covering fresh fruits and vegetables in certain counties in West Virginia. Filed 10:11 a. m.

Charleston Order 15-F, Amendment 18, covering fresh fruits and vegetables in certain areas in West Virginia. Filed 10:11 a. m.

Charleston Order 16-F, Amendment 17, covering fresh fruits and vegetables in certain counties in West Virginia. Filed 10:11 a. m.

Charleston Order 17-F, Amendment 17, covering fresh fruits and vegetables in certain counties in West Virginia. Filed 10:11 a. m.

Indianapolis Order 14-F, Amendment 25, covering fresh fruits and vegetables in Marion, Vigo and Tippecanoe. Filed 10:12 a. m.

Indianapolis Order 15-F, Amendment 25, covering fresh fruits and vegetables in Wayne, Virgo and Tippecanoe. Filed 10:12 a. m.

Indianapolis Order 16-F, Amendment 25, covering fresh fruits and vegetables in St. Joseph. Filed 10:12 a. m.

Indianapolis Order 17-F, Amendment 25, covering fresh fruits and vegetables in Vanderburgh. Filed 10:13 a. m.

Indianapolis Order 18-F, Amendment 9, covering fresh fruits and vegetables in certain areas in Indiana and Ohio. Filed 10:13 a. m.

Indianapolis Order 19-F, Amendment 9, covering fresh fruits and vegetables in certain counties in Ohio and Indiana. Filed 10:13 a. m.

REGION IV

Atlanta Order 7-F, Amendment 11, covering fresh fruits and vegetables in certain areas in Georgia. Filed 10:14 a. m.

Atlanta Order 8-F, Amendment 11, covering fresh fruits and vegetables in certain counties in Georgia. Filed 10:14 a. m.

Atlanta Order 9-F, Amendment 14, covering fresh fruits and vegetables in Bibb and Muscogee, Georgia and Phenix City, Alabama. Filed 10:14 a. m.

Roanoke Order 11-F, Amendment 22, covering fresh fruits and vegetables in certain areas in Virginia. Filed 10:04 a. m.

REGION V

Kansas City Order 1-C, Amendment 8, covering poultry in certain areas in Kansas. Filed 10:04 a. m.

San Antonio Order 1-F, Amendment 23, covering fresh fruits and vegetables in certain areas in Texas. Filed 9:56 a. m.

San Antonio Order 2-F, Amendment 24, covering fresh fruits and vegetables in Bexar County, Texas. Filed 9:57 a. m.

San Antonio Order 3-F, Amendment 20, covering fresh fruits and vegetables in Austin, Texas. Filed 9:57 a. m.

San Antonio Order 4-F, Amendment 20, covering fresh fruits and vegetables in Corpus Christi, Texas. Filed 9:58 a. m.

REGION VI

Chicago Order 15-C, covering poultry. Filed 10:01 a. m.

Chicago Order 16-C, covering poultry. Filed 10:01 a. m.

Chicago Order 17-C, covering poultry. Filed 10:01 a. m.

Chicago Order 18-C, covering poultry. Filed 10:01 a. m.

Chicago Order 19-C, covering poultry. Filed 10:01 a. m.

Chicago Order 20-C, covering poultry. Filed 10:01 a. m.

La Crosse Order 12, Amendment 4, covering dry groceries in certain counties in Wisconsin. Filed 9:54 a. m.

Milwaukee District Order 8-F, Amendment 17, covering fresh fruits and vegetables in Dane County, Wisconsin. Filed 9:58 a. m.

Milwaukee District Order 9-F, Amendment 17, covering fresh fruits and vegetables in Sheboygan and Fond du Lac, Wisconsin. Filed 9:57 a. m.

Milwaukee District Order 11-F, Amendment 9, covering fresh fruits and vegetables in Racine and Kenosha, Wisconsin. Filed 9:59 a. m.

Omaha Order 5-W, Amendment 5, covering dry groceries in certain counties in Iowa and Nebraska. Filed 10:02 a. m.

Omaha Order 6-W, Amendment 5, covering dry groceries in Lancaster County, Nebraska. Filed 10:02 a. m.

REGION VII

Albuquerque Order 9-F, Amendment 10, covering fresh fruits and vegetables. Filed 10:00 a. m.

Albuquerque Order 10-F, Amendment 11, covering fresh fruits and vegetables. Filed 10:00 a. m.

Albuquerque Order 11-F, Amendment 12, covering fresh fruits and vegetables. Filed 10:00 a. m.

Albuquerque Order 12-F, Amendment 11, covering fresh fruits and vegetables. Filed 10:00 a. m.

Denver Order 3-C, covering poultry in certain counties in Colorado. Filed 10:03 a. m.

Denver Order 4-C, covering poultry in certain counties in Colorado. Filed 10:03 a. m.

Denver Order 5-C, covering poultry in certain counties in Colorado. Filed 10:03 a. m.

Denver Order 6-C, covering poultry in certain counties in Colorado. Filed 10:03 a. m.

Denver Order 7-C, covering poultry in certain counties in Colorado. Filed 10:03 a. m.

Denver Order 8-C, covering poultry in certain counties in Colorado. Filed 10:04 a. m.

REGION VIII

Portland Order 5-F, Amendment 30, covering fresh fruits and vegetables in Eugene and Springfield, Oregon. Filed 9:53 a. m.

Portland Order 6-F, Amendment 30, covering fresh fruits and vegetables in Oakland, Roseburg, and Sutherlin, Oregon. Filed 9:53 a. m.

Portland Order 6-F, Amendment 31, covering fresh fruits and vegetables in Oakland, Roseburg and Sutherlin, Oregon. Filed 9:53 a. m.

Portland Order 7-F, Amendment 29, covering fresh fruits and vegetables in Klamath Falls, Oregon. Filed 9:53 a. m.

Portland Order 7-F, Amendment 30, covering fresh fruits and vegetables in Klamath Falls, Oregon. Filed 9:53 a. m.

Portland Order 8-F, Amendment 29, covering fresh fruits and vegetables in Medford, Oregon. Filed 9:52 a. m.

Portland Order 8-F, Amendment 30, covering fresh fruits and vegetables in Medford, Oregon. Filed 9:52 a. m.

Portland Order 9-F, Amendment 29, covering fresh fruits and vegetables in certain areas in Oregon. Filed 9:52 a. m.

Portland Order 9-F, Amendment 30, covering fresh fruits and vegetables in certain areas in Oregon. Filed 9:52 a. m.

Portland Order 10-F, Amendment 28, covering fresh fruits and vegetables in Kelso, West Kelso and Longview, Washington. Filed 9:52 a. m.

Portland Order 10-F, Amendment 29, covering fresh fruits and vegetables in Kelso, West Kelso and Longview, Washington. Filed 9:52 a. m.

Portland Order 12-F, Amendment 26, covering fresh fruits and vegetables in Salem, and West Salem, Oregon. Filed 9:51 a. m.

Portland Order 12-F, Amendment 27, covering fresh fruits and vegetables in Salem, and West Salem, Oregon. Filed 9:51 a. m.

Portland Order 17-F, Amendment 19, covering fresh fruits and vegetables in certain areas in Oregon. Filed 9:54 a. m.

Portland Order 17-F, Amendment 20, covering fresh fruits and vegetables in certain areas in Oregon. Filed 9:53 a. m.

Portland Order 19-F, Amendment 17, covering fresh fruits and vegetables in Dalles, Oregon. Filed 9:56 a. m.

Portland Order 19-F, Amendment 18, covering fresh fruits and vegetables in Dalles, Oregon. Filed 9:56 a. m.

Portland Order 20-F, Amendment 17, covering fresh fruits and vegetables in certain areas in Oregon. Filed 9:56 a. m.

Portland Order 20-F, Amendment 18, covering fresh fruits and vegetables in certain areas in Oregon. Filed 9:56 a. m.

Portland Order 21-F, Amendment 16, covering fresh fruits and vegetables in Pendleton, Oregon. Filed 9:56 a. m.

Portland Order 21-F, Amendment 17, covering fresh fruits and vegetables in Pendleton, Oregon. Filed 9:55 a. m.

Portland Order 22-F, Amendment 16, covering fresh fruits and vegetables in certain areas in Oregon. Filed 9:55 a. m.

Portland Order 22-F, Amendment 17, covering fresh fruits and vegetables in certain areas in Oregon. Filed 9:55 a. m.

Portland Order 27-F, Amendment 15, covering fresh fruits and vegetables in Baker and La Grande, Oregon. Filed 9:55 a. m.

Portland Order 27-F, Amendment 15, covering fresh fruits and vegetables in Baker and La Grande, Oregon. Filed 9:55 a. m.

Portland Order 28-F, Amendment 15, covering fresh fruits and vegetables in Haines, Enterprize, and Wallowa, Oreg. Filed 9:55 a. m.

Portland Order 23-F, Amendment 13, covering fresh fruits and vegetables in certain areas in Oregon. Filed 9:55 a. m.

Portland Order 23-F, Amendment 14, covering fresh fruits and vegetables in certain areas in Oregon. Filed 9:55 a. m.

Portland Order 30-F, Amendment 6, covering fresh fruits and vegetables in certain areas in Washington and Oregon. Filed 9:54 a. m.

Portland Order 30-F, Amendment 7, covering fresh fruits and vegetables in certain areas in Oregon and Vancouver, Washington. Filed 9:54 a. m.

San Diego Order 3-F, Amendment 18, covering fresh fruits and vegetables in the Imperial County, except Bard and Winterhaven. Filed 10:00 a. m.

Seattle Order 2-W, Amendment 10, covering dry groceries in certain areas in Washington. Filed 10:07 a. m.

Seattle Order 15-F, Amendment 35, covering fresh fruits and vegetables in Yakima, Washington. Filed 10:03 a. m.

Seattle Order 34, Amendment 6, covering dry groceries in certain areas in Washington. Filed 10:07 a. m.

Spokane Order 8-F, Amendment 23, covering fresh fruits and vegetables in Spokane County, Washington. Filed 10:06 a. m.

Spokane Order 9-F, Amendment 23, covering fresh fruits and vegetables in Kootenai County, Idaho. Filed 10:06 a. m.

Spokane Order 10-F, Amendment 22, covering fresh fruits and vegetables in Kootenai and Shoshone Counties, Idaho. Filed 10:06 a. m.

Spokane Order 11-F, Amendment 22, covering fresh fruits and vegetables in Latah County, Idaho and Whitman County, Washington. Filed 10:06 a. m.

Spokane Order 12-F, Amendment 23, covering fresh fruits and vegetables in Asotin

County, Washington and Nez Perce County, Idaho. Filed 10:05 a. m.

Spokane Order 13-F, Amendment 24, covering fresh fruits and vegetables in Walla Walla and Columbia Counties, Washington. Filed 10:05 a. m.

Spokane Order 14-F, Amendment 24, covering fresh fruits and vegetables in Benton and Franklin Counties, Washington. Filed 10:04 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. 45-15378; Filed, Aug. 20, 1945; 11:39 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 55-88]

INTERNATIONAL HYDRO-ELECTRIC SYSTEM

MEMORANDUM OPINION AND ORDER

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 17th day of August 1945.

Ropes, Gray, Best, Coolidge & Rugg, a partnership engaged in the general practice of law in the Commonwealth of Massachusetts and having its offices at 50 Federal Street in Boston, Massachusetts, have filed with this Commission an application pursuant to Rule U-63,[1] seeking approval of a fee of $12,500 for legal services to International Hydro-Electric System, a registered holding company, and reimbursement of $285.32 for expenses. The fee covers services, to the time of the appointment of the Trustee, rendered in connection with proceedings in the United States District Court for enforcement of an order of this Commission directing liquidation of the International Hydro-Electric System[2] as well as for services not directly related to the court proceedings. The fee and expenses submitted may be summarized as follows:

For services rendered in connection with the proceedings in the District Court:

For legal services	$8,000.00
For disbursements	154.59
Total	8,154.59

For services rendered in connection with all matters other than the proceedings in the District Court:

For legal services	$4,500.00
For disbursements	130.73
Total	4,630.73

After appropriate notice, including the mailing by Ropes, Gray, Best, Coolidge & Rugg, of a copy of such notice to all persons granted intervention or participation in the District court proceedings, a hearing was held with respect to the application. At the hearing no one appeared in opposition to the application.

The record indicates that the services rendered by Ropes, Gray, Best, Coolidge & Rugg covered a period of approximately 15 months from August 3, 1942, through November 13, 1945. In respect to court proceedings, the services consisted of acting as counsel for the International Hydro-Electric System in all matters relating to the foregoing proceedings, and examining and advising with respect to questions of law and procedure. The record further indicates that the total number of hours of lawyers' time involved in the services relating to the court proceedings was approximately 470 of which 245 represented the time of John R. Quarles, a senior partner, in charge of the matter, 22½ represented the time of Charles B. Rugg, another senior partner, and the balance represented the time of associates. The services other than those rendered in connection with the court proceedings consisted of advising company officers from time to time on legal matters arising from the conduct of business and in compliance with regulatory requirements. The total number of hours of lawyers' time involved in services rendered in connection with all matters other than the proceedings in the District court was approximately 272 of which 157 represented the time of John R. Quarles and the balance represented the time of associates.

After careful consideration of the record, we are satisfied that $12,500 is reasonable maximum compensation for the services rendered and that the claimed disbursements were properly made.

It is therefore ordered, That the application of Ropes, Gray, Best, Coolidge & Rugg, pursuant to Rule U-63, be and the same is hereby approved.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 45-15258; Filed, Aug. 18, 1945; 11:12 a. m.]

[1] Rule U-63 promulgated under sections 11 (d) and 11 (f) of the Act provides as follows:

"All fees, expenses and remuneration whether interim or final to whomsoever paid for services rendered, or to be rendered in connection with any reorganization, dissolution, liquidation, bankruptcy, or receivership of a registered holding company or subsidiary thereof, in any court of the United States shall be subject to approval by this Commission as to the maximum amount that may be paid for such services. This rule shall not apply to any payments approved by a court of the United States in request proceeding in which the Commission has filed a notice of appearance pursuant to Section 208 of Chapter X of the Bankruptcy Act as amended."

[2] On August 14, 1943 this Commission applied to the United States District Court for the District of Massachusetts (Civil Action No. 2430), pursuant to sections 11 (d) and 18 (f) of the Public Utility Holding Company Act of 1935 to enforce compliance with an order of the Commission dated July 21, 1942 (Holding Company Act Release No. 3679), issued pursuant to section 11 (b) (2) of the act. This order directed International Hydro-Electric System to liquidate and dissolve. After a hearing on the application, the United States District Court entered an interlocutory decree on October 11, 1943 appointing Bartholomew A. Brickley of Boston, Massachusetts, as Special Counsel to investigate certain transactions alleged to give rise to causes of action on behalf of International Hydro-Electric System against International Paper Company. On November 13, 1944, the court appointed Bartholomew A. Brickley as Trustee for International Hydro-Electric System.

[File No. 70-1106]

MILWAUKEE ELECTRIC RAILWAY & TRANSPORT CO. AND WISCONSIN ELECTRIC POWER CO.

MEMORANDUM OPINION AND ORDER

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 17th day of August, 1945.

The Milwaukee Electric Railway & Transport Company (Transport) and its parent, Wisconsin Electric Power Company (Electric), a subsidiary of The North American Company, a registered holding company, have filed a joint declaration and amendments thereto pursuant to sections 12 (c) and 12 (f) of the Public Utility Holding Company Act of 1935 and Rules U-42 and U-43 thereunder, regarding the purchase by Transport for cash, at par for retirement, of 10,000 shares of its capital stock of the aggregate par value of $1,000,000 from Electric and the redemption on August 16, 1945, at par, plus accrued interest, of $400,000 principal amount of its First Mortgage 4% Bonds owned by Electric and pledged as collateral under Electric's Mortgage and Deed of Trust, dated October 20, 1938. Transport proposes that upon the acquisition and cancellation of said stock it will amend its Articles of Incorporation to reflect a corresponding reduction in its authorized capital stock. Electric seeks authorization to surrender the stock and bonds on the basis described and proposes to appropriate the entire proceeds from the proposed transactions to its "Fund for Retirement of Long Term Debt."

A public hearing upon the declaration, as amended, was duly held and having considered the record, we make the following findings:

Electric, a Wisconsin corporation, is a public-utility subsidiary company of The North American Company, a registered holding company. The principal service territory of Electric includes the City of Milwaukee and a number of cities and towns located in surrounding counties in the State of Wisconsin. A small portion of the company's business is conducted in the State of Michigan.

Transport, a wholly-owned subsidiary of Electric, is also a Wisconsin corporation having been formed in 1938 for the purpose of acquiring the transportation properties owned by predecessor companies of Electric.[1] It is engaged in the street railway, trackless trolley and motor bus business in the City of Milwaukee, its suburbs and in the surrounding district.

The proposed transactions are part of a program commenced by Transport in 1941 for the purpose of reducing its capital obligations. The present declaration is the twelfth of a series of declarations filed by Transport to carry out this program.[2] Upon consummation of the pro-

[1] The acquisitions by Transport of the transportation properties was approved by this Commission on October 20, 1938. In the Matter of North American Edison Company, et al., 3 S.E.C. 1056.

[2] The Milwaukee Electric Railway & Transport Company, et al., Holding Company Act Release Nos. 2553, 2892, 3396, 3751, 4034, 4186, 4394, 4550, 4880, 5083, 5273 and 5600.

posed transactions Transport will have outstanding bonds in the principal amount of $6,800,000 and $17,100,000 of common stock of the par value of $100 per share. Condensed balance sheets of Transport and Wisconsin Electric as of May 31, 1945 are shown below in Tables I and II, respectively:

TABLE I—THE MILWAUKEE ELECTRIC RAILWAY & TRANSPORT COMPANY

Balance Sheet as of May 31, 1945

Assets

Property and plant	$41,908,417
Investments	465,815
Funds set aside for modernization of transportation properties	1,013,020
Funds set aside for retirement of capital liabilities	1,610,500
Current and working assets:	
Cash on hand and in banks	1,326,936
United States Treasury Notes—tax series	2,662,012
Other current and working assets	1,038,810
Total current and working assets	5,027,758
Deferred charges:	
Unamortized bond expense	12,745
Capital stock expense	36,200
Other deferred charges	125,775
Total assets	50,200,230

Liabilities

Funded debt:	
First Mortgage 4% bonds, due October 1, 1968	7,200,000
Capital stock, $100 par value, 181,000 shares outstanding	18,100,000
Current and accrued liabilities	4,933,725
Reserves:	
For depreciation and retirement of property and plant	12,726,958
For contingent losses on property account	2,234,533
Other	1,248,675
Earned surplus	3,756,339
Total liabilities	50,200,230

TABLE II—WISCONSIN ELECTRIC POWER COMPANY

Balance Sheet as of May 31, 1945

Assets

Property and plant:	
Utility plant at original cost	119,236,616
Other physical property at cost	2,359,431
Total property and plant	121,596,047
Investments:	
Reacquired preferred stock (at par)	49,200
Stock of Wisconsin Gas & Electric Co	6,798,842
Stock of Wisconsin Michigan Power Co	6,851,158
Securities of The Milwaukee Electric Railway & Transport Co:	
First mortgage 4% bonds	7,200,000
Capital stock	24,593,189
Less reserve	(14,792,703)
Other	194,907
Total investments	30,894,593
Funds set aside for retirement of long-term debt	05,014,449
Estimated post-war refund of Federal excess profits taxes	108,700
Current and working assets:	
Cash on hand and in banks	8,362,357
United States Treasury notes—tax series	8,860,673
Other current and working assets	5,323,093
Total current and working assets	22,633,023
Deferred charges	4,080,532
Total assets	185,038,394

Liabilities

Funded debt:	
First mortgage bonds, 3½% series due 1968	55,000,000
2¾% promissory notes payable to banks due serially 1946 and 1947. (Includes 1,500,000 maturing in 1945)	4,750,000
Total funded debt	59,750,000
Preferred Stock:	
6% preferred, $100 par value, 45,000 shares outstanding	4,500,000
Serial preferred 4¾% series, $100 par value 262,098 shares outstanding	26,209,800
Common stock, $10 par value, 2,000,928 shares outstanding	20,009,280
Current and accrued liabilities	13,176,435
Contributions by customers for construction of property	302,850
Reserves:	
For depreciation and retirement of property and plant	39,571,220
Other	845,623
Surplus:	
Paid-in	8,077,233
Earned	5,895,957
Total liabilities	185,039,394

The Public Service Commission of Wisconsin, which has jurisdiction over the sale by Electric of the Common stock of Transport, approved the proposed sale by order, dated July 14, 1945.[1]

No fees, commissions or other remuneration will be paid in connection with the proposed transactions, except payment by Electric of a nominal fee to First Wisconsin Trust Company, as Trustee under its Mortgage, for the purpose of releasing the bonds of Transport proposed to be redeemed.

On the basis of the record it does not appear that the proposed expenditure of $1,400,000 by Transport for the redemption of its bonds and the purchase of its common stock for retirement and cancellation will adversely affect the financial integrity of the company. The proposed transactions are subject to the requirements of sections 12 (c) and 12 (f) of the act and Rules U-42 and U-43 and no adverse findings appear to be necessary thereunder.

As indicated in Table II, Electric carries its investment in the capital stock of Transport at $24,593,189. Against this investment there is carried a reserve in the amount of $14,792,703. In the previous similar transactions referred to above, Electric has, upon the sale of the capital stock of Transport to Transport, credited its investment account to the extent of the consideration received, namely, $100 per share, rather than the gross carrying value of $125.9724 per share. Electric proposes in connection with the presently proposed transactions to credit its investment account to the extent of the consideraion received for the shares of capital stock sold to Transport and to write down its investment to the extent of the difference between the amount of consideration received and the gross carrying value of the stock to be sold, namely, $259,724. In addition, Electric proposes to write down its investment account in Transport to the extent of the aggregate difference between the consideration received and gross carrying value for all shares of the capital stock of Transport previously sold to Transport under this program. Including the presently proposed transactions, this would result in an aggregate write-down of Electric's investment in Transport of $2,051,819.60 and a concurrent charge will be made to its Reserve for Contingent Losses on Capital Stock of Transport. We are of the opinion that such treatment will be in accord with sound accounting practice.

It is therefore ordered, That the joint declaration, as amended, be and the same is hereby permitted to become effective forthwith, subject to the terms and conditions contained in Rule-24.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 45-15257; Filed, Aug. 18, 1945; 11:12 a. m.]

[File No. 812-318]

THE GUARDIAN INVESTMENT TRUST

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 17th day of August A. D. 1945.

An application having been filed by The Guardian Investment Trust under and pursuant to section 23 (c) (3) of the Investment Company Act of 1940 for an order amending a previous order of this Commission, dated April 14, 1944, so as to permit it to repurchase its preferred shares which are in arrears on the payment of dividends in the following respect: When the asset coverage of its preferred shares exceeds the liquidating preference plus accrued dividends to which such shares are entitled, at a price of not less than 90% of such liquidating preference plus accrued dividends;

It is ordered, Pursuant to section 40 (a) of the said act, that a hearing on the aforesaid application be held on August 25, 1945, at 10:00 a. m., Eastern War Time, in Room 318 of the Securities and Exchange Commission Building, 18th and Locust Streets, Philadelphia, Pennsylvania.

It is further ordered, That Henry C. Lank, or any other officer or officers of the Commission designated by it for that

[1] Docket No. 2-U-2009.

purpose shall preside at the hearing on such matter. The officer so designated to preside at such hearing is hereby authorized to exercise all the powers granted to the Commission under sections 41 and 42 (b) of the Investment Company Act of 1940 and to trial examiners under the Commission's rules of practice.

Notice of such hearing is hereby given to the applicant and to any other persons whose participation in such proceeding may be in the public interest and for the protection of investors.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 45-15259; Filed, Aug. 18, 1945; 11:12 a. m.]

SAN FRANCISCO STOCK EXCHANGE

DECLARATION OF EFFECTIVENESS OF AMENDED PLAN

Declaration of effectiveness of amended plan of the San Francisco Stock Exchange pursuant to Rule X-10B-2 (d) (§ 240.10B-2 (d)).

The Securities and Exchange Commission having previously declared effective a plan for special offerings filed pursuant to Rule X-10B-2 (d) by the San Francisco Stock Exchange; and the San Francisco Stock Exchange, on August 7, 1945, having filed amendments to its plan for such special offerings;

The Securities and Exchange Commission having given due consideration to the special offering plan of the San Francisco Stock Exchange, as amended, and having due regard for the public interest and for the protection of investors, pursuant to the Securities Exchange Act of 1934, particularly sections 10 (b) and 23 (a) thereof, and Rule X-10B-2 thereunder, hereby declares effective the special offering plan of the San Francisco Stock Exchange as amended by Rule 9, filed as of August 7, 1945, on condition that if at any time it appears to the Commission necessary or appropriate in the public interest or for the protection of investors so to do, the Commission may suspend or terminate the effectiveness of said plan by sending at least ten days' written notice to the Exchange.

Effective: August 17, 1945.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 45-15260; Filed, Aug. 18, 1945; 11:12 a. 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 17th day of August, A. D. 1945.

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 ("Consolidated"), 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 to be taken by it and its associate companies designed to enable Consolidated 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 Consolidated and its parent Central Public Utility Corporation ("Central Public"), also a registered holding company, (2) with certain other proceedings instituted by the Commission pursuant to section 11 (b) with respect to Christopher H. Coughlin, W. T. Crawford and Rawleigh Warner, Voting Trustees under a voting trust agreement dated August 1, 1932 relating to common stock of said Central Public (said trustees also being a registered holding company), (3) with proceedings upon an earlier application of Consolidated for approval of certain other action also designed to enable Consolidated to comply with section 11 (b) and, (4) with proceedings upon an application-declaration by the trustees, above named, regarding the disposition of the common stock of Central Public 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 August 18, 1945;

Consolidated having requested that the hearing so directed to be held in said consolidated proceedings be further postponed to a date not earlier than December 18, 1945 stating is 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 six in number; that the company since June 23, 1943, the day of the filing of its application for approval of the plan above first mentioned, has disposed of its interests in or the assets of 24 public utility subsidiary companies; that since December 31, 1943 Consolidated has reduced the principal amount of its outstanding debt securities from $31,433,500 to approximately $14,000,000 principal amount; that presently there is pending with this Commission proceedings regarding the reorganization and corporate simplification of The Islands Gas and Electric Company, a wholly owned direct holding company subsidiary of Consolidated; that Consolidated is presently actively negotiating for the divestment of three of its remaining six domestic utility subsidiaries and proposes, as soon as opportunity permits, to divest itself of all of its remaining domestic public utility subsidiaries; that Consolidated considers it is necessary that the said proposed sales, together with an appropriate disposition of the proceeds derived from such sales, be consummated or substantial progress made in regard thereto before Consolidated 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 August 18, 1945 be further postponed;

It is ordered, That the hearing in this matter previously scheduled for August 18, 1945 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 December 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 a 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 December 10, 1945.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 45-15349; Filed, Aug. 20, 1945; 9:53 a. m.]

[File Nos. 70-952, 31-84]

INTERNATIONAL UTILITIES CORP., ET AL.

INTERIM ORDER PERMITTING JOINT DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 17th day of August, A. D. 1945.

In the matters of International Utilities Corporation and General Water Gas & Electric Company, File No. 70-952; International Utilities Corporation, et al. File No. 31-84.

International Utilities Corporation ("International"), a registered holding company, and its subsidiary, General Water Gas & Electric Company ("General"), also a registered holding company, having jointly filed a declaration and application, and amendments thereto, pursuant to the Public Utility Holding Company Act of 1935, particularly sections 7, 12, 3 and 5 thereof, and

the rules and regulations promulgated thereunder regarding, among other things, the reclassification of the authorized common stock of Rockland Gas Co., Inc. ("Rockland Gas"), a public utility subsidiary of General, from 7,500 shares, no par value, of which 6,100 are presently issued and outstanding, to 37,500 shares, no par value, of which 30,500 shares are to be issued and outstanding; and the sale by General of its interest in Rockland Gas, consisting of all the outstanding reclassified common stock of Rockland Gas (30,500 shares), to Butcher & Sherrerd, as underwriters, at a price of $732,000 ($24 per share), such stock to be reoffered by Butcher & Sherrerd to the public for not more than $793,000 ($26 per share); *Provided*, That if any or all of such stock is sold to the public at a price in excess of $26 per share, such additional proceeds shall be paid to General; General proposes to use the proceeds of the sale for its general corporate purposes and to issue a call for tenders of its publicly-held common stock;

A public hearing having been held on the matters concerned in said joint declaration and application, as amended, after appropriate notice, and the Commission deeming it appropriate to separate for disposition herein the proposals regarding the reclassification of the common stock of Rockland Gas and the sale by General of its interest in the common stock of Rockland Gas as reclassified; and

The Commission having been fully advised in the premises and having made and filed its findings and opinion herein;

It is ordered, That the joint declaration, as amended, insofar as it concerns the reclassification of the common stock of Rockland Gas and the sale by General of its interest in the reclassified common stock of Rockland Gas, be, and hereby is, permitted to become effective forthwith, subject to the terms and conditions of Rule U-24;

It is further ordered, That jurisdiction be, and hereby is, reserved, for future disposition by the Commission, regarding all other matters contained in the said joint declaration and application, as amended.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary*.

[F. R. Doc. 45-15350; Filed, Aug. 20, 1945; 9:53 a. m.]

[File No. 70-1125]

MINNESOTA POWER & LIGHT CO.

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 18th day of August, A. D. 1945.

Notice is hereby given that an application and declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Minnesota Power & Light Company ("Minnesota"), a registered holding company and an electric utility subsidiary of American Power & Light Company, which is itself a subsidiary of Electric Bond and Share Company, both registered holding companies.

All interested persons are referred to said application and declaration which is on file in the office of the Commission for a statement of the transactions therein proposed, which are summarized as follows:

Minnesota proposes to retire all of its outstanding funded debt aggregating $32,289,000 of bonds consisting of $10,700,000 principal amount of First and Refunding Mortgage Gold Bonds, 5% Series due 1955, $18,000,000 principal amount of First and Refunding Mortgage Gold Bonds, 4½% Series due 1978 and $3,589,000 principal amount of Great Northern Power Company First Mortgage 5% Gold Bonds, due February 1, 1950. These bonds will be retired at their respective redemption prices of 102%, 101½%, and 102% of principal amounts plus accrued interest to date of redemption. Minnesota owns all of the properties which secure said bonds of Great Northern Power Company.

The proposed retirement of funded debt will be effected through the use of general funds of Minnesota and the proceeds of the issuance and sale, pursuant to the competitive bidding requirements of Rule U-50, of $26,000,000 principal amount of its First Mortgage Bonds, —% Series due 1975, and the issuance and private sale of $6,000,000 principal amount of its unsecured Ten-Year Serial Notes maturing in the amount of $600,000 annually.

Minnesota has designated sections 6 (a), 7, 11 (b) and 12 (c) of the act and Rules U-42 and U-50 promulgated thereunder as being applicable to the proposed transactions.

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 matters and that said application should not be granted, nor said declaration become effective, except pursuant to further order of the Commission:

It is hereby ordered, That a hearing be held upon said matters on August 30, 1945 at 10:30 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. On such date the hearing room clerk in Room 318 will advise as to the room where such hearing will be held.

It is further ordered, That Richard Townsend or any other officer or officers of the Commission designated by it for that purpose, shall preside at the hearings on such matters. The officer so designated to preside at such hearings is hereby authorized to exercise all of the powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That the secretary of the Commission shall serve by registered mail a copy of this order on the applicant and declarant herein, and that notice of said hearing be given to all other persons by publication of this order in the FEDERAL REGISTER. Any person desiring to be heard in connection with these proceedings or proposing to intervene herein shall file with the secretary of the Commission on or before August 27, 1945 his request or application therefor, as provided by Rule XVII of the rules of practice of the Commission.

It is further ordered, That without limiting the scope of the issues presented by said application-declaration, particular attention will be directed at said hearing to the following matters and questions:

(1) Whether the mortgage bonds and serial notes proposed to be issued and sold by Minnesota will be reasonably adapted to the security structure and earning power of Minnesota and necessary and appropriate to the economical and efficient operation of the business in which Minnesota is presently engaged and in particular whether the proposed sinking fund and replacement fund provisions in the indenture securing such bonds are adequate.

(2) Whether the fees, commissions or other remunerations proposed to be paid in connection with the issue and sale of said securities are reasonable.

(3) Whether the terms and conditions of the issue and sale of said securities are detrimental to the public interest or the interests of investors or consumers.

(4) Whether the accounting entries to be recorded in connection with the proposed transactions are appropriate and whether any other accounting adjustments should be made in connection with the proposed transactions.

(5) 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.

(6) 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 Public Utility Holding Company Act of 1935, or any rules, regulations or orders promulgated thereunder.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary*.

[F. R. Doc. 45-15353; Filed, Aug. 20, 1945; 9:53 a.-m.]

[File No. 70-1105]

MONONGAHELA POWER CO., ET AL.

ORDER GRANTING AND PERMITTING APPLICATION-DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 15th day of August, A. D. 1945.

In the matter of Monongahela Power Company, the West Penn Electric Company and American Water Works and Electric Company, Inc., File No. 70-1105.

Monongahela Power Company ("Monongahela"), a direct subsidiary of American Water Works and Electric

Company, Inc. ("American"), The West Penn Electric Company ("Electric") and West Penn Power Company ("Power"), all registered holding companies and members of American Water Works and Electric Company, Inc., holding company system, and Electric and American have filed a joint application-declaration regarding an over-all refinancing program for Monongahela and related transactions under the Public Utility Holding Company Act of 1935. The transactions embraced by the joint application-declaration are as follows: (a) the issue and sale by Monongahela at competitive bidding pursuant to Rule U-50, of $22,000,000 principal amount of First Mortgage Bonds due 1975 and of $9,000,000 aggregate par value of cumulative preferred stock represented by 90,000 shares, $100 par value per share, (the price to Monongahela for these securities, the interest rate on the bonds and the dividend rate on the preferred stock, to be determined at competitive bidding); (b) the issue and private sale at principal amount thereof by Monongahela to three banks of $4,000,000 principal amount, 2% Ten Year serial notes; (c) the issue and sale by Monongahela of 82,500 shades of additional common stock, par value $6.50 per share, to Electric at a price of $15 a share; (d) the use of the proceeds from the sale of the foregoing securities, together with other corporate funds of Monongahela, to redeem and retire its presently outstanding (i) First Mortgage Bonds aggregating $22,000,000 principal amount at 105% of principal amount plus accrued interest, (ii) 6% debentures in the aggregate principal amount of $7,500,000 at 110% of principal amount plus accrued interest, and (iii) 291,902 shares of 7% Cumulative Preferred Stock, par value $25 per share, aggregate par value $7,297,550, of which 267,952 shares are owned by the public, the publicly held preferred to be redeemed at $28.75 per share plus accrued dividends, the 23,376 shares owned by Electric to be applied at the unit price of $24 per share (cost thereof to Electric), or an aggregate amount of $561,024, as partial payment for the new common stock of Monogahela, the 574 shares owned by American to be donated to Monongahela; (e) the acquisition by Electric of the additional shares of new common stock of Monongahela for $676,476 in cash and 23,376 shares of 7% Cumulative Preferred Stock of Monongahela; and (f) the surrender by American to Monongahela as a capital donation of the 574 shares of 7% Cumulative Preferred Stock of Monongahela.

Representatives of Monongahela have requested that in connection with the offering of the bonds and preferred stock at competitive bidding the 10 day period for the solicitation of bids required by the provisions of Rule U-50 be shortened to not less than 6 days.

Public hearing on these matters 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 the joint application-declaration, as amended, be and the same hereby is granted and permitted to become effective subject, however, to the terms and conditions prescribed in Rule U-24 and to the following terms and conditions:

1. That Monongahela shall amortize, in not more than fifteen years from the date of this order by equal monthly Income Deductions the item on its consolidated balance sheet captioned "Excess of carrying value of the investments of the Company in securities of its subsidiaries over the underlying book equity of such subsidiaries at their respective dates of acquisition";

2. That so long as the serial notes to be issued by Monongahela remain outstanding and not discharged, Monongahela shall not pay dividends on its common stock in any calendar year exceeding in the aggregate $800,000;

3. That Monongahela shall not pay any dividends on its common stock (other than dividends payable in common stock) or make any distribution on, or purchase, or otherwise acquire for value, any of its common stock, each and all of these actions being hereinafter embraced in the term "payment of common stock dividends") except as follows:

(a) If and so long as the ratio of the capital represented by the common stock, including premiums on the capital stock, of Monongahela plus the consolidated surplus accounts of Monongahela and its subsidiaries to the total consolidated capital and surplus accounts of Monongahela and its subsidiaries at the end of the second calendar month immediately preceding the date of the proposed payment of common stock dividends adjusted to reflect the proposed payment of common stock dividends (which ratio is hereinafter referred to as "capitalization ratio") is less than 20% then the payment of common stock dividends, including the proposed payment, during the twelve months period ending with and including the date of the proposed payment shall not exceed 50% of the consolidated net income of Monongahela and its subsidiaries applicable to the common stock of Monongahela during the twelve calendar months ending with and including the second calendar month immediately preceding the date of the proposed payment of common stock dividends;

(b) If and so long as such capitalization ratio is 20% or more but less than 25% then the payment of common stock dividends during the twelve months period ending with and including the date of the proposed payment shall not exceed 75% of the consolidated net income of Monongahela and its subsidiaries applicable to the common stock of Monongahela during the twelve calendar months ending with and including the second calendar month immediately preceding the date of the proposed payment of common stock dividends;

(c) Except to the extent permitted by paragraphs (a) and (b) hereof Monongahela shall make no payment of common stock dividends which would reduce such capitalization ratio to less than 25%.

For the purpose of the terms and conditions of this order:

(A) The total consolidated capital of Monongahela and its subsidiaries shall be deemed to consist of the aggregate of the principal amount of all outstanding indebtedness of Monongahela and its subsidiaries represented by bonds, debentures, notes and other evidences of indebtedness maturing by their terms one year or more from the date of issue thereof and not held by Monongahela or its subsidiaries, and the aggregate amount of stated or par value of all capital stocks, including premiums on capital stock, of all classes of Monongahela and its subsidiaries not held by Monongahela or its subsidiaries;

(B) Consolidated surplus accounts upon which capitalization ratios are computed shall be adjusted to eliminate any and all amounts restricted in the consolidated earned surplus of Monongahela and its subsidiaries accumulated subsequent to August 1, 1945 resulting from the requirements of the Minimum Provision for Depreciation as embodied in the indenture and supplements thereto securing the mortgage bonds of Monongahela; and

(C) In computing consolidated net income of Monongahela and its subsidiaries applicable to the common stock of Monongahela for the purposes of this paragraph 3, operating expenses, among other things, shall include the provisions for depreciation as recorded on the books or the minimum provision for depreciation embodied in the indenture and supplements thereto securing the mortgage bonds of Monongahela, whichever is larger.

The amount of consolidated net income of Monongahela and its subsidiaries restricted against the payment of common stock dividends in any twelve months period shall not exceed the greater of the restrictions imposed by the limitations of paragraph 2 hereof or of this paragraph 3;

4. That American shall within 60 days from the date of this order transfer to Electric the 200,098$\frac{2}{25}$ shares of common stock of Monongahela now owned by American: *Provided, however,* That this period may be extended by us upon a showing that American and Electric have been unable in the exercise of due diligence to comply with this condition; until such transfer has occurred no dividends are to be paid by Electric to American on the Class B or Common Stock of Electric owned by American without prior approval of this Commission;

5. That the proposed issuance and sale of the $22,000,000 aggregate principal amount of first mortgage bonds and the $9,000,000 aggregate par value of new preferred stock shall not be consummated until the results of the competitive bidding have been made a matter of record in this proceeding and a further order shall have been entered by this Commission in the light of the record so completed, which order shall contain such further details and conditions, if any, as may then be deemed appropriate, jurisdiction being reserved for the imposition thereof in connection with the proposed transactions;

6. That the solicitation period of ten days required by Rule U-50 be, for the purpose of the sale of the First Mort-

gage Bonds and Cumulative Preferred Stock of Monongahela herein being considered, shortened to not less than six days;

7. That jurisdiction be reserved with respect to the payment of any and all fees and expenses incurred or to be incurred in connection with the consummation of the proposed transactions.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 45-15352; Filed, Aug. 20, 1945; 9:52 a. m.]

[File No. 70-1061]

SOUTHWESTERN PUBLIC SERVICE CO. AND SOUTHWESTERN ELECTRIC SERVICE CO.

ORDER GRANTING AND PERMITTING APPLICATIONS AND DECLARATIONS TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 15th day of August, A. D. 1945.

Southwestern Public Service Company ("Southwestern"), a public utility company formerly a registered holding company, and Southwestern Electric Service Company ("Electric"), a newly formed corporation, having filed applications and declarations and amendments thereto pursuant to the Public Utility Holding Company Act of 1935 and the rules and regulations promulgated thereunder wherein it is proposed that:

1. Southwestern sell all its properties located in east-central Texas to Electric for a cash consideration to be determined by the net proceeds to be received by Electric from the sale of certain securities, hereinafter set forth, after deduction of $60,000 for working capital;

2. Electric issue and sell, at competitive bidding, $1,550,000 principal amount of first mortgage bonds due May 1, 1975, and 10,150 shares of cumulative preferred stock, par value $100 per share;

3. Electric issue and sell 161,150 shares of common stock, par value $1 per share, and issue transferable bearer subscription rights to Southwestern's common stockholders giving the right to purchase one share of Electric's common stock for each four shares of common stock of Southwestern held; Electric to enter into an underwriting agreement providing for the purchase of such of the shares of common stock as are not subscribed for pursuant to the subscription rights; and

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 applications and declarations, as amended, regarding the transactions summarized above be, and the same hereby are, granted and permitted to become effective, subject to the terms and conditions prescribed in Rule U-24, and to the following further conditions:

1. That the proposed issue and sale of first mortgage bonds and of cumulative preferred stock, and of common stock pursuant to the underwriting agreement by Southwestern Electric Service Company, shall not be consummated until the results of competitive bidding, pursuant to Rule U-50, and the terms of the proposed underwriting agreement shall have been made a matter of record in this proceeding and a further order shall have been entered by this Commission in the light of the record so completed, which order may contain such further terms and conditions as may then be deemed appropriate;

2. That Southwestern Electric Service Company amend Article VII of its charter, within six months after the date of this order, to provide that in computing Net Earnings of the corporation available for interest for the purpose of subparagraph (d) (1) of subdivision (G) thereof, and in computing net income of the company applicable to its common stock for the purpose of subdivision (M) thereof, operating expenses shall include, among other things, the provisions for depreciation as recorded on the books of Electric or the Maintenance Fund requirements provided by the Indenture securing the first mortgage bonds of Electric, whichever is larger, and to provide further that in computing common stock equity for the purpose of subdivision (M) thereof, there shall be deducted from earned surplus as shown on the books of Electric any and all amounts restricted therein pursuant to said Indenture;

3. That jurisdiction be, and it is hereby, reserved over the payment of all fees and expenses by Southwestern and Electric, in connection with the proposed transactions and fees and expenses of counsel for the prospective bidders;

It is further ordered, Pursuant to the request of Southwestern Electric Service Company, that the ten-day period for inviting bids as provided by Rule U-50 be, and the same hereby is, shortened to a period of not less than seven days.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 45-15351; Filed, Aug. 20, 1945; 9:53 a. m.]

WAR PRODUCTION BOARD.

[C-414]

BREDE, INC.

CONSENT ORDER

Brede, Inc., a Michigan corporation with principal offices at 501 West Larned Street, Detroit, Michigan, is engaged in the manufacture, processing, and packing of horse radish and cereals and is charged by the War Production Board with having used, during the four calendar quarters of 1944 and the first calendar quarter of 1945, 12,803 pounds of containerboard content in excess and 124,953 square feet of containerboard content in excess of its quota for containerboard content for fibre shipping containers in violation of War Production Board Limitation Order L-317. Brede, Inc. admits the violations as charged, does not desire to contest the charge, and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of Brede, Inc., the Regional Compliance Manager, and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered,* That:

(a) Brede, Inc. shall, during the four calendar quarters beginning July 1, 1945, and ending July 1, 1946, reduce its use of containerboard content for fibre shipping containers by using, during the four aforesaid quarterly periods, a total of 12,803 pounds and 124,953 square feet of containerboard content for fibre shipping containers less than the quota it would otherwise be entitled to use during this period as specified by the provisions of Limitation Order L-317 unless otherwise authorized in writing by the War Production Board. Said reduction and usage shall be effected in the following manner: (1) On or before September 30, 1945, at least 3200 pounds less and at least 31,238 square feet less; (2) on or before December 31, 1945, at least 6400 pounds less and at least 62,576 square feet less; (3) on or before March 31, 1946, 9600 pounds less and at least 93,714 square feet less; (4) on or before June 30, 1946, at least 12,803 pounds less and at least 124,953 square feet less than its quota as aforesaid

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

(c) The restrictions and prohibitions contained herein shall apply to Brede, Inc., its successors and assigns, or persons acting on its behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

(d) This order shall take effect on July 1, 1945 and shall expire on July 1, 1946.

Issued this 18th day of August 1945.

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

[F. R. Doc. 45-15306; Filed, Aug. 18, 1945; 12:25 p. m.]