

THE NATIONAL ARCHIVES  
LITTEA SCRIPTA MANET  
1934  
OF THE UNITED STATES

# FEDERAL REGISTER

VOLUME 10                      NUMBER 217

*Washington, Saturday, November 3, 1945*

*The President*

**EXECUTIVE ORDER 9653**

**AMENDING SCHEDULES A AND B OF THE CIVIL SERVICE RULES**

By virtue of the authority vested in me by Section 2 of the Civil Service Act (22 Stat. 403), Schedules A and B of the Civil Service Rules are hereby amended as follows:

Paragraph 6, Subdivision I of Schedule A is amended to read:

6. Any person receiving from one department or establishment of the Government for his personal salary compensation aggregating not more than \$648 per annum whose duties require only a portion of his time, or whose services are needed for very brief periods at intervals, provided that employment under this provision shall not be for job work such as contemplated in section 4 of rule VIII. Appointments under this paragraph for duty in Washington, D. C., may be made only with the express prior approval of the Commission when in the opinion of the Commission the use of existing registers or the establishment of new registers is impracticable. The name of the employee, designation, duties, rate of pay, and place of employment shall be shown in the periodical report of changes; and in addition, when payment is not at a per annum rate, the total service rendered and the distribution of such service during the year shall be shown in the report of changes at the end of each year or when the employee is separated from the service. The additional employment under similar conditions of such a person by another department or establishment of the Government will be subject to the approval of the Commission.

Paragraph 8, Subdivision I of Schedule A is amended to read:

8. Officers and employees in the Federal service on the Isthmus of Panama, except accountant, bookkeeper, clerk, draftsman, physician, play-ground director, statistician, stenographer, surgeon, trained nurse, typist, and harbor personnel in the Quartermaster Corps of the

War Department. Appointments to clerical positions on the Isthmus of Panama, paying \$120 in United States currency per month or less may be made without examination.

Paragraph 3, Subdivision VII of Schedule A is amended to read:

3. Clerks in fourth class post offices.

Paragraph 7, Subdivision VII of Schedule A is amended to read:

7. Special delivery messengers in second, third, and fourth class post offices.

Paragraph 8, Subdivision VII of Schedule A is amended to read:

8. Unskilled laborers employed as janitors and cleaners in small postal units in leased quarters at a compensation less than \$1299 per annum.

Paragraph 12, Subdivision VIII of Schedule A is amended to read:

12. Housekeepers in the Indian Service at a gross salary not in excess of \$864 per annum.

Paragraph 19, Subdivision VIII of Schedule A is amended to read:

19. Temporary seasonal field assistants in forestry and range management at salaries not to exceed a rate of \$1,704 a year and for not to exceed 4 months in any 1 calendar year.

Paragraph 4, Subdivision IX of Schedule A is amended to read:

4. Student assistants whose salaries shall not exceed a rate of \$576 a year while employed. Only bona fide students at high schools or colleges of recognized standing shall be eligible for appointment under this paragraph. Appointments shall not exceed 6 months in any 1 calendar year, except in exceptionally meritorious cases, and then only upon prior approval of the Commission. Appointments under this paragraph shall be reported to the Commission in such form as the Commission may prescribe.

Paragraph 26, Subdivision IX of Schedule A is amended to read:

26. Technical or professional consultants or advisors, at salary rates of \$5,160

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Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, the National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D. C.

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

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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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or more, employed for not to exceed 6 months in any 1 calendar year.

Paragraph 27, Subdivision IX of Schedule A is amended to read:

27. Temporary, seasonal field assistants in forestry and range management, at salaries not to exceed a rate of \$1,704 a year, and for not to exceed 4 months in any 1 calendar year.

Paragraph 28, Subdivision IX of Schedule A is amended to read:

28. Temporary, seasonal clerical or custodial positions in the Field Service of the Department of Agriculture, at places other than Civil Service Regional headquarters, paying not to exceed a rate of \$2,100 a year, for periods not to exceed 6 months in any 1 calendar year, whenever in the opinion of the Commission such positions cannot be filled from existing registers.

Paragraph 4, Subdivision XI of Schedule A is amended to read:

4. Student assistants in the National Bureau of Standards whose salaries shall not exceed a rate of \$576 a year each while employed. Only bona fide students at high schools or colleges of recognized standing pursuing technical or scientific courses shall be eligible for appointment under this paragraph. Appointments shall not exceed 6 months in any 1 calendar year, except in especially meritorious cases, and then only upon prior approval of the Commission. Appointments under this paragraph shall be reported to the Commission in such form as the Commission may prescribe.

Paragraph 11, Subdivision XI of Schedule A is amended to read:

11. Agents to take and transmit meteorological observations in connection

with airways, whose duties require only part of their time, and whose compensation does not exceed \$120 a month.

Paragraph 1, Subdivision VII of Schedule B is amended to read:

1. Specialists in foreign relations, political, economic, and financial, whose proposed compensation is \$3,640 or more, and whose training and experience along the lines of their proposed duties meet the standard minimum qualifications set up in open competitive examinations for positions in the professional service for corresponding grades.

Paragraph 4, Subdivision XI of Schedule B is amended to read:

4. Commodity Credit Corporation: Technical or professional consultants or advisors, at salary rates of \$5,180 or more, for periods not to exceed 18 months.

Paragraph 1, Subdivision XIII of Schedule B is amended to read:

1. National Training School for Boys: Assistants to cottage officers when filled by the appointment of bona fide students at colleges or universities at salaries not in excess of \$648 per annum, subject to the approval of the Commission.

HARRY S. TRUMAN:

THE WHITE HOUSE,  
November 1, 1945.

[F. R. Doc. 45-20203; Filed, Nov. 1, 1945; 3:17 p. m.]

**Regulations**

**TITLE 5—ADMINISTRATIVE PERSONNEL**

**Chapter I—Civil Service Commission**

**PART 50—SCHEDULE A: NONCLASSIFIED POSITIONS EXCEPTED FROM EXAMINATION UNDER § 2.3 (b)**

CROSS REFERENCE: For amendments to §§ 50.1 (f) and (h), 50.7 (c), (g) and (h), 50.8 (l) and (s), 50.9 (d), (2), (aa) and (bb), and 50.11 (d) and (k), see Executive Order 9653, *supra*.

**PART 51—SCHEDULE B: NON-CLASSIFIED POSITIONS WHICH MAY BE FILLED UPON NONCOMPETITIVE EXAMINATIONS UNDER § 2.3 (c)**

CROSS REFERENCE: For amendments to §§ 51.7 (a), 51.11 (d) and 51.13 (a), see Executive Order 9653, *supra*.

**TITLE 30—MINERAL RESOURCES**

**Chapter VI—Solid Fuels Administration for War**

**PART 602—GENERAL ORDERS AND DIRECTIVES**

**STATEMENT CLARIFYING PREFERENCE ON SHIPMENTS OF COAL PRODUCED IN DISTRICT 8 MOVING VIA THE GREAT LAKES**

On September 14, 1945, SFAW issued a Notice of Direction to Shippers of Coal

Produced in Districts 2, 7 or 8 Moving Via the Great Lakes (10 F.R. 11884) which, among other things, required shippers of coal produced in District 8 to accord a first preference to shipments pursuant to commitments for coal moving via the Great Lakes to any dock or other unloading facility except those located on: Lake Erie, Lake Ontario, the Welland Canal, and the St. Lawrence River; and Lake Michigan within the States of Illinois and Indiana. As was indicated in the Statement Concerning Preference Shipments on Bituminous Coal, issued October 18, 1945 (10 F.R. 13103), shipments of coal to these points were to be accorded a fourth preference.

The distribution pattern for coal produced in District 8 was subsequently modified by the notice of direction to all shippers of coal produced in District 8, issued October 24, 1945 (10 F.R. 13306) which prohibited the shipment of any such coal via the Great Lakes (except for vessel fuel use) to any person at any point located on: Lake Erie, Lake Ontario, west of and including Toronto; the Welland Canal; the Detroit River; the St. Clair River; Lake St. Clair; Lake Michigan, within the States of Illinois and Indiana. Some question has arisen as to the obligations of shippers to meet commitments for coal moving to docks or other unloading facilities located on Lake Ontario, east of Toronto and on the St. Lawrence River.

Shippers of coal produced in District 8 are not only permitted to fill commitments for such coal moving via the Great Lakes to any person at any point located on Lake Ontario, east of Toronto, or on the St. Lawrence River, but are required to accord a first preference to such shipments to the same extent as the first preference is accorded to other lake commitments pursuant to the Notice of Direction and Statement referred to above.

This statement is applicable only to shipments of coal produced in District 8 and does not relate to shipments of coal produced in other districts.

Issued this 1st day of November 1945.

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

[F. R. Doc. 45-26245; Filed, Nov. 2, 1945; 11:23 a. m.]

**TITLE 32—NATIONAL DEFENSE**

**Chapter VIII—Department of Commerce, Office of International Trade Operations**

**Subchapter B—Export Control**

**PETROLEUM PRODUCTS**

**ORDER EXTENDING VALIDITY OF CERTAIN INDIVIDUAL EXPORT LICENSES**

It is hereby ordered, That all individual export licenses issued by the Foreign Economic Administration or the Department of Commerce, Office of International Trade Operations, authorizing the exportation of petroleum products to any destination, which are valid and outstanding on the date of this order, shall

remain valid for a period of one (1) year from the date of issuance of the license, unless sooner revoked or further extended by the Department of Commerce. The provisions of this order shall not apply to any individual license authorizing the exportation of petroleum products which has been suspended, cancelled or revoked prior to the date of this order.

(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; E.O. 9630, 10 F.R. 12245; Order No. 390, 10 F.R. 13130)

Dated: November 1, 1945.

WALTER FREEDMAN,  
Director,

Requirements and Supply Branch.

[F. R. Doc. 45-20209; Filed, Nov. 1, 1945; 3:37 p. 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; E.O. 9599, 10 F.R. 10155; W.P.B. Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64.

#### PART 3290—TEXTILE, CLOTHING, AND LEATHER

[General Limitation Order L-85 as Amended Oct. 30, 1945]

##### APPAREL FOR FEMININE WEAR

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

§ 3290.1 *General Limitation Order L-85—(a) Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board.

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

(1) "Put into process" means the first cutting of cloth in the manufacture of any apparel for feminine wear.

(2) Unless otherwise specifically defined, all terms in this order and its schedules shall have their usual and customary trade meanings.

(c) *General restrictions.* (1) No person shall put into process or manufacture any apparel for feminine wear contrary to the restrictions in any schedule of this order.

(2) No person shall sell or deliver any apparel for feminine wear knowing the same to have been put into process or manufactured contrary to the restrictions in any schedule of this order.

(d) *General exceptions.* The provisions of this order and its schedules shall not apply to:

(1) Apparel for feminine wear made in the home and not for remuneration;

(2) The sale of apparel, for feminine wear by a person who acquired the same for her own personal use;

(3) The sale of second hand apparel for feminine wear;

(4) The alteration of any apparel for feminine wear to fit a specific individual consumer;

(5) Apparel for feminine wear for persons of heights of 5' 7½" or over, of abnormal size, or with physical deformities, to the extent it is necessary to use in such apparel additional material for proportionate length, sweep or width;

(6) Bridal gowns;

(7) Burial gowns;

(8) Robes and vestments as required by the rules of religious orders and sects and the judiciary;

(9) Historical costumes for theatrical productions;

(10) Officially prescribed uniforms manufactured in accordance with the specifications of the applicable department or agency regulations for personnel of the United States Army, Navy, Marine Corps, Coast Guard, Maritime Commission, War Shipping Administration, and their auxiliaries, and cadet nurses of the Public Health Services;

(11) [Deleted Oct. 30, 1945.]

(e) [Deleted Oct. 30, 1945.]

(f) *Reports.* Every person who, for himself or another, puts cloth into process or who has cloth put into process by another for his account, for the manufacture of a product referred to in this order or its schedules, shall execute and file form WPB-3272, setting forth the information as required therein. This paragraph does not require reports with respect to apparel for feminine wear made in the home and not for remuneration, or the alteration of any apparel for feminine wear to fit a specific individual consumer. This reporting requirement has been approved by the Bureau of the Budget under the Federal Reports Act of 1942.

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

(h) *Communications to the War Production Board.* All reports to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to War Production Board, Textile, Clothing and Leather Division, Washington 25, D. C., Ref. L-85.

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

Issued this 30th day of October 1945.

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

#### INTERPRETATION 1

[Superseded by paragraph (b) (10) of L-85, as amended May 25, 1943.]

[F. R. Doc. 45-20057; Filed, Oct. 30, 1945; 3:06 p. m.]

#### PART 3290—TEXTILE, CLOTHING, AND LEATHER

[General Limitation Order L-85, Revocation of Interpretation 2]

#### DOLMAN, BALLOON OR LEG-O-MUTTON SLEEVES

Interpretation 2 to General Limitation Order L-85 is revoked, as the prohibitions on dolman, balloon or leg-o-mutton sleeves have been removed from Order L-85 and its schedules as amended October 30, 1945.

Issued this 30th day of October 1945,

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

[F. R. Doc. 45-20053; Filed, Oct. 30, 1945; 3:05 p. m.]

#### PART 3290—TEXTILE, CLOTHING, AND LEATHER

[General Limitation Order L-85, Schedule I, as Amended Oct. 30, 1945]

#### WOMEN'S, MISSES' AND JUNIOR MISSES' DRESSES

§ 3290.2 *Schedule I to General Limitation Order L-85—(a) Definitions.* For the purpose of this schedule:

(1) When descriptive of sizes:

(i) "Misses'" means sizes 10-20;

(ii) "Junior misses'" means sizes 9-17;

(iii) "Women's regular" means sizes 36-52;

(iv) "Little women's" means sizes 14½-28½;

(v) "Women's stout" means sizes 38½-52½;

(vi) "Women's odd" means sizes 35-51.

(2) "Evening dress" and "dinner dress" means a dress of floor or ankle length;

(3) "Suit dress" means an unlined two-piece outfit consisting of top and skirt, sold as one unit and commonly known to the trade as a two-piece dress. It shall be subject to all the regulations of this Schedule I governing dresses. However, if the top is lined, half lined, sleeve lined, partly or skeleton lined, it shall be deemed a suit and not a dress, and shall be subject to Schedule III governing suits;

(4) "Daytime dress" means any dress other than an evening or dinner dress;

(5) "Dress" includes an evening dress, dinner dress, suit dress, daytime dress, nurses' uniform, maid's uniform and maternity dress;

(6) "Body basic" means the front and back of the waist, the skirt, sleeves, inside shoulder pads, belt or sash, hem, an attached slip under a transparent fabric, normal facings, and 2" lap on an open front top;

(7) "Trimming allowance" means the material allowed to be used to trim a body basic;

(8) "French cuff" means a cuff over a cuff, or a double cuff;

(9) "French facing" means a facing extending to the armhole or beyond;

(10) "Culotte" means a garment with a divided skirt;

(11) "Measurements" means, unless otherwise specified, maximum finished measurements in inches after all manufacturing operations have been completed and the dress is ready for shipment, as follows:

(i) "Sweep" means the maximum circumference of a skirt at any point parallel to the floor;

(ii) "Hipline" means the line 9 inches below the waistline;

(iii) "Sleeve length" means the maximum measurement from the side of the neck over the shoulder to the bottom of the sleeve;

(iv) "Sleeve circumference" means the maximum measurement at the bottom of the sleeve, or at the part attached to the cuff;

(v) Measurements of the length of a daytime dress and of a top of a suit dress shall be made from the nape of the neck to the bottom of the finished garment;

(vi) Measurements of the length of a suit dress skirt shall be made from the highest point of the skirt to the bottom of the finished garment;

(vii) Measurements of the length of an evening or dinner dress shall be made from the center of the hollow of the neck to the bottom of the finished garment.

(b) [Deleted Oct. 30, 1945.]

(c) *General restrictions on processing, manufacture and sale of women's, misses', and junior misses' dresses.* (1) No person shall put into process, manufacture, sell or deliver any dress, including a jumper dress, with another garment or article at a unit price, except that the top and skirt of a suit dress may be sold as one unit at a unit price.

(2) No person shall put into process, manufacture, sell or deliver a dress with an attached hood, cape, fichu, vest, pants, handkerchief, or shawl.

(3) No person shall change any manufactured size marking to denote a different size or a different size range.

(d) *General restrictions applying to the processing of a dress.* (1) No person shall put into process any cloth for the manufacture of a dress with:

- (i) French facings;
- (ii) [Deleted Oct. 30, 1945.]
- (iii) [Deleted Oct. 30, 1945.]
- (iv) [Deleted Oct. 30, 1945.]
- (v) [Deleted Oct. 30, 1945.]
- (vi) Culottes;

(vii) A skirt with pleating, tucking or shirring, except when the sweep before pleating, tucking or shirring does not exceed the prescribed sweep of that particular size;

(viii) An open front or fly front skirt which does not conform when open to the measurements prescribed for that particular size;

(ix) French cuffs.

(x) [Deleted Oct. 30, 1945.]

(e) *General restrictions applying to the use of trimming allowance.* (1) No person shall put into process any cloth for trimming on a dress exceeding the following restrictions:

(i) Cuffs over 3" in width;

(ii) [Deleted Oct. 30, 1945.]

(iii) More than 1 ruffle on each sleeve;

(iv) A sleeve ruffle exceeding 3" in width;

(v) More than 1 collar or revers. (A single collar or revers of 2 thicknesses with an inside lining is permitted);

(vi) A collar or ruffle over 5" wide;

(vii) More than 2 pockets, inside or out, or with any patch pocket exceeding 42 square inches of material before reduction;

(viii) More than 4 flaps over 18 square inches each;

(ix) Quilting in excess of 300 square inches;

(x) Pleating, tucking or shirring of any part or section above the waistline of a dress, increased by more than 10% of said part or section, except that the width of the complete front of a top of a dress may be increased by 3 inches of material.

*Provided*, That the use of cloth as allowed above shall be charged against the trimming allowance.

(f) *Body basic and trimming allowance.* (1) A dress shall consist only of cloth sufficient for the body basic and the trimming allowance. At any place on the body basic where there is more than 1 thickness of material, except for the belt or sash, normal facings, inside shoulder pads, hem, an attached slip under a transparent fabric, and a 2" lap on an open front top, all of which are considered part of the body basic, the extra thickness shall be deemed trimming and shall be charged against the trimming allowance.

(2) The body basic shall be limited to (For Figure 1 illustrating the body basic see 8 F.R. 16727):

(i) The complete front and back of the waist up to the neckline, including normal fullness. In the case of a suit dress, the waist or top shall not exceed 25 inches in length for a size 16, other sizes to be graded in normal proportions;

(ii) The skirt, with the limitations of hip length, sweep, and hem, as provided in paragraph (g);

(iii) Short or full length sleeves with the limitations of length and circumference as provided in paragraph (g).

(iv) One belt or sash;

(v) Inside shoulder pads;

(vi) A 2" lap on an open front top;

(vii) Normal facings.

(viii) An attached slip under a transparent fabric.

(3) The trimming allowance shall be limited to:

(i) 700 square inches for nontransparent fabrics for all sizes if the hip measurement does not exceed the body basic hip measurement. However, if the hip measurement exceeds the allowable body basic hip measurement, and in no event may it exceed the allowable sweep, such trimming allowance shall be reduced to 525 square inches;

(ii) 1400 square inches for transparent fabrics for all sizes if the hip measurement does not exceed the body basic hip measurement. However, in the hip measurement exceeds the allowable body basic hip measurement, and in no event may it exceed the allowable sweep, such trimming allowance shall be reduced to 1050 square inches.

(g) *General restrictions on the measurements of dresses.* - Maximum measurements for all sizes and ranges other than those specified below shall be graded in normal trade proportions.

(1) *Daytime dresses.* Daytime dresses shall be of and graded from the following maximum measurements:

DAYTIME DRESSES

TYPE	Size	Skirt sweep other than waist & waist over	Skirt sweep waist over	Body Body hip meas.	Dress Length	Hem	Sleeve circum.	Sleeve Length
Misses.....	16	12	41	43	2	14	22	
Jr. misses.....	15	12	40	42	2	14	20	
Little wom. (short).....	20 1/2	12	40	40 1/2	2	15 1/2	20	
Women's reg.....	41	18	50	45	2	15 1/2	31 1/2	
Women's stout.....	42 1/2	24	54	47	2	16	32	
Women's odd.....	41	23	54	47	2	16	31	

(2) *Suit dresses.* The above maximum measurements relating to daytime dresses shall apply to suit dresses, in addition to which the following maximum measurements are also to be observed:

SUIT DRESSES

TYPE	Size	Top or waist length	Skirt length including waistband
Misses.....	16	23	33
Jr. misses.....	15	23	31 1/2
Little wom. (short).....	20 1/2	23 1/2	31 1/2
Women's reg.....	40	23 1/2	33 1/2
Women's stout.....	42 1/2	23 1/2	33 1/2
Women's odd.....	41	23 1/2	33 1/2

(3) *Evening and dinner dresses.* (1) Sweeps on all sizes of evening and dinner dresses shall be limited, with respect to the following materials, to:

(a) 90 inches when made of crepes, crepe satins, and similar fabrics;

(b) 144 inches when made of taffeta, flat satins, and failles;

(c) 288 inches when made of transparent fabrics;

(d) 90 inches when made of any other material.

(ii) Lengths for evening and dinner dresses shall not exceed:

(a) 59 1/2" for size 16, Misses' range;

(b) 59" for size 15, Junior Misses' range;

(c) 60 1/2" for size 40, Women's range.

(iii) [Deleted Oct. 30, 1945.]

(iv) Except for measurements of length and sweep, all other measurements relating to daytime and suit dresses shall apply to evening and dinner dresses.

(v) Any dress shorter than ankle or floor length shall conform in all respects with the measurements prescribed for daytime and suit dresses.

(4) *Maternity dresses.* Maternity dresses shall be subject to all of the regulations and restrictions relating to daytime and suit dresses, except:

(i) A misses', size 16, may have a maximum sweep of 86 inches, unless it is of the wrap-around type in which case it may have a maximum sweep of 94 inches;

(ii) A junior misses' size 15, may have a maximum sweep of 86 inches, unless it is of the wrap-around type in which case it may have a maximum sweep of 94 inches;

(iii) A women's, size 40 may have a maximum sweep of 90 inches, unless it is of the wrap-around type in which case it may have a maximum sweep of 98 inches;

(iv) All sizes may be made 1 inch longer than lengths prescribed for daytime or suit dresses;

(v) The full trimming allowance may be used even when the hip measurement, which may in no case exceed the allowable sweep, exceeds the maximum hip measurements of the Body Basic.

(5) *Nurses' uniforms.* Nurses' uniforms shall be of and graded from the following maximum measurements:

NURSES' UNIFORMS

Type	Size	Length pre-shrunk	Length non-shrunk	Hems	Sweep
Misses.....	16	44½	47	3	72
Junior miss.....	15	43	45½	3	72
Women's.....	40	46	48½	3	76

(6) *Maids' uniforms.* Maids' uniforms shall be of and graded from the following maximum measurements:

MAIDS' UNIFORMS

Type	Size	Length pre-shrunk	Length non-shrunk	Hems	Sweep
Misses.....	16	43½	45½	2	60
Women's.....	40	45	47	2	66

(7) *Washable service apparel wrap-around dresses and Hoover aprons.* Washable service apparel wrap-around dresses and Hoover aprons shall be of and graded from the following maximum measurements:

WASHABLE SERVICE APPAREL

Type	Size	Length pre-shrunk	Length non-shrunk	Hem	Sweep
Misses'.....	16	43½	45½	3	78
Women's.....	40	45	47	3	84

(h) *Trimming records.* Every person who puts cloth into process for the manufacture of dresses shall make and retain, for not less than one year, a record

of the number of square inches used for the trimming on each style of dress manufactured by him.

Issued this 30th day of October 1945.

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

[F. R. Doc. 45-20054; Filed, Oct. 30, 1945; 3:06 p. m.]

PART 3290—APPAREL FOR FEMININE WEAR  
[General Limitation Order L-85, Schedule II, as Amended Oct. 30, 1945]

WOMEN'S, MISSES' AND JUNIOR MISSES' BLOUSES

§ 3290.3 *Schedule II to General Limitation Order L-85—(a) Definitions.* For the purpose of this schedule:

(1) "Blouse" means the outer garment for feminine wear commonly worn with a separate skirt or under a jacket, and shall include all kinds of blouses and shirts;

(2) "French cuff" means a cuff over a cuff, or a double cuff;

(3) "French facing" means a facing extending to the armhole or beyond.

(b) [Deleted Oct. 30, 1945.]

(c) *General restrictions on processing, manufacture and sale of women's, misses', and junior misses' blouses.* (1) No person shall put into process, manufacture, sell or deliver a blouse with another garment or article (except a slack) at a unit price.

(2) No person shall put into process, manufacture, sell or deliver a blouse with an attached vestee, dickey, gilet, hood, capelet or handkerchief.

(3) No person shall change any manufactured size marking to denote a different size or a different size range.

(d) *General restrictions applying to the processing of a blouse.* (1) No person shall put into process any cloth for the manufacture of a blouse with:

(i) French facings;  
(ii) Double yoke, except on knitted fabrics;

(iii) [Deleted Oct. 30, 1945.]

(iv) [Deleted Oct. 30, 1945.]

(v) French cuffs;

(vi) Cuffs over 3 inches in width;

(vii) [Deleted Oct. 30, 1945.]

(viii) [Deleted Oct. 30, 1945.]

(ix) More than 1 ruffle on each sleeve;  
(x) A sleeve ruffle exceeding 3 inches in width;

(xi) More than 1 collar or revers. (A single collar or revers of 2 thicknesses is permitted);

(xii) A collar or revers over 5 inches wide;

(xiii) [Deleted Oct. 30, 1945.]

(xiv) More than 1 pocket, inside or out, or with any patch pocket exceeding 25 square inches of material before reduction;

(xv) More than 1 flap limited to 15 square inches of material before reduction;

(xvi) More than 2 separate trimming bows over 2 inches in width;

(xvii) Quilting in excess of 100 square inches.

(2) If a blouse is trimmed by any one of the following methods a combination of any such methods may not be used, and:

(i) If a blouse is ornamented by ruffles, frills, or a jabot, the entire trimming consumed by such ruffles, frills, or jabot may use material not to exceed 320 square inches. In no case may more than 1 ruffle, frill, or jabot over 5 inches wide be used on either or both sides of the center front, and the fullness may not be over 3 to 1;

(ii) If a blouse is ornamented by tucking or pleating on the front of the blouse, the entire width of the front of the blouse may not be increased by more than 4 inches of material;

(iii) If a blouse is ornamented by tucking or pleating on the collar, the cuffs, or both, the entire extra material contained in the collar, the cuffs, or both may not be more than 92 square inches.

(3) A blouse shall be of and graded from the following measurements for a size 36, all other sizes and ranges to be graded in normal trade proportions:

(i) 23 inches maximum overall length, including turn-up for hem;

(ii) 19½ inches for the maximum underarm sleeve length;

(iii) 15 inches for the maximum measurements at the bottom of the sleeve, or at the part attached to the cuff.

(e) *Trimming records.* Every person who puts cloth into process for the manufacture of blouses shall make and retain, for not less than one year, a record of the number of square inches used for the trimming of each style of blouse manufactured by him.

Issued this 30th day of October 1945.

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

[F. R. Doc. 45-20055; Filed, Oct. 30, 1945; 3:06 p. m.]

PART 3290—TEXTILE, CLOTHING, AND LEATHER

[General Limitation Order L-85, Schedule III, as Amended Oct. 30, 1945]

WOMEN'S, MISSES' AND JUNIOR MISSES' COATS, TOPPERS, SUITS, JACKETS, SKIRTS, SLACKS, OVERALLS, COVERALLS, PLAYSUITS AND SHORTS

§ 3290.4 *Schedule III to General Limitation Order L-85—(a) Definitions.* For the purpose of this schedule:

(1) "Coat" means any outer garment for feminine wear, usually worn over other outer apparel, including a cape, a raincoat, an evening coat, a refter and a topper, but excluding a fur coat;

(2) [Deleted Oct. 30, 1945.]

(3) [Deleted October 26, 1943]

(4) "Suit" means a garment consisting of a separate jacket and skirt of either matching or contrasting material, sold as one unit;

(5) "Jacket" means a coat shorter than 33 inches of the type usually worn with a skirt or slacks or over other apparel. (Note that paragraph (c) (2) specifies the maximum permitted length for a jacket);

(6) "Playsuit" means either a one-piece garment consisting of a top attached to a pair of shorts, or a two-piece garment consisting of a separate top and a pair of shorts.

(7) "Evening skirt" means a skirt of floor or ankle length;

(8) "French cuff" means a cuff over a cuff, or a double cuff;

(9) "French facing" means a facing extending to the armhole or beyond;

(10) "Culotte" means a garment with a divided skirt;

(11) "Measurements" means, unless otherwise specified, maximum finished measurements in inches after all manufacturing operations have been completed and the garment is ready for shipment, as follows:

(i) Measurements of the length of coats, toppers, reefers, and jackets shall be made from the nape of the neck to the bottom of the finished garment;

(ii) Measurements of the length of skirts shall be made from the highest point of the skirt to the bottom of the finished garment;

(iii) "Sweep" means the maximum circumference of a skirt at any point parallel to the floor;

(iv) "Sleeve length" means the maximum measurement from the side of the neck over the shoulder to the bottom of the sleeve;

(v) "Sleeve circumference" means the maximum measurement at the bottom of the sleeve, or at the part attached to the cuff.

(b) [Deleted Oct. 30, 1945.]

(c) General restrictions on processing, manufacture and sale of all women's misses', junior misses' coats, suits, jackets, skirts, slacks, coveralls, overalls, play suits, shorts.

(1) No person shall put into process, manufacture, sell or deliver an article of apparel for feminine wear covered by this Schedule with another garment or article at a unit price, except that:

(i) A jacket may be sold with a skirt, or with a slacks, or with ski pants as a two-piece outfit at a unit price;

(ii) A skirt may be sold with a one-piece short playsuit at a unit price; and

(iii) A slacks may be sold with a blouse at a unit price.

(2) No person shall put into process, manufacture, sell or deliver an article of apparel for feminine wear covered by this schedule with an attached hood, cape, capelet, fichu, vest, cap, pants, handkerchief, shawl or scarf.

(3) No person shall change any manufactured size marking to denote a different size or a different size range.

(d) General restrictions applying to the processing of apparel for feminine wear covered by this schedule. (1) No person shall put into process any cloth for the manufacture of a coat with:

(i) French facings, except of wool cloth;

(ii) [Deleted Oct. 30, 1945.]

(iii) [Deleted Oct. 30, 1945.]

(iv) [Deleted Oct. 30, 1945.]

(v) [Deleted Oct. 30, 1945.]

(vi) More than one collar or revers. (Single collar or revers of 2 thicknesses with inside lining permitted);

(vii) [Deleted Oct. 30, 1945.]

(viii) More than 2 pockets, inside or out, except on a reversible raincoat in which case 2 pockets may be used on the inside and the outside, or with any patch pocket exceeding 64 square inches of material before reduction;

(ix) More than 4 flaps;

(x) Separate or attached vestees, dickeys, gilets, or scarfs.

(2) [Deleted Oct. 30, 1945.]

(3) No person shall put into process any cloth for the manufacture of a separate jacket or a jacket which is the top of a suit, a slacks suit or a ski suit, with:

(i) French facings, except of wool cloth;

(ii) [Deleted Oct. 30, 1945.]

(iii) [Deleted Oct. 30, 1945.]

(iv) [Deleted Oct. 30, 1945.]

(v) [Deleted Oct. 30, 1945.]

(vi) More than 1 collar or revers. (Single collar or revers of 2 thicknesses with inside lining permitted);

(vii) A collar over 5 inches in width;

(viii) [Deleted Oct. 30, 1945.]

(ix) More than 2 pockets, inside or out, or with any patch pocket exceeding 42 square inches of material before reduction;

(x) More than 4 flaps;

(xi) Separate or attached vestees, dickeys, gilets or scarfs;

(xii) Double breasted fronts;

(xiii) Quilting, except when used as a lining;

(xiv) Pleating, tucking or shirring of any part or section of a jacket which increases by more than 10% said part or section, except that the width of the complete front of a jacket may be increased by 8 inches of material.

(4) No person shall put into process any cloth for the manufacture of a separate skirt or a suit skirt or a play suit skirt, with:

(i) A separate or attached half belt, full belt, tab, simulated belt, or belt loops;

(ii) Pleating, tucking or shirring on the waistband;

(iii) [Deleted Oct. 30, 1945.]

(iv) [Deleted Oct. 30, 1945.]

(v) More than 1 pocket, inside or out, or with any patch pocket exceeding 36 square inches of material before reduction;

(vi) A flap on the pocket;

(vii) Features making such skirts of the types known as culottes, reversible skirts, lined skirts, quilted skirts, or skating skirts;

(viii) Pleating, tucking, or shirring, except when the sweep before pleating, tucking or shirring does not exceed the prescribed sweep of that particular size.

(5) No person shall put into process any cloth for the manufacture of a slacks, coverall, overall, short, play suit, or ski pants, with:

(i) A separate or attached half belt, full belt, simulated belt, tab, or belt loops, except that a coverall may have a belt and belt loops, and a slacks, a short and ski pants may have belt loops.

(ii) Pleating, tucking or shirring on the waistband;

(iii) [Deleted Oct. 30, 1945.]

(iv) More than 2 pockets, inside or out, or with any patch pockets exceeding 36 square inches of material before reduction;

(v) Flaps on pockets;

(vi) [Deleted Oct. 30, 1945.]

(vii) A blouse or shirt top which exceeds the restrictions of Schedule II governing blouses.

(e) General restrictions on the measurements of all apparel for feminine wear covered by this schedule. Maximum measurements for all sizes and ranges other than those specified below shall be graded in normal trade proportions.

(1) Coats. Coats shall not be shorter than 33 inches for any size and shall be of and graded from the following maximum measurements:

COATS

Type	Size	Hems	Outside sleeve measurements	Sleeve circum.	Sweep		Length	
					Fit	Box <sup>1</sup>	Fit	Box
Misses'.....	16	MANSO	33	10 1/2	70	60	43	42
Jr. misses'.....	15		33	10 1/2	70	60	41 1/2	41 1/2
Little women.....	20 1/2		33 1/2	10 1/2	70	60	44	43
Women's reg.....	40		31 1/2	10 1/2	70	60	42 1/2	41 1/2
Women's stout.....	42 1/2		32	10 1/2	70	60	42 1/2	43 1/2
Women's odd.....	41	31 1/2	10 1/2	70	60	43 1/2	43 1/2	

<sup>1</sup> Box coats between 33" and 36" in length may be made with same sweep as designated for fitted coats.

(2) Jackets. Separate jackets and jackets which are the tops of suits, slacks suits, and ski suits shall be of and graded from the following maximum measurements:

JACKETS

Type	Size	Jacket length	Sleeve length	Sleeve circum. (torso)	Hems
Misses'.....	16	22 1/2	29	14	1 1/2
Jr. misses'.....	15	22 1/2	29	14	1 1/2
Little women.....	20 1/2	23 1/2	31 1/2	15 1/2	1 1/2
Women's reg.....	40	23 1/2	31	15 1/2	1 1/2
Women's stout.....	42 1/2	23 1/2	32	15 1/2	1 1/2
Women's odd.....	41	23 1/2	31	15	1 1/2

(3) Separate skirts. Separate skirts shall be of and graded from the following maximum measurements:

SEPARATE SKIRTS

Type	Size	Length (to waistband)	Hems	Sweeps	Wool sweep over oz.
Misses'.....	16	23	2	73	64
Jr. misses'.....	15	27	2	73	64
Women's reg.....	40	25 1/2	2	82	70

(4) Suit skirts. Suit skirts shall be of and graded from the following maximum measurements:

SUIT SKIRTS

Type	Size	Length incl. waistband	Hems	Sweeps	Wool sweeps over 9 oz.
Misses'.....	16	28	2	72	64
Jr. misses'.....	15	27	2	72	64
Women's reg.....	40	29½	2	76	70

(5) *Evening and dinner skirts.* (i) Sweeps on all sizes of evening and dinner skirts shall be limited, with respect to the following materials, to:

(a) 90 inches when made of crepes, crepe satins, and similar fabrics;

(b) 144 inches when made of taffeta, flat satins, and fallies;

(c) 288 inches when made of transparent fabrics;

(d) 90 inches when made of any other material.

(ii) Lengths for evening and dinner skirts shall not exceed:

(a) 45½" for size 16, Misses' range;

(b) 44" for size 15, Junior Misses' range;

(c) 46" for size 40, Women's range.

(iii) [Deleted Oct. 30, 1945.]

(iv) Any skirt shorter than ankle or floor length shall conform in all respects with the measurements prescribed for daytime and suit skirts.

(6) *Slacks, overalls and coveralls.* Slacks, overalls and coveralls from waist down shall be of and graded from the following maximum measurements:

SLACKS, OVERALLS AND COVERALLS

Type	Size	Bottom width	Length incl. waistband and turn-up at bottom
Misses'.....	16	19½	45½
Jr. misses'.....	15	19½	44½
Women's reg.....	40	22½	46½

(7) *Ski pants.* Ski pants shall be of and graded from the following maximum measurements:

SKI PANTS

Type	Size	Bottom width	Length including waistband and turn-up at bottom
Misses'.....	16	15	42½
Jr. misses'.....	15	15	41½
Women's reg.....	40	17	44½

Issued this 30th day of October 1945.

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

INTERPRETATION 1: Obsolete.

[F. R. Doc. 45-20056; Filed, Oct. 30, 1945; 3:06 p. m.]

PART 3290—TEXTILE, CLOTHING, AND LEATHER

[General Limitation Order L-85, Schedule IV, as Amended Oct. 30, 1945]

FEMININE NECKWEAR

§ 3290.5 *Schedule IV to General Limitation Order L-85—(a) Definitions.* For the purpose of this schedule:

(1) "Vestee" or "gilet" means a sleeveless and backless front;

(2) "Dickey" means a sleeveless front and back;

(3) "Revers" means neckwear in the shape of a lapel;

(4) "Bib" means a loose front collar;

(5) "Item of neckwear" means any article of feminine wear, including the foregoing, commonly known to the trade as neckwear.

(b) [Deleted Oct. 30, 1945.]

(c) *General restrictions on processing of feminine neckwear.* (1) No person shall put into process any cloth for the manufacture of feminine neckwear with:

(i) A cuff over 3 inches in width;

(ii) [Deleted Oct. 30, 1945.]

(iii) French cuffs;

(iv) More than one collar or revers. (Single collar or revers of 2 thicknesses permitted);

(v) A collar over 5 inches wide;

(vi) More than 2 separate trimming bows;

(vii) All-over tucking or shirring;

(viii) Quilting in excess of 100 square inches;

(ix) Pleating, tucking or shirring which increases the front of a vestee, dickey or gilet by more than 4 inches of material: *Provided, however,* That if a front is so increased, no ruffle, jabot or frill may be used;

(x) More than 2 pin tucks on each side of the center front of a vestee, dickey or gilet when a jabot, frill or ruffle is also used;

(xi) More than 1½ to 1 shirring on 1st and 2d width laces, or more than 2 to 1 on 3d and higher width laces.

(2) The following items of neckwear when made or sold as independent units shall not exceed the following restrictions:

(i) A jabot shall not consume more than 480 square inches of material;

(ii) Revers shall not be wider than 7 inches from the binding to the extreme edge, including trim;

(iii) A bib shall not be over 9 inches deep;

(iv) A collar of sheer material shall not contain more than 2 tiers of fabric, each tier not to exceed 5 inches in width.

(3) The following, when made or sold as an attachment to another item of neckwear, such as a vestee or gilet, shall not exceed the following restrictions:

(i) A jabot shall not contain more than 320 square inches of material;

(ii) A jabot shall not consist of more than 3 tiers, 5 inches wide;

(iii) Revers shall not be wider than 5 inches, including trim;

(iv) A frill or ruffle shall not be over 5 inches wide on either or both sides of the center front;

(v) A frill or ruffle shall not be made with fullness over 3 to 1.

(d) *Trimming records.* Every person who puts cloth into process for the manufacture of neckwear shall make and retain, for not less one year, a record of the number of square inches used for the trimming of each style of neckwear manufactured by him.

Issued this 30th day of October 1945.

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

[F. R. Doc. 45-20051; Filed, Oct. 30, 1945; 3:05 p. m.]

PART 3290—TEXTILE, CLOTHING, AND LEATHER

[General Limitation Order L-85, Schedule V, as Amended, Oct. 30, 1945]

CHILDREN'S APPAREL FOR OUTER WEAR

§ 3290.6 *Schedule V to General Limitation Order L-85—(a) Definitions.* For the purpose of this schedule:

(1) "Outerwear" means all apparel for children, excluding underwear and lounging wear;

(2) "Children's apparel" means outerwear of the following size ranges:

(i) Toddler's range 1 to 4 for both sexes;

(ii) Children's range 3 to 6x for both sexes;

(iii) Girl's range 7 to 14;

(iv) Teen age range 10 to 16;

(v) Chubbie range 7½ to 14½ and 10½ to 16½.

(3) "Children's" means all ranges from 1 to 16½;

(4) "Coat" means any outer garment for children usually worn over other outer apparel, including a cape, a raincoat, a reefer and a topper, but excluding a jacket;

(5) "Playsuit" means either a one-piece garment consisting of a top attached to a pair of shorts, or a two-piece garment consisting of a separate top and a pair of shorts.

(6) "Suit" means a garment consisting of a separate jacket and skirt of either matching or contrasting material, sold as one unit;

(7) "Jacket" means a coat shorter than 33" in teen age and shorter than 24" in girls' range; (Note that paragraph (d) (2) (xvi) specifies the maximum permitted length for a jacket.)

(8) "Dress" includes a street dress, a suit dress and a party dress;

(9) "Street dress" means any dress other than a party dress;

(10) "Party dress" means a dress of floor or ankle length;

(11) "Suit dress" means an unlined two-piece outfit consisting of a top and skirt, sold as one unit and commonly known to the trade as a two-piece dress. It shall be subject to all the regulations of paragraph (d) (5) governing dresses. However, if the top is lined, half lined, sleeve lined, partly or skeleton lined, it shall be deemed a suit and not a dress and shall be subject to paragraphs (d) (2) and (d) (3) governing jackets and skirts.

(12) "Legging set" means a combination of coat and leggings or pants, of the type known as a double duty outfit;

(13) "Snow suit" or "ski suit" means a one-piece garment or a combination of a jacket and leggings or pants, made exclusively for outdoor wear;

(14) "French facing" means a facing extending to the armhole or beyond;

(15) "Culotte" means a garment with a divided skirt;

(16) "Measurements" means, unless otherwise specified, maximum finished measurements in inches after all manufacturing operations have been completed and the garment is ready for shipment, as follows:

(i) Measurement of the length of coats, toppers, dresses, and jackets shall be made from the nape of the neck to the bottom of the finished garment;

(ii) Measurements of the length of skirts shall be made from the highest point of the skirt to the bottom of the finished garment;

(iii) "Sweep" means the maximum circumference of a skirt or a dress at any point parallel to the floor.

(b) [Deleted Oct. 30, 1945.]

(c) *General restrictions on processing, manufacture and sale of all children's apparel.* (1) No person shall put into process, manufacture, sell or deliver any children's apparel, including a jumper or pinafore, with another garment or article at a unit price, except in the case of the following garments which may be sold as one unit:

(i) A skirt and a top may be sold as a dress;

(ii) A jacket may be sold with a skirt, or with slacks, or with ski pants, as a suit;

(iii) A coat may be sold with one pair of leggings up to and including size 14;

(iv) A one-piece play suit may be sold with a skirt.

(2) No person shall put into process, manufacture, sell or deliver any children's apparel with an attached cape, muff, scarf, bag, hat, cap, capelet, handkerchief or hood, except that a collarless raincoat and a collarless mackinaw or ski jacket may be sold with a permanently attached hood up to and including size 14.

(3) No person shall change any manufactured size marking to denote a different size or a different size range.

(d) *General restrictions applying to the processing of children's apparel.*

(1) No person shall put into process any cloth for the manufacture of a Coat, Cape, or Raincoat, with:

(i) [Deleted Oct. 30, 1945.]

(ii) More than one collar or revers. (Single collar or revers of two thicknesses with inside lining permitted);

(iii) A collar over 5 inches wide;

(iv) More than 2 pockets, inside or out, except on a reversible raincoat in which case 2 pockets may be used on the inside and the outside, or with any patch pocket exceeding 36 square inches of material before reduction.

(v) More than 1 flap on each pocket.

(vi) More than 2 separate flaps for trimming use;

(vii) [Deleted Oct. 30, 1945.]

(viii) French facings, except of wool cloth;

(ix) [Deleted Oct. 30, 1945.]

(x) [Deleted Oct. 30, 1945.]

(xi) [Deleted Oct. 30, 1945.]

(xii) Veste'es, dickeys or gilets;

(xiii) [Deleted Oct. 30, 1945.]

(xiv) Bibs on leggings of legging sets;

(xv) Measurements which are not of or graded from the following maximum measurements:

COATS, CAPES AND RAINCOATS

Type	Size	Length to waist	Sweep to waist	Length to hip	Sweep to hip	Hem	Sweep for coat sold with leg- gings
Toddlers'.....	4	17	43	-----	-----	2	43
Children's.....	Cr	23	52½	-----	-----	2	54½
Girls'.....	14	23	43	25	63	2	64
Chubbie girls'.....	14½	23	60	25	70	2	-----
Teen age.....	16	23	59½	41	63	2	-----
Chubbie teen age.....	16½	23	63½	41	72	2	-----

Maximum measurements for all sizes other than those specified above shall be graded in normal trade proportions. Coats in teen age and chubbie teen age types shall not be shorter than 33" for any size, and coats in girls' and chubbie girls' types shall not be shorter than 24" for any size.

(2) No person shall put into process any cloth for the manufacture of a separate jacket or a jacket which is the top of a suit, a slack suit, a snow suit, or a ski suit, with:

(i) [Deleted Oct. 30, 1945.]

(ii) [Deleted Oct. 30, 1945.]

(iii) [Deleted Oct. 30, 1945.]

(iv) [Deleted Oct. 30, 1945.]

(v) More than 1 collar or revers. (Single collar or revers of 2 thicknesses with inside lining permitted);

(vi) Collar or revers over 5 inches in width;

(vii) More than 2 pockets, inside or out, or with a patch pocket exceeding 36 square inches of material before reduction;

(viii) More than 1 flap on each pocket;

(ix) More than 2 separate flaps for trimming use;

(x) [Deleted Oct. 30, 1945.]

(xi) French facings except of wool cloth;

(xii) Double breasted fronts in teen age sizes 10 to 16;

(xiii) Quilting, except when used as a lining;

(xiv) [Deleted Oct. 30, 1945.]

(xv) A dickey collar except on collarless jackets;

(xvi) Measurements which are not of or graded from the following maximum measurements:

JACKETS

Range	Size	Jacket length	Snow & skisuit jacket length	Hem
Toddlers'.....	3	14½	15½	1½
Children's.....	Cr	16½	17	1½
Girls'.....	14	20½	22	1½
Chubbie girls'.....	14½	20½	22	1½
Teen age.....	16	23½	23½	1½
Chubbie teen age.....	16½	23½	23½	1½

Maximum measurements for all sizes and ranges other than those specified above shall be graded in normal trade proportions.

(3) No person shall put into process any cloth for the manufacture of a separate skirt or a suit skirt or a play suit skirt, with:

(i) A separate or attached half belt, full belt, tab, simulated belt, or belt loops;

(ii) Pleating, tucking or shirring on the waistband;

(iii) [Deleted Oct. 30, 1945.]

(iv) More than 1 pocket, inside or out, or with any patch pocket exceeding 25 square inches of material before reduction;

(v) A flap on the pocket;

(vi) [Deleted Oct. 30, 1945.]

(vii) Features making such skirts of the types known as culottes, reversible skirts, lined skirts, quilted skirts, or skating skirts;

(viii) Over-all pleating, tucking or shirring, except when the sweep before pleating, tucking or shirring does not exceed the prescribed sweep of that particular size;

(ix) Measurements which are not of or graded from the following maximum measurements:

SKIRTS

Range	Size	Sweep	Length includ- ing waist- band	Hem
Toddlers'.....	3	43	11½	2
Children's.....	Cr	49	16½	2
Girls'.....	14	63	24	2
Chubbie girls'.....	14½	72	24	2
Teen age.....	16	75	25	2
Chubbie teen age.....	16½	78	25	2

Maximum measurements for all sizes other than those specified above shall be graded in normal trade proportions.

(4) No person shall put into process any cloth for the manufacture of a slack, coverall, overall, short, play suit, snow suit or ski pants, with:

(i) A separate or attached belt, half belt, simulated belt, tab, or belt loops, except that

(a) Slacks or shorts for male children may have a belt and belt loops if they do not have either suspenders, a bib or any button-on features; and

(b) A one-piece play suit and a one-piece snow suit may have a belt; and

(c) Slacks and shorts (except for male children) and ski pants may have belt loops.

(ii) [Deleted Oct. 30, 1945.]

(iii) Pleating, tucking or shirring on the waistband;

(iv) More than 2 pockets, inside or out, or with any patch pocket exceeding 36 square inches of material before reduction;

(v) Flaps on the pockets;

(vi) [Deleted Oct. 30, 1945.]

(vii) [Deleted Oct. 30, 1945.]

(viii) Measurements which are not of or graded from the following maximum measurements:

SLACKS, COVERALLS, OVERALLS, SHORTS, PLAY-SUITS, SNOW-SUITS AND SKI PANTS

Range	Size	Length ski pants	Max. length incl. turn-up slacks & coveralls & overalls from waist down	Circumference at bottom
Toddlers'.....	3	27	22½	15
Children's.....	6x	33	28	16
Girls'.....	14	42	40	18
Teen age.....	16	44	42½	19

(5) No person shall put into process any cloth for the manufacture of children's dresses, with:

- (i) [Deleted Oct. 30, 1945.]
- (ii) French facings;
- (iii) [Deleted Oct. 30, 1945.]
- (iv) A sash over 3 inches in width;
- (v) A bias cut sash;
- (vi) Double yokes;
- (vii) [Deleted Oct. 30, 1945.]
- (viii) [Deleted Oct. 30, 1945.]
- (ix) More than 1 collar or revers. (Single collar or revers of 2 thicknesses permitted);
- (x) A collar or revers over 5 inches in width;
- (xi) More than 2 pockets, inside or out, or with any patch pocket exceeding 36 square inches of material before reduction;

- (xii) More than 1 flap on each pocket;
- (xiii) More than 2 separate flaps for trimming use;
- (xiv) Cuffs over 2 inches in width;
- (xv) [Deleted Oct. 30, 1945.]
- (xvi) [Deleted Oct. 30, 1945.]
- (xvii) [Deleted Oct. 30, 1945.]
- (xviii) Extra sleeves, attached or otherwise;
- (xix) Vestees or gilets;
- (xx) Quilting;
- (xxi) More than 1 ruffle (not to exceed 2 inches in width) on a sleeve;
- (xxii) Ruffles on skirt, except that ruffles may be used on or around skirt pockets;
- (xxiii) A skirt pleated, tucked or shirred, except when the sweep before pleating, tucking or shirring does not exceed the prescribed sweep of that particular size;
- (xxiv) Features making such dresses known as culottes and reversible dresses;
- (xxv) More than two trimming bows;
- (xxvi) Petticoat, apron, or overskirt;
- (xxvii) A dickey collar except on a collarless dress. (The dickey collar shall be no longer than 15 inches from the center back of the neckline to the longest point in front for a size 16);
- (xxviii) Measurements which are not of or graded from the following maximum measurements:

DRESSES

Range	Size	Street length	Street sweep	Street hems	Party length	Party sweep	Party hem	Length top two-piece dress
Toddlers'.....	3	17½	48	3	---	---	---	14½
Children's.....	6x	26	56	3	37	80	1	16½
Girls'.....	14	36	66	3	52	96	1	20½
Chubbie girls'.....	14½	36	72	3	52	96	1	20½
Teen age.....	16	41	72	2	57	120	1	23½
Teen age chubbie.....	16½	41	78	2	57	120	1	23½

Maximum measurements for all sizes other than those specified above shall be graded in normal trade proportions.

Issued this 30th day of October 1945.

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

[F. R. Doc. 45-20052; Filed, Oct. 30, 1945; 3:05 p. m.]

PART 903—DELEGATIONS OF AUTHORITY  
[Directive 41, as Amended Sept. 12, 1945, Amdt. 1]

PREFERENCE RATING AUTHORITY OF THE ARMY AND NAVY MUNITIONS BOARD

Section 903.154 *Directive 41*, is amended by deleting from paragraph (b) (2) the following: "(except for items specifically approved for domestic use in WPB program determinations)".

Issued this 1st day of November 1945.

LINCOLN GORDON,  
Program Vice Chairman.

[F. R. Doc. 45-20187; Filed, Nov. 1, 1945; 11:47 a. m.]

\* Appears at 10 F.R. 8113, 11699 as § 903.54.

PART 903—DELEGATIONS OF AUTHORITY  
[WPB Reg. 2, Revocation]

DELEGATION OF POWER WITH RESPECT TO HAWAII

Section 903.01, WPB Regulation 2, is hereby revoked. This revocation does not affect any liabilities incurred for violations of rules, orders, regulations or other actions issued pursuant to the regulation.

Issued this 1st day of November 1945.

J. A. KRUG,  
Chairman.

[F. R. Doc. 45-20188; Filed, Nov. 1, 1945; 11:47 a. m.]

PART 4600—RUBBER, SYNTHETIC RUBBER AND PRODUCTS THEREOF

[Rubber Order R-1, as Amended Nov. 2, 1945]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of natural rubber and other materials entering into the production of rubber products 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.

Sec. 4600.01 Definitions of certain terms.

GENERAL RESTRICTIONS ON CONSUMPTION OF RAW MATERIALS

- 4600.02 Authorized consumption.
- 4600.03 Permitted uses.

PURCHASE PROCEDURE

- 4600.04 Purchase requests for natural rubber, natural rubber latex, butyl or chlorinated natural rubber.

DELIVERIES, INVENTORIES, AND IMPORTATION

- 4600.05 Restrictions on delivery of materials.
- 4600.06 Restrictions on inventories of materials.
- 4600.07 Restrictions on importation of materials.
- 4600.08 Acquisition of tires and tubes for original equipment.
- 4600.09 Acquisition of tires and tubes for replacement purposes.
- 4600.10 Directions of the War Production Board.
- 4600.11 Natural rubber and natural rubber latex gloves.

MISCELLANEOUS

- 4600.12 Reports.
- 4600.13 Applicability of regulations.
- 4600.14 Appeals.
- 4600.15 Violations.
- 4600.16 Communications.

Appendix I—General permitted uses of raw materials and permitted products. (No longer printed separately but printed at the end of this order).

Appendix II—Manufacturing regulations. (Printed separately).

Appendix III—Revoked May 30, 1945.

Appendix IV—Tire Allotment Plan. Revoked September 7, 1945.

Appendix V—Sorting and packing of scrap tire parts. (Printed separately).

*Purpose of this order.* Rubber Order R-1 embraces the War Production Board's regulations covering the acquisition and consumption of raw materials, purchase procedure, delivery and importation, and special regulations covering the production of certain end products.

Appendix I, which is printed at the foot of Order R-1, establishes general permitted uses for raw materials and special restrictions or provisions for the use of raw materials in the manufacture of specified products.

Appendix II, which is printed separately, establishes manufacturing regulations for various end products set out in lists applicable to the particular product.

Appendix V, which is printed separately, provides regulations for the sorting and packing of scrap tire parts.

DEFINITIONS

§ 4600.01 *Definition of certain terms.* As used in this order:

(a) "Natural rubber" means all forms and types of tree, vine, or shrub rubber including guayule and natural rubber latex. It does not mean or include reclaimed rubber, scrap rubber, balata, chilte, gutta-percha, gutta slak, gutta jelutong or pontianac.

(b) "Natural rubber latex" means the dry latex solids contained in liquid latex.

(c) "Reclaimed rubber" means any vulcanizable material derived from the processing or treatment of scrap rubber, but excluding reclaimed residue or "mud". Reclaimed residue or "mud"

means dried and recovered sludge consisting of a mixture of partially hydrolyzed cellulose, finely divided rubber and other waste products of the digester process of reclaiming rubber.

(d) "Scrap rubber" means any material which results from or is incident to the processing of rubber or synthetic rubber in the manufacture or repair of any product including any unvulcanized scrap rubber containing fabric and any defectively processed materials or products which are not usable for a purpose for which they are designed. The term also means any finished product or part thereof made in whole or in part from rubber or synthetic rubber which through wear, deterioration or obsolescence has served its purpose in its present state.

The term does not include (1) a pneumatic tire or tire casing which can be made serviceable under present limited operating conditions for a use for which it was designed, by means of a temporary or permanent repair or by retreading or recapping in accordance with recognized commercial practice, provided, that pneumatic tires designated by the United States Army as "C-2" tires or designated by the United States Navy as "A" tires, and sold under the warranty that they will be used only as scrap, are designated for the purpose of this Rubber Order as scrap and may only be used as such; (2) any other product which is still usable for a primary purpose for which it was designed; (3) any residual piece of uncured tire cord friction (cord end) which is of sufficient size to be usable as new material in the manufacture of tire patches or in the repair of tires.

(e) "Synthetic rubber" includes Neoprene (all types), Thiokol (all types), except GR-P; all Isobutylene polymer and copolymer types, including Butyl (GR-I) and Polyisobutylene (also known as Polybutene, Vistanex, Vistac, Synthetic 100 and GR-I-X); all Butadiene polymer and copolymer types, including but not limited to GR-S types, such as Hycar OS and Styraloy, and all Butadiene-Acrylonitrile types, such as Hycar, Perbunan, Chemigum, Butaprene and GR-A; and all Isoprene polymer and copolymer types.

(f) "Tube butyl" means specification GR-I and GR-I-50 P.

(g) "Chlorinated natural rubber" means the reaction product of chlorine and natural rubber.

(h) "Consume" means to fabricate, process, stamp, cut or in any manner make any substantial change in the form, shape or chemical composition of natural rubber or synthetic rubber and includes both the consumption of scrap rubber for the production of reclaimed rubber, and the separating, tearing, splitting or pulling apart of scrap rubber for any purpose.

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

#### GENERAL RESTRICTIONS ON CONSUMPTION OF RAW MATERIALS

§ 4600.02 *Authorized consumption.* No person shall consume any of the fol-

lowing materials for permitted uses without first obtaining authorization to do so from the War Production Board on Form WPB-3662.

Natural rubber.  
Natural rubber latex.  
Butyl.  
Chlorinated natural rubber.

No person shall consume in any one calendar month any materials listed above, except in the amounts and for the purposes authorized on Form WPB-3662, and in accordance with applicable manufacturing regulations specified in Appendix II. In addition, material may be consumed for experimental use without authorization to the extent permitted in Appendix I.

Applications for authority to consume any of the materials listed above must be made by filing Form WPB-3662 for each calendar month, with the Rubber Bureau, War Production Board, Washington 25, D. C. Applications on Form WPB-3662 to use these materials in any one month must be filed not later than the 10th day of the preceding month.

Chlorinated natural rubber. Chlorinated natural rubber may be used for bonding natural rubber to metal in the manufacture of products listed in Table B of Appendix I below for which the use of natural rubber is specifically permitted. Such usage must be within the maximum percentage specified or the ceiling limits applicable to the end product named. All applications for permission to consume chlorinated natural rubber for such purpose and for any other purpose must be made on Form WPB-3662 in accordance with the instructions accompanying the form.

Butyl plant clean-up material. Any person may consume Butyl plant clean-up material in the manufacture of any product listed in Appendix I to Rubber Order R-1 as amended, without specific authorization from the War Production Board.

§ 4600.03 *Permitted uses.* No person shall use natural rubber, natural rubber latex, butyl or chlorinated natural rubber, except as provided for in Tables A and B of Appendix I, subject to the applicable manufacturing regulations of this order.

#### PURCHASE PROCEDURE

§ 4600.04 *Purchase requests for natural rubber, natural rubber latex, butyl or chlorinated natural rubber.* (a) Purchase requests for natural rubber, natural rubber latex and butyl must be made on Form WPB-3662 in accordance with instructions accompanying the form. Purchase requests for all types of Government-manufactured synthetic rubber, except butyl, should be made to the Sales Division, Office of Rubber Reserve, Reconstruction Finance Corporation, Washington 25, D. C., in accordance with the regulations of the Office of Rubber Reserve.

Authorized consumers of chlorinated natural rubber and any consumer of synthetic rubber which is privately produced may purchase directly from the producer subject to the inventory restrictions of § 4600.06.

Material purchased, the consumption of which is subject to authorization on Form WPB-3662, may be consumed only to the extent authorized on Form WPB-3662 in any one calendar month and in accordance with applicable manufacturing regulations.

For purchases of material for experimental use, see Appendix I, below.

Purchase requests for Butyl plant clean-up material shall be made on Form WPB-3662 in accordance with instructions accompanying the form. Butyl plant clean-up material must be specified on the form.

(b) *Preference ratings.* Natural rubber, natural rubber latex, butyl and chlorinated natural rubber may be sold and delivered without regard to any preference ratings. Any preference rating purporting to be applied or extended to orders for such materials shall be void and of no effect and must be disregarded.

#### DELIVERIES, INVENTORIES AND IMPORTATION

§ 4600.05 *Restrictions on deliveries of materials.* No person shall deliver any natural rubber, natural rubber latex, butyl or chlorinated natural rubber except as specifically authorized by the War Production Board or as permitted by regulations of the Office of Rubber Reserve. Delivery of these raw materials will be authorized only for uses permitted by Table A and for products specified in Table B both of Appendix I below; delivery of all other raw rubber materials shall be subject only to the inventory restrictions contained in § 4600.06, below; the poundage authorized will take into account the consumption capacity of the applicant and his reports of actual consumption received monthly on Form WPB-3410; in no event will the amounts authorized exceed the inventory restrictions specified in § 4600.06, below. Nothing contained in this section shall be deemed to prohibit:

(a) Delivery of natural rubber, natural rubber latex, butyl or chlorinated natural rubber from one location to another location controlled by the same person where no change of ownership takes place, or by any corporation to another corporation which is its subsidiary or of which it is a subsidiary.

(b) Delivery of reclaimed rubber or any type of synthetic rubber, except butyl. Transfers of these materials must, however, be reported as shipments or receipts on Form WPB-3410 for the calendar month in which the transactions occur.

(c) Any person from accepting delivery from another of natural rubber, natural rubber latex, butyl or chlorinated natural rubber, for the purpose of milling, washing, desinuating, drying, compounding, or conditioning the same, or for processing or manufacturing products therefrom, and thereafter returning the same or the products thereof to such other person.

§ 4600.06 *Restrictions on inventories of materials.* No person, other than the Office of Rubber Reserve, shall accept delivery of any of the following materials, if his inventory is or will by virtue of such acceptance become in excess of an amount reasonably necessary to meet his requirements for the period designated below:

	Days
Natural rubber, natural rubber latex or any type of synthetic rubber, including chlorinated synthetic rubber	60
Reclaimed rubber	45
Chlorinated natural rubber	30

Excess inventories shall be subject to redistribution by voluntary action, or if necessary, through requisitioning by the War Production Board. If a holder has an excess inventory, he may ask for the assistance of the Rubber Bureau, War Production Board, in its disposal.

A person engaged in the business of reclaiming rubber or manufacturing aqueous dispersions of reclaimed rubber may, however, maintain such inventories of scrap, and of reclaimed rubber of his own manufactured grades, as he deems advisable. A person other than the Office of Rubber Reserve engaged in the manufacture of chlorinated rubbers and synthetic rubbers may maintain such inventories of synthetic rubber of his own manufactured types as he may deem advisable. These exceptions may be made notwithstanding the provisions of this § 4600.06 or of Priorities Regulation No. 32, as amended.

**§ 4600.07 Restrictions on importation of materials.** No person shall import any natural rubber, natural rubber latex, or any finished or semi-finished product of which 10% or more by weight is composed of natural rubber or natural rubber latex, except as permitted under this section.

For the purposes of this section, "import" means to transport in any manner into the continental United States from any foreign country or from any territory or possession of the United States (including the Philippine Islands). It includes shipments into a free port, free zone, or bonded custody of the United States Bureau of Customs (bonded warehouse) in the continental United States and shipments in bond into the continental United States for trans-shipment to Canada, Mexico, or any other foreign country.

The restrictions of this section shall not apply to any of the following:

(a) Any importation by the Office of Rubber Reserve or Rubber Development Corporation, or any agent acting for either of them.

(b) The importation by any person during any calendar month of products or materials (except tires, tire casings and tire tubes) which contain an aggregate of not more than twenty-five pounds of natural rubber or natural rubber latex provided such products or materials are not imported for the purpose of manufacturing, processing, sale or resale.

(c) The importation by any person of tires and tubes for the personal use of such person, provided such importation (except of bicycle tires and tubes) is expressly authorized by the Office of Price Administration.

(d) The importation for testing purposes of camelback, or of tires or tubes or sections thereof by any manufacturer of camelback, tires or tubes.

(e) The importation of bicycle tires and tubes originally manufactured in the continental United States, Canada or the British Isles.

(f) The importation of tires for recapping, retreading or repair, provided the tires are thereafter exported to the owners in the foreign country from which the products were imported.

(g) The importation of any scrap rubber.

(h) The importation of any finished products made of natural rubber or natural rubber latex by diplomatic representatives of any foreign government for their personal use or the use of members of their staffs.

(i) The importation of any finished product made of natural rubber or natural rubber latex by commercial representatives of any foreign government for use in their official business.

(j) The importation from the Dominion of Canada by any person of natural rubber, natural rubber latex, butyl or chlorinated natural rubber or any products thereof manufactured in the continental United States, Canada or the British Isles.

(k) The importation by the United States Army or Navy of any finished product made of natural rubber, natural rubber latex, butyl or chlorinated natural rubber.

(l) Any importation of any finished or semi-finished product in respect to which the importer shall furnish to the Collector of Customs at the port of entry a certificate substantially as follows:

The undersigned hereby certifies subject to the criminal penalties for misrepresentation contained in section 35A of the United States Criminal Code, that the products covered by the invoice to which this certificate is attached and are noted therein, are being imported into the United States in accordance with the provisions of § 4600.07 of War Production Board Order R-1.

Date.	Signature.
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**§ 4600.08 Acquisition of tires and tubes for original equipment.** In order to obtain tires and tubes for original equipment, a vehicle manufacturer must certify his purchase order in substantially the following form signed by an authorized official:

The undersigned hereby certifies, subject to the criminal penalties for misrepresentation contained in Section 35 A of the United States Criminal Code, that the tires and tubes listed on the attached purchase order are required by him for mounting on original equipment and that the deliveries specified will not result at any time in an inventory greater than required for his scheduled production in the ensuing 15 days.

Use of the above certification constitutes a representation that the deliveries scheduled will not result in the acquisition of more tires and tubes (including inventory) than are required for the particular manufacturer's production of vehicles or equipment during the 15-day period following each scheduled delivery. In the event of a decrease in the number of products actually required, the manufacturer shall notify his supplier of the reduction, and the scheduled deliveries shall be revised accordingly.

**§ 4600.09 Acquisition of tires and tubes for replacement purposes.** (a) No person shall deliver or accept delivery of

any passenger, motorcycle, truck or bus pneumatic tires for replacement on any passenger automobile, motorcycle, truck or bus except in accordance with Office of Price Administration Ration Order 1-A or any subsequent ration order of the Office of Price Administration; however,

(1) Any type of tire or tube may be produced and delivered for replacement purposes to, or for the account of, the War Department, Navy Department, Maritime Commission, Aircraft Resources Control Office, Treasury Department (Procurement Division) for export, and for other export, subject to export licenses issued by the Foreign Economic Administration.

(2) Industrial-pneumatic and solid tires, farm tractor implement tires, bicycle tires, and all types of tubes may be produced and delivered for replacement purposes to any person.

(b) MM ratings will be assigned to the delivery of military replacement tires or tubes or both, only upon concurrence of the War Production Board, according to the regulations governing the assignment of MM ratings specified in WPB Directive 41, as amended.

**§ 4600.10 Directions of the War Production Board.** With respect to the production or shipment of tires and tubes, the War Production Board may, notwithstanding any other order, preference rating, directive, rule or regulation of the War Production Board or other Government agency, direct changes in the production or shipments schedule of a producer.

**§ 4600.11 Natural rubber and natural rubber latex gloves.** No person shall sell any first quality light weight gloves manufactured from natural rubber or natural rubber latex except in accordance with the following:

(a) *Sales to institutions.* Sales may be made to an institution without a rating, upon certification by the institution to its supplier in substantially the following form:

The undersigned hereby certifies, subject to the criminal penalties for misrepresentation contained in Section 35 A of the United States Criminal Code, that the light weight rubber gloves specified in the attached purchase order are required by (if an institution, insert name of institution and if a practicing physician, insert name) for use in the practice of medicine.

Date	Signature and title of authorized official; or in the case of a physician, his signature.
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(b) *Sales to physicians.* Sales may be made to a practicing physician for professional use, but only upon certification by the physician to his supplier in substantially the form set forth above.

(c) *Exempt orders.* United States Army and Navy orders and orders of The American Red Cross may be filled without regard to the restrictions of this Section.

(d) *Resale.* A person may sell natural rubber or natural rubber latex gloves to another person for resale under this section, but only upon certification by the purchaser to his supplier in substantially the following form:

butyl rubbers, make applications to Sales Division, Office of Rubber Reserve, Reconstruction Finance Corp., Washington 25, D. C.  
For permission to consume materials for experimental use, in excess of the amounts authorized, file Form WPB-2242, in accordance with § 4600.14 of this order.

TABLE B—PERMITTED PRODUCTS

Note: Table B amended in its entirety Nov. 2, 1945.

For general permitted uses of material in the manufacture of products, see Table A above. In applying on Form WPB-3662 for those types of material which are subject to prior authorization, use this appendix in accordance with the instructions accompanying the form. The applicant's natural rubber, natural rubber latex, or butyl requirements for each code number listed below, must show the specific quantity of material requested for each subdivision of the code.

Form WPB-3662 should not be used in applying for permission to consume any material for a purpose which is not permitted by Appendix I.

Monthly consumption of natural rubber, natural rubber latex or butyl, will be permitted on the basis of uses shown in this appendix, but only to the extent that material and manufacturing facilities are available after requirements for Army, Navy, Maritime Commission and other essential orders have been fulfilled.

Explanation of Table B Columns and Symbols—

The column headed "Appendix II" refers to applicable regulations in Appendix II to R-1, (printed separately) by the list number under which it will be found. The second column shows to what extent natural rubber and/or natural rubber latex authorized on Form WPB-3662 may be used in the manufacture of particular products. The third column shows to what extent Tube Butyl or Non-Tube Butyl authorized on Form WPB-3662 may be used in the manufacture of particular products.

The natural rubber and butyl columns are blank when applicable regulations in Appendix II or special restrictions in the last column limit the use of these materials.

"O" indicates that the use of the material is prohibited, subject to any special restrictions or provisions applicable to the particular product.

"X" indicates that the material may be consumed in the minimum quantities required by a manufacturer who has received authorization to consume on Form WPB-3662, subject to any special restrictions or provisions applicable to the particular product.

Percentage figures indicate maximum percent of total volume of compound, unless otherwise specified.

APPENDIX I—GENERAL PERMITTED USES OF RAW MATERIALS AND PERMITTED PRODUCTS

Appendix I to Rubber Order R-1 establishes general permitted uses for natural rubber, natural rubber latex, chlorinated natural rubber and butyl, and also lists the products which are permitted to be made from those raw materials.

Table A below lists the general permitted uses for each of these materials and the monthly consumption, if any, permitted for experimental use without prior authorization.

Table B below deals with specific products in which the use of these raw materials is permitted under the general provisions of Table A. It refers, for certain products, to the applicable manufacturing regulations set out in Appendix II to the Rubber Order (printed separately), specifies the percentage of natural rubber, if any, which may be used in the product, as well as the product for which "Tube Butyl" or "Non-Tube Butyl" may be used, and finally, for many of the products on the table special regulations or provisions are provided.

TABLE A—GENERAL PERMITTED USES OF MATERIALS

Type of material	General permitted uses subject to applicable end-product restrictions	Monthly consumption for experimental use without specific authorization
Natural rubber or natural rubber latex	In the manufacture of products listed in Table B below for which natural rubber latex is specifically permitted, subject to any applicable manufacturing regulations, but only as authorized on Form WPB-3662.	25 lbs.
Butyl (GR-I, diisoprenes)	In the manufacture of products listed in Table B below for which butyl is specifically permitted, subject to any applicable manufacturing regulations, but only as authorized on Form WPB-3662.	200 lbs. diisoprenes 250 lbs.
Chlorinated natural rubber.	As specifically authorized on Form WPB-3662.	None.

Experimentation need not be confined to permitted uses, but none of the products produced or resulting from experimentation may be sold. Materials in the amounts indicated may be diverted from inventory or from purchase for manufacturing operations. If manufacturer does not have inventory of natural rubber or natural rubber latex, application for permission to purchase should be made on Form WPB-3652. To purchase

In Appendix V (sub-paragraph (a) (2)).  
(d) Form WPB-4231, Tires; Manufacturer's Weekly Cured Production Report, shall be filed weekly in accordance with instructions accompanying the form.

(e) Such other reports as may be required, subject to approval by the Bureau of the Budget in accordance with Federal Reports Act of 1942, which are to be filed in accordance with instructions accompanying the forms.

§ 4600.13 *Applicability of regulations.* Except as otherwise provided, this order and all transactions affected thereby are subject to all applicable provisions of War Production Board Regulations as amended from time to time.

§ 4600.14 *Appeals.* Appeals from any provision of this order shall be made by filing Form WPB-2242 in accordance with the instructions appearing on the form.

§ 4600.15 *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

§ 4600.16 *Communications.* All reports required to be filed under this order, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Washington 25, D. C., Ref.: Order R-1.

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

(Sec. 2 (a), 54 Stat. 678, as amended by 55 Stat. 236 and 56 Stat. 177; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; E.O. 9246, 7 F.R. 7379, as amended by E.O. 9475, 9 F.R. 10817; WPB Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64)

Issued this 2d day of November 1945.  
WAR PRODUCTION BOARD,  
By J. JOSEPH WIELAN,  
Recording Secretary.

The undersigned hereby certifies, subject to the criminal penalties for misrepresentation contained in section 36A of the United States Criminal Code, that the light weight natural rubber gloves specified in the attached purchase order and in future orders will be sold only under the restrictions contained in § 4600.11 of Rubber Order R-1.

Date \_\_\_\_\_  
Signature and title of authorized official \_\_\_\_\_

Any person who has filled the above certification with his supplier need not certify subsequent purchases from the same supplier.

§ 4600.12 *Reports.* (a) The following persons shall file with the War Production Board a report on stocks, receipts, consumption, and shipments on Form WPB-3410 in accordance with the instructions accompanying the form:

(1) Each person who during the next preceding month consumed or owned any natural rubber, natural rubber latex, butyl or chlorinated natural rubber.

(2) Each person who during the next preceding month consumed or owned the rubbers listed below, in excess of the following minimums:

Reclaimed rubber—	Consumption	Stocks
GR-S.....	Pounds 10,000	Pounds 15,000
Natural.....	15,000	20,000
Neoprene.....	5,000	10,000
Buadene-Acrylic.....	5,000	10,000

This paragraph shall not apply to persons who perform the operations listed in § 4600.05 (c) of this order except that producers of reclaimed rubber shall report their entire production regardless of the ownership of the material consumed.

(b) Each manufacturer of tires and tubes or camelback, and any mass distributor who sells tires and tubes manufactured for him under his own brands or trade marks and whose sales volume of tires and tubes in 1941 exceeded 50,000 tires or 100,000 tubes, shall file a report on his production, shipments and inventory for each calendar month on Form WPB-3438 with the War Production Board, in accordance with the instructions accompanying the form, unless otherwise directed.

(c) Form WPB-3575 shall be filed monthly by each tire splitter as defined

TABLE B—PERMITTED PRODUCTS—Continued

Code No.	Product	Appen- dix II	Percent natural rubber	Butyl	Special restrictions or provisions
10	Hose and tubing:				
10A	Automotive and aircraft hose:				
	Radiator hose.....				Natural rubber permitted in cements only.
10B	Cement hose:				
	Cement and material hose, dry and ice slinger.....		X		
	Cement gun hose.....		X		
	Cement handling, including grout- ing.....		X		
	Concrete placing.....		X		
10C	Drivers' hose.....				
10D	Hose and tubing not elsewhere listed.....				
10E	Miscellaneous hose and tubing:				
	Acid conducting and acid suction hose.....		X		
	Air hose for paint spray equip- ment.....		1.5		
	Alcohol, brewer's and beverage hose, tubing and suction hose.....		3		
	Arbor pipe forming hose.....		9		
	Chemical engine hose.....				
	CO <sub>2</sub> fire extinguisher hose.....		0		
	Creamery (sanitary) hose.....		1.5		
	Fire hose cotton rubber lined.....				
	Fire hose, wrapped duct.....		1.5		
	Hydraulic control and industrial grease hose.....		5		
	Industrial manure made hose for decanting.....				
	Iron pipes as required by Bureau of Mines.....		3		
	Isolating hydraulic.....		5		
	Milk conveying and food handling hoses.....				
	Oxygen (not welding) hose.....		X		
	Phosphate flexible hose.....		X		
	Rockwood insulation hose.....				
	Rotary drilling hose.....		9		
	Sand blast hose.....		1.5		
	Spray hose, agricultural; high pres- sure.....				
	Spray hose, paint.....		1.5		
	Tender tank hose.....		3		
	Tubing.....		0		
	Water hose, all sizes.....				
10F	Welding hose.....		1.5		
	Miscellaneous related products:				
	Expansion joints (normally used in rigid lines to absorb thrust on excessive motion or to isolate vibration and/or noise):				
	Flanged flexible pipe.....		5		
	Pinch valve.....		9		
	Shut covering, flexible.....				
	Tapered rubber nozzle (when built on end of hose).....		5		
10G	Railroad hose:				
	Air brake and train air signal hose.....		1.5		
	Air, gas and oxygen hose.....		1.5		

TABLE B—PERMITTED PRODUCTS

Code No.	Product	Appen- dix II	Percent natural rubber	Butyl	Special restrictions or provisions
1	Pneumatic tires:				
	Airplane tires.....	12			
	Bicycle tires.....	17			
	All other.....	8			
2	Solid tires:				
	Airplane tires.....	12			
	Bogie, idler and support rollers.....	8			
	Pressed on.....	8			
	Curved on, 4 x 1½ and up.....	8			
	Lug base industrial (unbonded).....	8			
3	Tire tubes:				
	Airplane.....	3			
	Bicycle (including valves).....	17			
	All other.....	9			
4	Tire tube valves and curing bags:				
	Tire tube valves (including repair valves).....	16			
	Curing bags.....				
5	Tire flapping materials.....	10	X		
6	Tire repairing materials:				
	Air bags, full circle, for retreading.....	13			
	Other.....	13			
7	Tire and tube repair materials:				
	Cements for use in reconditioning of tires and tubes.....	7			
7A	Air bags, sectional.....	7			
7B	Bulk tire repair materials.....	7			
7C	Tire patches and reliners.....	7			
7D	Tube patches.....	7			
7E	Tank blocks, trends and band tracks.....	14			
8	Bolting.....				
9A	Conveyor and elevator belting:				
	Conveyor and elevator belting and pulley lagging therefor.....				
9B	Miscellaneous belting and related products:				
	Belt splicing and repair material.....				
	Conveyor skirting or skirtboard rubber.....				
	Clear machine aprons.....		X		
	Concentrator belts.....		25		
	Escalator handrails.....		25		
	Hatters belts.....		25		
	Hoop beater belts.....		X		
	Paper machine aprons.....		30		
	Postal canceller feed belts.....		25		
	Rubber scrapers for conveyor belts.....		X		
	Screen diaphragms for paper mak- ing equipment.....		25		
	Special molded conveyor belts.....		X		
	Street sweeper belts.....		25		
9C	Transmission belting:				
	Flat transmission belting.....				
9D	Round transmission belting.....				
	V-belts.....		5		

Bolting must be manufactured in accordance with the following regulations:  
Rubber belting utilizing a solid woven carcass is permitted, provided such construction uses no more natural rubber than is permitted in laminated belting of equivalent size and thickness. Constructions using combinations of fabric and other reinforcing mate-rials, such as cord or wire, are permitted provided total nat-ural rubber does not exceed that which is used in equivalent grade fabric ply equipment belt. Color: Black (except where unpa-cked seed food comes in contact with belt).

Natural rubber or natural rubber latex 60/70 lbs. maximum per 1,200 square inches per ply permitted. Color of scanning stripe is op-tional. Natural rubber and natural rubber latex 60/70 lbs. maximum of total volume of latex permitted.







TABLE B—PERMITTED PRODUCTS—continued

Code No.	Product	Appendix II	Percent natural rubber	Butyl	Special restrictions or provisions	
22D	Masks and respirators: Breathing bags for submarine lung and oxygen breathing apparatus. Component parts for gas masks, not listed below.		X	X	Butyl permitted, except tube butyl. Natural rubber latex permitted for adhesive for gas mask filters. Butyl permitted, except tube butyl.	
	Component parts for mine and industrial safety masks, not listed below.		O	X		
	Dust respirators.		O	X	Do.	
	Face pieces for shallow water diving equipment.		O	X	Do.	
	Flutter valves and diaphragms.		X	X	Do.	
	Inhalators.		O	X	Do.	
	Parts for oxygen masks and breathing apparatus for high altitude service.		X	X	Do.	
	22E	Miscellaneous products: Parts other than cushioning for flight radio, radar and fire control instruments.		X	X	Do.
		Parachute bands and ventilating rings.		X	O	
		22F	Pressure sensitive tape: High temperature masking tape. Noncorrosive electrical tape.		X	
22G	Stationers supplies: Pen sacs.			X	O	
	22H	Rubber thread.		O	Do.	
22I	Rubber tape for clothing, not elsewhere listed.		O			
22J	Webbing, elastic (combined knitted fabric cut to desired width).		O	O		

[F. R. Dec. 45-20243; Filed, Nov. 2, 1945; 11:16 a. m.]

Chapter XI—Office of Price Administration  
PART 1305—ADMINISTRATION  
[Rev. SO 109]

AMENDMENT OF CERTAIN ORDERS AND APPROVALS ISSUED UNDER SUPPLEMENTARY ORDER 94 AND SUPPLEMENTARY ORDER 122  
Supplementary Order 109 is redesignated Revised Supplementary Order 109 and is revised and amended to read as follows:

A statement of the considerations involved in the issuance of this Revised Supplementary Order 109 has been issued simultaneously herewith and filed with the Division of the Federal Register.

§ 1305.137 *Amendment of certain orders and approvals issued under Supplementary Order 94 and Supplementary Order 122.* (a) On and after November 5, 1945 the provisions of all orders previously issued by the Price Administrator, any Regional Administrator or District Director under Supplementary Order 94 are amended by adding the words "and/or Reconstruction Finance Corporation" after the words "United States Department of Commerce" wherever they appear.

(b) On and after November 5, 1945 the provisions of all orders and approvals previously issued by the Price Administrator or authorized officers or employees of the Office of Price Administration under Supplementary Order 122 shall also be applicable to all sales by the Reconstruction Finance Corporation of the commodities described in all of said orders and approvals, and to all sales by resellers of any of such commodities sold by the Reconstruction Finance Corporation.

(c) This Revised Supplementary Order shall become effective November 5, 1945.

Issued this 1st day of November 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Dec. 45-20212; Filed, Nov. 1, 1945; 4:14 p. m.]

PART 1305—ADMINISTRATION  
[SO 137, Amdt. 1]

ADJUSTMENT OF MANUFACTURERS' PRICES FOR CERTAIN KNITTED GARMENTS

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.

Category (a) in Appendix A of Supplementary Order 137 is amended to read as follows:

(a) Men's union suits, finished weight of 9 pounds and over per dozen (weight calculated on size 42), long sleeve, ankle length.

This amendment shall become effective November 2, 1945.

Issued this 2d day of November 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Dec. 45-20254; Filed, Nov. 2, 1945; 11:49 a. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS  
[RMPR 169, Amdt. 61]

BEEF AND VEAL CARCASSES AND WHOLESALE CUTS

A statement of the considerations involved in the issuance of this amendment

\* 10 F.R. 12986.

has been issued simultaneously herewith and filed with the Division of the Federal Register.

Revised Maximum Price Regulation No. 169 is amended in the following respects:

1. Section 1364.407 (a) is amended to read as follows:

(a) Every person making a sale and every person in the course of trade or business making a purchase of any beef carcass, beef wholesale cut, veal carcass or veal wholesale cut or other meat item subject to this revised regulation, shall make and preserve for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, complete and accurate records of each such sale or purchase, showing the date thereof, the name and address of the buyer and seller, the quantity, type of cut or item, grade or grades and the weight of all beef carcasses, beef wholesale cuts, veal carcasses and veal wholesale cuts or other meat items subject to this revised regulation sold or purchased and the price charged or received or paid therefor.

2. Section 1364.451 (a) (4) is amended to read as follows:

(4) Except as permitted in § 1364.417 and in paragraph (l), (m), (n), (o), (p), (q), (r) or (s) of Schedule I (§ 1364.452), regardless of any contract, agreement or other obligation, no person shall sell or deliver any beef or any part or portion of any beef carcass and no person in the course of trade or business shall buy or receive any beef or any part or portion of any beef carcass unless such beef or part or portion is a beef carcass or a beef wholesale cut as defined in § 1364.455 for which an applicable zone price has been established.

3. Paragraph (s) is added to § 1364.452 to read as follows:

(s) *Production and sale of prefabricated quick frozen and packaged retail beef cuts.* (1) Any person, other than a hotel supply house, is authorized to engage in the production of prefabricated quick frozen and packaged retail beef cuts as defined herein, for sale and delivery to any retail store or stores and may charge and receive no higher than the maximum price therefor as determined in the manner provided in paragraph (s) (3) hereof: *Provided*, That as a condition for such authorization, (i) the seller shall produce prefabricated quick frozen and packaged retail beef cuts in accordance with the specifications and requirements contained in paragraph (s) (2) hereof, and (ii) the seller shall sell and deliver prefabricated quick frozen and packaged retail beef cuts to those retail stores only which are properly equipped with such facilities as are necessary to maintain such cuts in a solid frozen condition.

(2) Prefabricated quick frozen and packaged retail beef cuts, as used in this paragraph (s) means beef steaks, roasts and ground beef derived from beef carcasses or wholesale cuts of Choice (AA), Good (A) or Commercial (B) grades,

which are described and given dollar-and-cents ceiling prices under Maximum Price Regulation No. 355; which are separately wrapped in a transparent moisture proof paper, thoroughly frozen at quick freezing temperatures and have clearly visible a tag or other marking showing the name of the cut and the net weight of the meat contained in the package. In addition, § 4002.2 (c) (5) of Office of Economic Stabilization Regulation No. 1, "Grading and Grade Labelling of Meats," requires that any person who sells and delivers prefabricated quick frozen and packaged retail beef cuts pursuant to this paragraph (s) shall have clearly visible a tag or other marking showing the grade of meat contained in the package. No package of ground beef produced pursuant to this paragraph (s) shall exceed 2 pounds in net weight.

(3) The maximum delivered price per hundredweight for each grade and type of prefabricated quick frozen and packaged retail beef cut shall be determined as follows:

(i) The seller shall first determine an amount equal to 75 percent of the retail ceiling price (Group 1 and 2 stores) for the corresponding grade and type of fresh retail cut applicable in the retail zone area (described in Maximum Price Regulation No. 355) in which the buyer's store is located. In determining this figure, the retail ceiling price shall first be converted to a per hundredweight basis and the result shall be rounded to the nearest 25 cents per hundredweight. To the figure so obtained there may be added the appropriate delivery allowance specified in subdivision (ii) if applicable. The weight for determining such maximum price shall be the net weight of the prefabricated quick frozen retail cut indicated on each package.

(ii) Except as provided in subdivision (iii), the following additions may be made by the seller for delivery of prefabricated quick frozen and packaged retail beef cuts from the seller's place of business to the buyer's retail store:

(a) If the seller's place of business is located within 25 miles of the buyer's retail store, the seller may add no more than 25 cents per hundredweight.

(b) If the seller's place of business is located more than 25 miles from the buyer's retail store but less than 200 miles, 50 cents per hundredweight may be added.

(c) If the seller's place of business is located more than 200 miles from the buyer's retail store, 75 cents per hundredweight may be added.

(d) In any case in which a delivery charge may be made under this subdivision (ii), a separate item designating the amount of such charge must be shown on the invoice.

(iii) The delivery charges specified in subdivision (ii) shall not be applicable if the seller's place of business is located in a lower price zone and the buyer's retail store is located in a higher price zone. For purposes of this subdivision (iii), the term "higher price zone" means a price zone as specified in Maximum Price Regulation No. 355 having a higher zone price, and the term "lower price zone"

means a price zone as specified in Maximum Price Regulation No. 355 having a lower zone price.

(iv) The deductions in § 1364.453 and the additions in § 1364.454 of this regulation are not applicable to sales or deliveries of prefabricated quick frozen and packaged retail beef cuts.

(v) If any person engaging in the production of prefabricated quick frozen and packaged retail beef cuts pursuant to this paragraph (s) fails to comply with any of its provisions or requirements, the Price Administrator may, in addition to other penalties provided by law, revoke the authorization contained herein.

4. The first paragraph of § 1364.454 (d) is amended to read as follows:

(d) *Wholesaler's selling addition.* On the sale of any beef item subject to this regulation not obtained through custom slaughtering, excluding sales made pursuant to paragraph (l), (m), (n), (o), (q), (r) or (s) of § 1364.452, a person who at the time of the sale is a wholesaler may add \$1.00 per hundredweight to the applicable zone price: *Provided, however,* That after November 23, 1944, no person shall charge the addition permitted by this § 1364.454 (d) unless such person first shall have filed with the appropriate district office of the Office of Price Administration a signed statement that the person is a wholesaler as defined in subdivisions (i) or (ii) of § 1364.455 (a) (14) and gives the address of his selling establishment.

This amendment shall become effective November 7, 1945.

NOTE: The record-keeping provisions of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 2d day of November 1945.

CHESTER BOWLES,  
Administrator.

Approved: October 23, 1945.

CLINTON P. ANDERSON,  
Secretary of Agriculture.

[F. R. Doc. 45-20249; Filed, Nov. 2, 1945;  
11:49 a. m.]

PART 1389—APPAREL  
[2d Rev. MPR 578, Amdt. 1]

MAXIMUM PRICES FOR CERTAIN ESSENTIAL  
LOW PRICED GARMENTS

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 578 is amended in the following respects:

1. The first sentence of paragraph (a) of section 1 is amended to read:

(a) *What garments are covered.* This regulation covers the garments referred to in (1) and (2) below which are sold or delivered by a manufacturer

or manufacturing-retailer on and after November 1, 1945, except, however, that where such garments are delivered by a manufacturer or manufacturing-retailer prior to November 15, 1945, and have not been marked in the manner set forth in section 6, they are not covered by this regulation.

2. Subparagraph (1) of section 1 (a) is amended to read:

(1) *Garments produced from fabrics obtained under WPB Order M-328B, Schedules C, J, K or Supplement XIII of Schedule A.* This regulation applies to all garments whose principal materials were obtained with priority assistance granted under WPB Order M-328B, Schedules C, J, K or Supplement XIII to Schedule A, except, however, the following garments are not covered when sold by the manufacturer a net price which exceeds the cut-off price specified for that garment in Appendices B or C, provided such net price is at or below the cut-off price specified for the garment in the schedule of WPB Order 328B under which its principal materials were obtained:

(i) Men's shirts, sizes 14-17 or sizes 17½ and up, made of combed cotton fabric;

(ii) Men's undershorts, sizes 28 to 44 or sizes 46 and up, made of combed cotton fabric; and

(iii) Men's tropical weight suits.

3. Section 4 is amended by inserting between the section heading and the first sentence of the section, the following paragraph designation and subheading: "(a) *General pricing method.*"

4. The first sentence in section 4 is amended to read as follows: "Dollar and cents ceiling prices for sales at retail other than sales covered in paragraph (b) are set forth in Tables II and III below."

5. Paragraph (b) is added to section 4 to read as follows:

(b) *Exception for certain sellers.* On sales for credit by a retail seller, 80% or more of whose total 1944 dollar sales volume of all articles of clothing and apparel except furs consisted of sales (i) in which a down payment was made at the time of sale and an unpaid balance was paid in installments extending over a period of six weeks or more from the date of sale without any separately stated finance or credit charge, and (ii) for which, because of Federal Reserve System Regulation W, no down payment was required on such installment sale and payment was required within a period of less than six weeks without any separately stated finance or credit charges, the ceiling price for the sale of a garment covered by this regulation is the sum of the price for that garment as calculated by the use of the appropriate table set forth below and 17% of that price. No credit or finance charges of any kind may be added to this ceiling. However, no seller may sell a garment at a price in excess of the ceiling price established in paragraph (a) unless he has:

(1) Filed with the District Office of the Office of Price Administration in the district where his selling establishment is located two copies of a written state-

\* 10 F.R. 9024, 9928.

ment, signed by an officer or a duly authorized agent showing:

(i) His total dollar sales volume of all articles of clothing and apparel except furs for the year 1944.

(ii) His dollar volume of sales of clothing and apparel except furs for the year 1944 both (a) for which a down payment was made at the time of sale and an unpaid balance was paid in installments extending over a period of six weeks or more from the date of sale without any separately stated finance or credit charge, and (b) for which, because of Federal Reserve System Regulation W, no down payment was required on such installment sale and payment was required within a period of less than six weeks without any separately stated finance or credit charges, and

(2) Received from the Office of Price Administration a written acknowledgment of the receipt of the statement specified in (1), and

(3) Marked the garment with an imprint, label or ticket adjacent to (and not in substitution for) the marking placed thereon by the manufacturer, showing the ceiling price as follows:

OPA Installment Credit Price \$.....

Each such retailer must keep in his place of business for the inspection by OPA a copy of the statement specified in subparagraph (1) above, the written acknowledgment therefor, and the records substantiating the statement as filed. Where a retailer maintains more than one selling establishment, he shall keep the substantiating records in his principal office.

The ceiling prices on sales for cash shall be the ceiling prices computed in accordance with paragraph (a).

6. The first unnumbered paragraph of section 6 (a) is amended to read as follows:

(a) *What marking is required.* On and after November 15, 1945, (December 1, 1945, in the case of branded garments for which a uniform retail price has been established in an order issued to the manufacturer thereof under section 13 of Maximum Price Regulation 580) no manufacturer or manufacturing-retailer may sell, offer for sale or deliver any garment subject to this regulation unless it is marked with an imprint, label or ticket containing all of the following information:

7. The last sentence of section 10 (a), preceding subparagraph (1) thereof, is amended to read as follows: "Where this regulation applies, and except as provided in section 2 and section 9 (a), (b), (c), (d) and (e) it supersedes the provisions of the following:"

8. The first unnumbered paragraph of section 11 is amended to read as follows:

*What acts are prohibited.* On an after November 1, 1945, (December 1, 1945, in the case of branded garments for which a uniform retail price has been established in an order issued to the manufacturer thereof under section 13 of Maximum Price Regulation 580), regardless of any contract or obligation, no person shall:

9. The undesignated sentence appearing after section 14, which now reads: "This regulation shall become effective November 1, 1945," is hereby amended to read as follows:

This regulation shall become effective November 1, 1945, except that in the case of branded garments for which a uniform retail price has been established in an order issued to the manufacturer thereof under section 13 of Maximum Price Regulation 580 this regulation shall become effective December 1, 1945.

10. In Appendix D, the manufacturing-retailer's cut-off price for girls' blouses, sizes 7-14, which now reads "\$2.47" is amended to read "\$2.10".

This amendment shall become effective November 1, 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 1st day of November 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-20211; Filed, Nov. 1, 1945;  
4:14 p. m.]

PART 1426—WOOD PRESERVATION AND PRIMARY FOREST PRODUCTS  
[MPR 558,<sup>1</sup> Amdt. 3]

EASTERN WOODEN MINE MATERIALS AND INDUSTRIAL BLOCKING

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 558 is hereby amended in the following respects:

1. In section 4, the first two paragraphs which precede paragraph (a) are amended to read as follows:

Sec. 4. *Transportation addition.* The transportation charges set forth below may be added to the maximum "normal loading-out point" price when the seller makes delivery. Transportation from the mill or point of production to the "normal loading-out point" must, in every instance, be provided on the seller's account. Rail charges paid by the seller for transportation beyond the loading-out point may, in every case, be added, except that in the case of pit posts, props and split or round lagging, the only permissible addition is the amount by which the actual freight charges paid exceed the freight charges calculated at the freight rate specified in the applicable table.

2. Section 4 (b) (1) is hereby amended to read as follows:

(b) *Private trucks.* (1) When shipment is by private truck owned or controlled by the seller, except in the case of pit posts, props and split or round lagging, the maximum permissible addition

(on hauls involving any point outside a metropolitan area) shall be computed as follows:

(i) Distance from point of production to buyer's unloading point; less

(ii) Distance from production point to normal loading-out point of shipper; equals

(iii) Total distance for which shipper may charge. (i-ii).

When total mileage for which shipper may charge has been arrived at as indicated above, the maximum charge for the net total distance (item iii) shall be computed as follows:

NET TOTAL DISTANCE OF 75 MILES OR LESS	Maximum price per 100 pounds
Distance	
10 miles or less.....	0.05
More than 10 miles, not more than 20 miles.....	0.07
More than 20 miles, not more than 30 miles.....	0.09
For each mile over 30, but not more than 75 miles, add, to the 30 mile charge.....	0.002

NET TOTAL DISTANCE OF MORE THAN 75 MILES

For truck hauls covered by this section, in excess of seventy-five (75) miles, the maximum permissible addition shall be either (A) or (B) below, at the option of the shipper.

(A) The maximum private trucking charge for a distance of seventy-five (75) miles, (18¢ per one hundredweight) determined in accordance with the above schedule, regardless of the net total distance travelled.

(B) Railroad freight arrived at by multiplying the estimated weight (determined from the tables of weights) of the material shipped, by the carload freight rate applicable on the railroad serving the buyer for a haul on that railroad to the buyer's unloading point, from a point on such railroad equal to the trucking distance from the seller's normal loading-out point to the buyer's unloading point.

No additions may be made for private truck shipments of pit posts, props and split or round lagging, regardless of the length of the haul.

3. In section 14, Zones 2 and 4 are re-defined as follows:

Zone 2: East Central and West Central States.

Zone 2 shall include the States of Delaware and Maryland, except Garrett and Allegany Counties; the District of Columbia; that part of the State of Virginia, in Loudoun, Clarke, Warren, Frederick, Shenandoah, Page, Rockingham, Augusta, Highland and Bath Counties; the State of West Virginia, except the seventeen counties included in Zone 1; that part of the State of Ohio and Indiana not on, but south of, the main line of the Pennsylvania Railroad extending between Pittsburgh, Pennsylvania, and St. Louis, Missouri; that part of the State of Illinois south of the northern and eastern boundaries of the following counties: Clark, Coles, Moultrie, Macon, Logan, Mason, Fulton, McDonough, and Hancock; that part of the State of Iowa south of the northern boundaries of the following counties: Louisa, Washington, Keokuk, Mahaska, Marion, Warren, Madison, Adair, Cass and Pottawattamie; the States of Nebraska, Missouri, Kansas and Arkansas; the State of Oklahoma, but excluding points in Cimarron, Beaver and Texas Counties in Oklahoma.

Zone 4: *Southwestern States.*

Zone 4 shall include points in the State of Florida, on the west bank of and west of the Apalachicola River; the States of Alabama, Mississippi and Louisiana; points in

<sup>1</sup> 9 F.R. 11648, 12814; 10 F.R. 3924.

the State of Texas on and east of a line beginning at the junction of the western boundary of Hardeman County and the Red River, and extending south along the western boundaries of Hardeman, Foard, Knox, Haskell, Jones, Taylor, Runnels, Concho, Menard, Kimble, Kerr, Real, Uvalde, Zavala, Dimmit and Webb Counties, Texas to the Rio Grande River.

4. In section 14 the word, "Diameters" in the headings of Tables 3 and 4 is amended to read "Top Diameter inside bark".

5. In section 14 the titles of Tables 2 and 4 are amended as follows:

Table 2—MAXIMUM PRICES FOR UNPEELED HARDWOOD PIT POSTS AND PROPS, PRODUCED IN ZONE 2 AND DELIVERED ON A 15 CENT FREIGHT RATE

(Weight in pounds and price per post)

Table 4—MAXIMUM PRICES FOR UNPEELED PIT POSTS AND PROPS PRODUCED IN ZONE 4 AND DELIVERED ON A 5 CENT FREIGHT RATE

(Weight in pounds and price per post)

6. In section 14 a new footnote is added to Table 4 to read as follows:

NOTE: The maximum prices for domestic sales of pit posts and props delivered f. o. b. barges Mobile, Alabama, shall be the maximum prices in Table 3 of this section.

7. In section 14, Tables 1 (B), 1 (C), 2 (A), 2 (B), 3 (B), 3 (C), 4 (A), 4 (B), 5 (D), and 5 (E) are amended, to read as follows:

TABLE 1 (B)—MAXIMUM PRICES FOR SAWN MINE MATERIAL PRODUCED IN ZONE 1

F. O. B. LOADING-OUT POINTS

Mixed Oak and Hardwoods	Per M'BM		
	Price	Weight	
		Green	Dry
Mine ties and mine switch ties— all sizes.....	\$30.50	5,400	3,900
Cross bars (collars): All sizes up to and including 6" x 7".....	30.50	5,400	3,900
All sizes over 6" x 7".....	32.50	5,400	3,900
For specified lengths 18' and longer, add.....	3.00		
Post caps (headers)—all sizes.....	30.50	5,400	3,900
Sawed cribbing blocks (lagging)— all sizes.....	30.50	5,400	3,900
All other mine lumber and tim- bers—all sizes.....	30.50	5,400	3,900

NOTE: For all lengths shorter than 6' and fractional lengths shorter than 7', add \$3.00 per M'BM.

TABLE 1 (C)—MAXIMUM PRICES FOR INDUSTRIAL BLOCKING PRODUCED IN ZONE 1

F. O. B. LOADING-OUT POINTS

Mixed Oak and Hardwoods	Per M'BM		
	Price	Weight	
		Green	Dry
All sizes up to and including 6" x 7".....	\$30.50	5,400	3,900
All sizes over 6" x 7".....	32.50	5,400	3,900

NOTE: For all lengths shorter than 6' and fractional lengths shorter than 7', add \$3.00 per M'BM.

TABLE 2 (A)—MAXIMUM PRICES FOR SAWN MINE MATERIAL PRODUCED IN ZONE 2

F. O. B. LOADING-OUT POINTS

Mixed Oak and Hardwoods	Per M'BM		
	Price	Weight	
		Green	Dry
Mine ties and mine switch ties— all sizes.....	\$30.50	5,400	3,900
Cross bars (collars): All sizes up to and including 6" x 7".....	30.50	5,400	3,900
All sizes over 6" x 7".....	32.50	5,400	3,900
For specified lengths 18' and longer, add.....	3.00		
Post caps (headers)—all sizes.....	30.50	5,400	3,900
Sawed cribbing blocks (lagging)— all sizes.....	30.50	5,400	3,900
All other mine lumber and tim- bers—all sizes.....	30.50	5,400	3,900

NOTE: For all lengths shorter than 6' and fractional lengths shorter than 7', add \$3.00 per M'BM.

TABLE 2 (B)—MAXIMUM PRICES FOR INDUSTRIAL BLOCKING PRODUCED IN ZONE 2

F. O. B. LOADING-OUT POINTS

Mixed Oak and Hardwoods	Per M'BM		
	Price	Weight	
		Green	Dry
All sizes up to and including 6" x 7".....	\$30.50	5,400	3,900
All sizes over 6" x 7".....	32.50	5,400	3,900

NOTE: For all lengths shorter than 6' and fractional lengths shorter than 7', add \$3.00 per M'BM.

TABLE 3 (B)—MAXIMUM PRICES FOR SAWN MINE MATERIAL PRODUCED IN ZONE 3

F. O. B. LOADING-OUT POINTS

Mixed Oak and Hardwoods	Per M'BM		
	Price	Weight	
		Green	Dry
Mine ties and mine switch ties— all sizes.....	\$20.00	5,400	3,900
Cross bars (collars): All sizes up to and including 6" x 7".....	20.00	5,400	3,900
All sizes over 6" x 7".....	31.00	5,400	3,900
For specified lengths 18' and longer, add.....	3.00		
Post caps (headers)—all sizes.....	20.00	5,400	3,900
Cribbing (sawn lagging)—all sizes.....	20.00	5,400	3,900
All other mine lumber and tim- bers—all sizes.....	20.00	5,400	3,900

NOTE: For all lengths shorter than 6' and fractional lengths shorter than 7', add \$3.00 per M'BM.

TABLE 3 (C)—MAXIMUM PRICES FOR INDUSTRIAL BLOCKING PRODUCED IN ZONE 3

F. O. B. LOADING-OUT POINTS

Mixed Oak and Hardwoods	Per M'BM		
	Price	Weight	
		Green	Dry
All sizes up to and including 6" x 7".....	\$20.00	5,400	3,900
All sizes over 6" x 7".....	31.00	5,400	3,900

NOTE: For all lengths shorter than 6' and fractional lengths shorter than 7', add \$3.00 per M'BM.

TABLE 4 (A)—MAXIMUM PRICES FOR SAWN MINE MATERIAL PRODUCED IN ZONE 4

F. O. B. LOADING-OUT POINTS

Mixed Hardwoods and Pine	Per M'BM		
	Price	Weight	
		Green	Dry
Mine ties and mine switch ties— all sizes.....	\$20.50	5,400	3,900
Cross bars (collars): All sizes up to and including 6" x 7".....	20.50	5,400	3,900
All sizes over 6" x 7".....	27.00	5,400	3,900
For specified lengths 18' and long- er add.....	3.00		
Post caps (headers)—all sizes.....	20.50	5,400	3,900
Cribbing blocks (sawn lagging)— all sizes.....	20.50	5,400	3,900
All other mine lumber and tim- bers—all sizes.....	20.50	5,400	3,900

NOTE: For all lengths shorter than 6' and fractional lengths shorter than 7', add \$3.00 per M'BM.

TABLE 4 (B)—MAXIMUM PRICES FOR INDUSTRIAL BLOCKING PRODUCED IN ZONE 4

F. O. B. LOADING-OUT POINTS

Mixed Oak and Hardwoods	Per M'BM		
	Price	Weight	
		Green	Dry
All sizes up to and including 6" x 7".....	\$25.00	5,400	3,900
All sizes over 6" x 7".....	27.00	5,400	3,900

NOTE: For all lengths shorter than 6' and fractional lengths shorter than 7', add \$3.00 per M'BM.

TABLE 5 (D)—MAXIMUM PRICES FOR SAWN MINE MATERIAL PRODUCED IN ZONE 5

F. O. B. LOADING-OUT POINTS

Mixed Hardwoods	Per M'BM		
	Price	Weight	
		Green	Dry
Underground mine ties and mine switch ties—all sizes.....	\$20.50	5,400	3,900
Cross bars (collars): All sizes up to and including 6" x 7".....	20.50	5,400	3,900
All sizes over 6" x 7".....	32.50	5,400	3,900
For specified lengths 18' and longer, add.....	3.00		
Post caps (headers)—all sizes.....	20.50	5,400	3,900
All other mine lumber and tim- bers—all sizes.....	20.50	5,400	3,900

NOTE: For all lengths shorter than 6' and fractional lengths shorter than 7', add \$3.00 per M'BM.

TABLE 5 (E)—MAXIMUM PRICES FOR INDUSTRIAL BLOCKING PRODUCED IN ZONE 5

F. O. B. LOADING-OUT POINTS

Mixed Hardwoods	Per M'BM		
	Price	Weight	
		Green	Dry
All sizes up to and including 6" x 7".....	\$20.50	5,400	3,900
All sizes over 6" x 7".....	32.50	5,400	3,900

NOTE: For all lengths shorter than 6' and fractional lengths shorter than 7', add \$3.00 per M'BM.

This amendment shall become effective November 7, 1945.

Issued this 2d day of November 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-20251; Filed, Nov. 2, 1945;  
11:49 a. m.]

PART 1448—EATING AND DRINKING  
ESTABLISHMENTS

[Restaurant MPR 2, Amdt. 8]

FOOD AND DRINK SOLD FOR IMMEDIATE  
CONSUMPTION

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.

The first sentence of Section 4 (b) of Restaurant Maximum Price Regulation No. 2 is amended to read as follows: "If there is no competitor of the same type in your immediate neighborhood or if the competitor whose prices you are taking does not offer the class of meals, food items or beverages you wish to price, file an application with your OPA District Office to fix ceiling prices for you."

This amendment shall become effective November 7, 1945.

Issued this 2d day of November 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-20253; Filed, Nov. 2, 1945;  
11:49 a. m.]

Chapter XIV—War Contracts Price  
Adjustment Board

RENEGOTIATION REGULATIONS

The changes and additions to Parts 1603, 1605, 1606, 1607, and 1608 set forth below are also contained in Revision 21 of the Renegotiation Regulations dated October 12, 1945.

MAURICE HIRSCH,  
Colonel, General Staff Corps,  
Chairman.

PART 1603—DETERMINATION OF RENEGOTIABLE  
BUSINESS AND COSTS

SUBPART C—CONTRACTS AND SUBCONTRACTS  
WITHIN THE SCOPE OF THE 1943 ACT

In §1603.335-2 Paragraph (e) is amended to read as follows:

§ 1603.335-2 *Agreements for fixtures, construction and improvements on real property.* \* \* \*

(e) If the subject matter of a subcontract comprises components which would ordinarily be regarded as machinery, equipment, materials or other personal property and also components such as buildings, structures or similar improvements to real estate then that part of the receipts or accruals under the subcontract attributable to the components determined by the renegotiating agency to be machinery, equipment, materials or other personal property will not be excluded from renegotiation,

although no segregation of the consideration for such components is made in the subcontract, and although such machinery, equipment, materials or other personal property are to be installed in a building, structure or similar improvement to real estate or otherwise affixed to real estate. In making such a segregation, there will ordinarily be deemed attributable to machinery, equipment, materials or other personal property that part of the receipts or accruals under the subcontract allocable to the sale or installation of components used in processing within the meaning of § 1603.333-3, and there will be deemed attributable to real property that part of the receipt or accruals under the subcontract allocable to the sale or construction of land, buildings, structures and similar non-productive items.

SUBPART E—PERMISSIVE EXEMPTIONS FROM  
RENEGOTIATION

The cross reference in paragraph (b) of § 1603.357 is amended to read "(See § 1603.821-1.)".

SUBPART H—COSTS ALLOCABLE AND ALLOWABLE  
AGAINST RENEGOTIABLE BUSINESS

1. Paragraph (c) of § 1603.381-4 is amended to read as follows:

§ 1603.381-4 *Profit, cost allocation and allowance, general.* \* \* \*

(c) *Tax deductions.* Costs allocable to renegotiable business shall be determined in accordance with the principles set forth above. Where the full amount of an item of cost is allocable to renegotiable business, it shall be allowed in the amount estimated by the War Contracts Board, or any agency to which its functions have been delegated, to be allowable as a deduction or exclusion under Chapters 1 and 2E of the Internal Revenue Code. No such item of cost shall be allowed in an amount less than or in excess of that which is estimated to be deductible or excludible from income under the Internal Revenue Code, and all items of cost shall be attributed to the fiscal year in which they are allowable in the determination of taxable income under said Code except as provided in § 1603.381-6. Where only a portion of an item of cost is allocable to renegotiable business, the War Contracts Board, or any agency to which its functions have been delegated, shall estimate the total amount allowable to the contractor, as a deduction or exclusion under Chapters 1 and 2E of the Internal Revenue Code and the portion of this estimated amount which is allocable to renegotiable business in accordance with the principles set forth above shall be allowed as a cost of renegotiable business. Where it is clear that a contractor's deductions and exclusions under the Internal Revenue Code result in allowable costs of renegotiable business which are either high or low on a comparative basis, this circumstance shall be considered in connection with the factor of the "reasonableness of costs" of the contractor and the determination of the amount of the profit adjustment to be required of the contractor. The act requires the War Contracts Board to al-

low as items of cost, to the extent allocable to contracts with the Departments and subcontracts, all items estimated to be allowable as deductions and exclusions under Chapters 1 and 2E of the Internal Revenue Code. In making any such estimate due consideration will be given to any pertinent action by the Bureau of Internal Revenue, whose officials should be recognized as experts in the interpretation of the Internal Revenue Code. Published rulings of the Bureau on matters of general application should be adhered to in estimating the deductibility or excludibility of items under the Internal Revenue Code. However, the act does not require the allowance of items as costs merely because they have been or are expected to be allowed for tax purposes by particular revenue agents or other representatives of the Bureau of Internal Revenue. Occasionally cases may be encountered where revenue agents have allowed salaries or other items as deductions for tax purposes which the renegotiating agency concludes are not properly allowable under the Internal Revenue Code or are properly allowable in a different amount. In such cases the action of the revenue agents need not be regarded as conclusive. The renegotiating agency may and should exercise independent judgment as to whether and to what extent the items are allowable as deductions or exclusions under the Internal Revenue Code. Such judgment should be based upon an estimate of what the courts would do if the deductibility or excludibility of the item were the subject of litigation.

2. In § 1603.383-2 paragraph (e) is deleted.

3. Section 1603.383-3 is redesignated § 1603.383-4 and a new § 1603.383-3 is added as follows:

§ 1603.383-3 *Renegotiation, rebate—*  
(a) *General.* A contractor who has eliminated excessive profits determined under the Renegotiation Act will be entitled to a net renegotiation rebate under subsection (a) (4) (D) of the 1943 Act with respect to each fiscal year for which such excessive profits were eliminated if, on a recomputation of the amortization deduction under section 124 (d) of the Internal Revenue Code made in connection with the determination of the contractor's taxes for such fiscal year, there is an additional amortization deduction for such fiscal year all or some part of which is determined, in accordance with the regulations hereinafter prescribed, to be attributable to contracts with the Departments and subcontracts. Such net renegotiation rebate is intended to restore to the contractor the excessive profits determined and eliminated for such fiscal year to the extent of an amount equal to that part of such additional amortization deduction for such year attributable to contracts with the Departments and subcontracts less the Federal tax benefit thereon as defined by subsection (a) (4) (D) of the Renegotiation Act. The regulations hereinafter prescribed will be construed in the light of such intention.

(b) *Definitions—*(1) *Additional amortization deduction.* The additional

amortization deduction allocable to each fiscal year is the excess of the amortization deduction finally determined under section 124 (d) of the Internal Revenue Code for such fiscal year over the amount of amortization or depreciation upon the basis of which the amortization or depreciation attributable to contracts with the Departments and subcontracts was allowed as a cost in the determination of excessive profits to be eliminated for such fiscal year.

(2) *Gross renegotiation rebate.* The gross renegotiation rebate for each fiscal year is that portion of the additional amortization deduction for such fiscal year, not in excess of the excessive profits determined and eliminated for such fiscal year, which is determined in accordance with the regulations hereinafter prescribed to be attributable to contracts with the Departments and subcontracts.

(3) *Net renegotiation rebate.* The net renegotiation rebate for each fiscal year is the excess of the gross renegotiation rebate for such fiscal year over the amount by which the taxes of the contractor for such fiscal year under Chapters 1, 2A, 2B, 2D and 2E of the Internal Revenue Code were decreased by reason of omitting from gross income (or by reason of the application of the provisions of section 3806 (a) of the Internal Revenue Code with respect to) that part of the excessive profits determined and eliminated which is equal to the amount of the gross renegotiation rebate for such fiscal year.

(c) *Procedure for obtaining renegotiation rebate.* (1) After a recomputation of the amortization deduction for any fiscal year pursuant to section 124 (d) of the Internal Revenue Code has been made in connection with the determination of the contractor's taxes for such fiscal year, a contractor may apply for a net renegotiation rebate with respect to excessive profits determined and eliminated for such fiscal year by filing a claim in the form set forth at §§ 1607.736-1 and 1607.736-2, together with the information and documents referred to in such form. Such form, together with such information and documents, must be filed with the War Contracts Board at the address specified in § 1607.791-5. A separate application must be filed with respect to each fiscal year for which the contractor claims a net renegotiation rebate.

(2) The contractor may be required to furnish such additional documents and information as the War Contracts Board (or any duly authorized representative of the War Contracts Board) may require in order to determine the amount of the net renegotiation rebate, if any, to which the contractor may be entitled.

(3) The War Contracts Board will certify to the Secretary of the Treasury, pursuant to the provisions of the First Deficiency Appropriation Act, 1945, the net renegotiation rebate to which the contractor is entitled.

(d) *Determination of renegotiation rebate.* (1) The extent, if any, to which the additional amortization deduction for any fiscal year is attributable to contracts with the Departments and sub-

contracts will, for purposes of determining the gross renegotiation rebate, generally be determined upon the same basis and in the same manner as was used in fixing the amount of amortization or depreciation allowed as a cost in determining the excessive profits to be eliminated for such fiscal year. The War Contracts Board (or its duly authorized representative) may in any case, however, employ such method or methods as in the opinion of the War Contracts Board will properly reflect the amount of such additional amortization deduction for such fiscal year which is attributable to contracts with the Departments and subcontracts.

(2) Subsection (a) (4) (D) of the 1943 Act provides that the gross renegotiation rebate shall not exceed the excessive profits determined and eliminated for the fiscal year for which the claim for renegotiation rebate has been made. In the absence of such circumstances as would afford a basis for setting aside the determination of excessive profits, the allocation of excessive profits (i) to a fiscal year or (ii) between contractors if renegotiation was conducted on a consolidated basis, made in the order or agreement determining such excessive profits, will be conclusive in determining the amount of the gross renegotiation rebate. The gross renegotiation rebate may not exceed the amount of such excessive profits determined for such fiscal year which has been eliminated. If the order or agreement determining excessive profits has not allocated such excessive profits to a fiscal year or years such an allocation will be made by the War Contracts Board (or its duly authorized representative) in connection with the determination of the gross renegotiation rebate. In the case of an order or agreement determining excessive profits for more than one fiscal year if such excessive profits have not been entirely eliminated by payment or otherwise then the excessive profits determined for the earliest of such fiscal years shall be deemed to have been eliminated first, in the absence of compelling evidence to the contrary. [RR 383.3]

4. Section 1603.384 is amended and §§ 1603.384-1 and 1603.384-2 are added, as follows:

§ 1603.384 *Conversion to war production.* [RR 384]

§ 1603.384-1 *Cost of conversion.* The full amount of costs of converting facilities to war production which do not represent permanent additions, such as rearrangement of machinery, is allowed by the Bureau, and will be allowed in renegotiation, for the year in which it is incurred to the extent allowable to renegotiable business. This does not include losses on commercial inventory which has become unsaleable as a result of wartime regulations or loss of market, for such losses are not properly allocable to renegotiable business. [RR 384-1]

§ 1603.384-2 *Costs in connection with the discontinuance of renegotiable business—(a) General.* The costs of establishing or re-establishing peacetime operations are not costs of performing

renegotiable contracts or subcontracts and are not allocable to renegotiable business regardless of whether such costs constitute deductions or exclusions under Chapters 1 and 2E of the Internal Revenue Code. However, certain costs in connection with the discontinuance of renegotiable business, are allocable to renegotiable business. Such costs and the extent to which they are allocable to renegotiable business are set forth in the following paragraphs of this section.

(b) *Inventory losses.* Losses established through the writedown, abandonment or sale of inventories acquired for the purpose of performing renegotiable business and reasonably necessary to the performance of such business are allocable thereto. Costs of protecting and handling such inventories to the extent that such costs are not reflected in losses so established on such inventories are likewise allocable to renegotiable business.

(c) *Losses from sale, exchange or abandonment of facilities used in performing renegotiable contracts and subcontracts.* Losses from sale, exchange or abandonment of facilities used in performing renegotiable contracts and subcontracts are allocable to renegotiable business in accordance with the provisions of §§ 1603.385-4 and 1603.385-5. Notwithstanding the method of computing such losses for Federal tax purposes, (1) the costs of moving, dismantling, demolishing, protecting and storing such assets will be taken into account in determining whether losses have been sustained and in computing the amount of such losses for the purposes of renegotiation; and (2) depreciation incurred with respect to such assets during a period between the end of their use in the performance of renegotiable business and their sale or other disposal will be disregarded in computing such losses.

(d) *Other costs and expenses.* In addition to the losses described in paragraphs (b) and (c) with respect to inventories and depreciable or amortizable property, certain other costs incurred in connection with the discontinuance of renegotiable business are also allocable to such business even though incurred after renegotiable business has ceased. Such costs are, in general, items for which the contractor became obligated in connection with the performance of renegotiable business, which were reasonably necessary to such performance and for which he is obligated notwithstanding the cessation of his renegotiable business. Such items include those set forth below.

(1) *Severance pay.* Amounts paid by a contractor to his employees in connection with their separation from his employment for which he is obligated by reason of law, contract or the custom of his business are allocable to renegotiable business to the extent such amounts relate to the services performed by the employees in renegotiable business. Generally such amounts are allocable to renegotiable business in the proportion which wages paid with respect to renegotiable business bear to the total wages paid during a period (ending with severance) equal to the average tenure of employment for all

employees on the payroll immediately prior to the severance. Where, however, by reason of the difference in location or the nature of work, employees used in one operation are not interchangeable with those used in the other business of the contractor, the principles of the foregoing sentence will be applied to such operation separately rather than to the entire business of the contractor.

(2) *Rent and other obligations in connection with property.* Items such as rents, royalties or other such costs which the contractor is required to pay by law or by contract in connection with the use of property belonging to another where the obligation arose in connection with and was reasonably necessary to the performance of renegotiable business but continues after such business has ceased, are allocable to renegotiable business to the extent warranted by the facts of the particular case. In determining the extent to which such items are allocable to renegotiable business, consideration will be given to the use the contractor made of such property during the performance of renegotiable business and to the use he has made or may make of it during the period between the cessation of such business and termination of the obligation.

(3) *Depreciation.* Inasmuch as paragraph (c) of this section excludes, in computing losses, depreciation on assets used in renegotiable business sustained during the period between the end of their use in performing such business and their sale or other disposal, depreciation during this period will not be allowed as a cost of performing renegotiable business. If such assets are retained for future use in non-renegotiable business depreciation thereon will be allowed as a cost of renegotiable business to the extent otherwise properly allocable to the end of the month immediately succeeding that in which the end of their use in the performance of renegotiable business took place provided that they are not sooner devoted to civilian production.

(4) *General overhead expenses.* Certain continuing expenses, such as executives' and officers' salaries, maintenance wages, light and heat, and insurance paid or incurred subsequent to the cessation of renegotiable business, may be allocated to such business in amounts considered fair and equitable in light of the circumstances of the particular case. In no event will such costs be so allocated if incurred more than a reasonable time beyond the discontinuance of renegotiable business. In determining the time which is reasonable for the purposes of this paragraph, consideration will be given to the time that would be required to eliminate all such expenses in an orderly liquidation of the organization set up for war production, without considering any requirements of the contractor's peacetime production. [RR 384.2]

5. Section 1603.388-5 is added as follows:

§ 1603.388-5 *Inventories.* If, in the opinion of the renegotiating agency, inventory valuation is a significant element in determining profits, no determination of excessive profits or of non-excessive

profits should be made unless the renegotiating agency is satisfied as to the value of the inventory at the close of the period involved in the renegotiation.

(a) A physical inventory as of the close of the period involved in the renegotiation is the most satisfactory basis for an inventory valuation; however, a physical inventory taken within a reasonable time (ordinarily not in excess of three months) of the close of the period and reconciled to the close of the period may be acceptable.

(b) In the absence of a physical inventory at or within a reasonable time from the close of the period involved in the renegotiation, the contractor's book records will not be accepted as an appropriate basis for an inventory valuation as of the close of such period unless the renegotiating agency is satisfied (1) after spot checks or other tests, that the recorded inventory properly reflected the actual inventory on hand, or (2) that the method of determining inventory is such as to assure reasonable agreement between the recorded inventory and the actual inventory on hand.

(c) If necessary in order to arrive at a satisfactory valuation of inventory at the close of the period involved in the renegotiation, the renegotiating agency may, after approval by the Chairman of the Departmental Price Adjustment Board concerned, either (1) cause a physical inventory to be taken by or on behalf of the Government as near as possible to the close of the period involved in the renegotiation, or (2) if such a physical inventory is not feasible, estimate the inventory valuation as at the close of the period involved in the renegotiation, making such adjustments in the book inventory as, on the basis of the information then available, will protect the interests of the Government and minimize the likelihood of an understatement of profits for the period involved in the renegotiation. [RR 388.5]

#### PART 1605—AGREEMENTS AND STATEMENTS

##### SUBPART B—STATEMENTS TO CONTRACTORS

1. Section 1605.522 is amended to read as follows:

§ 1605.522 *Request for statement.* A request for a statutory statement shall be made in writing by the contractor addressed to the agency which made the determination of excessive profits and it must be made within the time limits hereinafter prescribed in this subpart. For the purpose of determining whether a request has been made within such time limits, such a request will be deemed to have been made at the time:

(a) When mailed by registered mail, postage prepaid, to the appropriate renegotiation agency, or

(b) If not sent by registered mail, postage prepaid, when received by such agency.

The request for a statement need not be a formal document. [RR 522]

2. Section 1605.524-2 is amended to read as follows:

§ 1605.524-2 *Where a determination is by order which may not be final.* Whenever a determination is made by

order under delegated authority (which pursuant to subsection d (5) of the Renegotiation Act is subject to review by the War Contracts Board), a statutory statement will be furnished to the contractor if requested of the agency which made such order within thirty days after the date of such order, and, if prior to the time such statement is furnished, no order of the War Contracts Board has been issued after a review of the order made under delegated authority. Such statement shall contain the following clause at the end of paragraph 1 thereof: "This statement is final only in the event that the determination by order to which it relates is final." [RR 524.2]

3. Sections 1605.525, 1605.525-1 and 1605.525-2 are added as follows:

§ 1605.525 *Statement in connection with a final determination.* [RR 525]

§ 1605.525-1 *Where a determination is by agreement.* Whenever a determination is made by agreement, a statutory statement will be furnished to the contractor if requested of the agency by which such agreement was made within thirty days after receipt by the contractor of a fully executed counterpart of the agreement. [RR 525.1]

§ 1605.525-2 *Where a determination is made by order which is final.* (a) Whenever upon review of an order determining excessive profits made under delegated authority the War Contracts Board makes a determination of excessive profits by order, a statutory statement will be furnished to the contractor by the War Contracts Board if requested of the War Contracts Board within thirty days after the mailing pursuant to § 1606.625-3, of the notice of the entry of such order of the War Contracts Board.

(b) Whenever an order determining excessive profits made under delegated authority is deemed the order of the War Contracts Board, no review of such order having been granted or initiated by the War Contracts Board, then, unless the contractor has been furnished with a statutory statement in accordance with the provisions of § 1605.524-2, a statutory statement will be furnished by the agency which made such order if requested of such agency at any time prior to the expiration of the thirtieth day after the mailing of the registered notice of the order becoming final pursuant to § 1606.625-3. [RR 525.2]

#### PART 1606—IMPASSE PROCEDURE

##### SUBPART B—FAILURE TO AGREE

The date "February 26, 1944" in § 1606.626-1 is changed to read "August 10, 1945," wherever it occurs.

#### PART 1607—FORMS FOR RENEGOTIATION

##### SUBPART A—FORMS RELATING TO IDENTIFICATION, ASSIGNMENT AND CANCELLATION OF CASES

Notes are added at the end of §§ 1607-701-2, 1607.701-4 and 1607.701-6, and in § 1607.722 a note is added at the end of the instructions for Exhibit 1a as follows:

**§ 1607.701-2 Instructions for preparation of Standard Form of Contractor's Report.**

*Note on renegotiation powers of Reconstruction Finance Corporation.* Effective July 1, 1945, Defense Plant Corporation, Metals Reserve Company, Defense Supplies Corporation and Rubber Reserve Company were dissolved and their functions, powers, duties and authority transferred to Reconstruction Finance Corporation (see Public Law 109, 79th Congress, approved June 30, 1945, and §§ 1601.122-5, 1601.122-13, 1603.332-11, 1603.809-1 and 1603.809-2). The Reconstruction Finance Corporation thereupon obtained all the powers, functions, duties and authority vested in such subsidiary corporations under the Renegotiation Act, both as to contracts previously entered into by those subsidiaries and as to contracts which the Reconstruction Finance Corporation, on and after July 1, 1945, might enter into under the authority transferred by Public Law 109, and as to subcontracts thereunder.

By reason of such Public Law 109, the term "Department" as used in the Renegotiation Act also means Reconstruction Finance Corporation as successor to Defense Plant Corporation, Metals Reserve Company, Defense Supplies Corporation and Rubber Reserve Company.

Answers supplied should take into account receipts and accruals under such contracts with the Reconstruction Finance Corporation, on and after July 1, 1945, and subcontracts thereunder, in addition to other information required.

This note is applicable to the "Standard Form of Contractor's Report" and instructions for preparation thereof. Specific reference is made to Article II A and II B of the "Standard Form of Contractor's Report" and to instructions numbered 3 and 12 of the "Instructions for Preparation of Standard Form of Contractor's Report." The reference to specific clauses does not limit the general applicability of this Note.

[RR 701.2]

**§ 1607.701-4 Instructions for preparation of Standard Form of Contractor's Report (For construction contractors, architects and engineers).**

*Note on renegotiation powers of Reconstruction Finance Corporation.* Effective July 1, 1945, Defense Plant Corporation, Metals Reserve Company, Defense Supplies Corporation and Rubber Reserve Company were dissolved and their functions, powers, duties and authority transferred to Reconstruction Finance Corporation (see Public Law 109, 79th Congress, approved June 30, 1945, and §§ 1601.122-5, 1601.122-13, 1603.332-11, 1603.809-1 and 1603.809-2). The Reconstruction Finance Corporation thereupon obtained all the powers, functions, duties and authority vested in such subsidiary corporations under the Renegotiation Act, both as to contracts previously entered into by those subsidiaries and as to contracts which the Reconstruction Finance Corporation, on and after July 1, 1945, might enter into under the authority transferred by Public Law 109, and as to subcontracts thereunder.

By reason of such Public Law 109, the term "Department" as used in the Renegotiation Act also means Reconstruction Finance Corporation as successor to Defense Plant Corporation, Metals Reserve Company, Defense Supplies Corporation and Rubber Reserve Company.

No. 217-4

Answers supplied should take into account receipts and accruals under such contracts with the Reconstruction Finance Corporation, on and after July 1, 1945, and subcontracts thereunder, in addition to other information required.

This note is applicable to the "Standard Form of Contractor's Report (For Construction Contractors, Architects and Engineers)" and instructions for preparation thereof. Specific reference is made to Article II A and II B of the "Standard Form of Contractor's Report (For Construction Contractors, Architects and Engineers)" and to instructions numbered 4 and 7 of the "Instructions for Preparation of Standard Form of Contractor's Report (For Construction Contractors, Architects and Engineers)." The reference to specific clauses does not limit the general applicability of this Note.

[RR 701.4]

**§ 1607.701-6 Instructions for preparation of Standard Form of Contractor's Report (for agents, brokers and sales engineers).**

*Note on renegotiation powers of Reconstruction Finance Corporation.* Effective July 1, 1945, Defense Plant Corporation, Metals Reserve Company, Defense Supplies Corporation and Rubber Reserve Company were dissolved and their functions, powers, duties and authority transferred to Reconstruction Finance Corporation (see Public Law 109, 79th Congress, approved June 30, 1945, and §§ 1601.122-5, 1601.122-13, 1601.332-11, 1603.809-1 and 1603.809-2). The Reconstruction Finance Corporation thereupon obtained all the powers, functions, duties and authority vested in such subsidiary corporations under the Renegotiation Act, both as to contracts previously entered into by those subsidiaries and as to contracts which the Reconstruction Finance Corporation, on and after July 1, 1945, might enter into under the authority transferred by Public Law 109, and as to subcontracts thereunder.

By reason of such Public Law 109, the term "Department" as used in the Renegotiation Act also means Reconstruction Finance Corporation as successor to Defense Plant Corporation, Metals Reserve Company, Defense Supplies Corporation and Rubber Reserve Company.

Answers supplied should take into account receipts and accruals under such contracts with the Reconstruction Finance Corporation, on and after July 1, 1945, and subcontracts thereunder, in addition to other information required.

This note is applicable to the "Standard Form of Contractor's Report (For Agents, Brokers and Sales Engineers)" and instructions for preparation thereof. Specific reference is made to Article II A and II B of the "Standard Form of Contractor's Report (For Agents, Brokers and Sales Engineers)" and to instruction numbered 2 of the "Instructions for Preparation of Standard Form of Contractor's Report (For Agents, Brokers and Sales Engineers)." The reference to specific clauses does not limit the general applicability of this Note.

[RR 701.6]

**§ 1607.722 Contractor's information and work sheet for renegotiation.**

INSTRUCTIONS FOR PREPARATION OF EXHIBITS

EXHIBIT 1A

*Note on renegotiation powers of Reconstruction Finance Corporation.* Effective July 1, 1945, Defense Plant Corporation, Metals Reserve Company, Defense Supplies Corporation and Rubber Reserve Company were dissolved and their functions, powers, duties and authority transferred to Reconstruction Finance Corporation (see Public Law 109, 79th Congress, approved June 30, 1945, and §§ 1601.122-5, 1601.122-13, 1603.332-11, 1603.809-1 and 1603.809-2). The Reconstruction Finance Corporation thereupon obtained all the powers, functions, duties and authority vested in such subsidiary corporations under the Renegotiation Act, both as to contracts previously entered into by those subsidiaries and as to contracts which the Reconstruction Finance Corporation, on and after July 1, 1945, might enter into under the authority transferred by Public Law 109, and as to subcontracts thereunder.

By reason of such Public Law 109, the term "Department" as used in the Renegotiation Act also means Reconstruction Finance Corporation as successor to Defense Plant Corporation, Metals Reserve Company, Defense Supplies Corporation and Rubber Reserve Company.

Answers supplied (including the computation directed under "Instructions for Preparation of Exhibits," Exhibit 1, Line 1) should include receipts and accruals under such contracts with the Reconstruction Finance Corporation, on and after July 1, 1945, and subcontracts thereunder, in addition to other information required. The answer to Section H 3 (f) should also include the volume of receipts and accruals under such contracts with the Reconstruction Finance Corporation. The reference to specific clauses does not limit the general applicability of this Note.

SUBPART C—FORMS RELATING TO TAX CREDIT AND RENEGOTIATION REBATE

1. The heading of Subpart C is amended to read as set forth above.
2. Sections 1607.736 to 1607.736-3, inclusive, are added as follows:

**§ 1607.736 Forms relating to renegotiation rebate.** [RR 736]

**§ 1607.736-1 Forms for claim of net renegotiation rebate.**

Budget Bureau No. 49-E267  
Approval Expires—  
31 December 1946

War Contracts Price Adjustment Board  
Room 3D 573—The Pentagon  
Washington 25, D. C.

In accordance with (Agreement No. \_\_\_\_ ) (or Order) dated \_\_\_\_\_ executed on behalf of the United States by the \_\_\_\_\_ and determined (Title of Executing Official) \_\_\_\_\_

Upon a recomputation of the amortization deduction pursuant to section 124 (d) of the Internal Revenue Code in connection with the determination of the Federal taxes of the undersigned for said fiscal year there was an increase of \_\_\_\_\_ in the total amount of the amortization deduction for said fiscal year.

The undersigned therefore claims a net renegotiation rebate for said fiscal year in accordance with subsection (a) (4) (D) of the Renegotiation Act, and the regulations promulgated thereunder by the War Contracts Price Adjustment Board and in support of such claim submits herewith the following documents:

(1) Statement by the office of the Commissioner of Internal Revenue of Recomputation under section 124 (d) of the Internal Revenue Code;

(2) Schedule A in the form set forth in § 1607.736-2 of the Renegotiation Regulations.

Certification<sup>1</sup>

I hereby certify that the facts herein set forth above or appended are true and correct to the best of my knowledge, information, and belief and that in my opinion the claim hereinabove made is meritorious.

Signature of Person Executing Claim

Date

(Name of Contractor)
By
Title of Authorized Official

[RR 736.1]

§ 1607.736-2 Schedule to be attached to claim for net renegotiation rebate.

Budget Bureau No. 49-R267
Approval expires 31 Dec. 1946

SCHEDULE A

(to be attached to claim for net renegotiation rebate)

Name of claimant
Address
Fiscal year for which claim is made (ended)

Table with 7 columns: Col. 1 (Nos. of certs. of necessity by components), Col. 2 (Nos. of certs. of nonnecessity related to Col. 1), Col. 3 (Date amortization began), Col. 4 (Date amortization terminated), Col. 5 (Original amortization deduction per tax return), Col. 6 (Add'l amortization deduction under sec. 121 (d) of IRC), Col. 7 (Amt. of additional amortization deduction attributable to reneg. business)

Total additional amortization attributable to negotiable business
Excess profits eliminated for fiscal year for which this claim is made
Gross renegotiation rebate claimed (lesser of the above amounts)

[RR 736.2]

§ 1607.736-3 Letter from contractor to Office of Commissioner of Internal Revenue.

Commissioner of Internal Revenue
Internal Revenue Building
Washington, D. C.

Subject: Renegotiation Rebate

Dear Sir:

The undersigned desires to submit its claim under subsection (a) (4) (D) of the Renegotiation Act for a net renegotiation rebate with respect to excessive profits eliminated. Your office, pursuant to section 124 (d) of the Internal Revenue Code, has recomputed the amortization deduction for the taxable year ended ... It is, therefore, respectfully requested that the undersigned be furnished two (2) copies of a statement showing such recomputation for the above identified year in order that such claim may be filed.

(Claimant)

[RR 736.3]

SUBPART D—FORMS RELATING TO AGREEMENTS AND UNILATERAL DETERMINATIONS

1. The footnote to paragraph (5) of § 1607.741-2, footnote 1 to § 1607.746-3 and the footnotes to §§ 1607.747-2 and 1607.748-2 are all amended to read: "See §§ 1603.323 and 1605.502-5."

2. A headnote is added to paragraph (8) of § 1607.741-2, as follows: "Clause relating to accelerated amortization under nonnecessity certificate."

SUBPART I—ADDRESSES

1. Sections 1607.791 to 1607.792, inclusive, are amended to read as follows:

§ 1607.791 War Contracts Price Adjustment Board. [RR 791]

§ 1607.791-1 Principal office.

Room 3334, Main Navy Building, 18th and Constitution Ave., Washington 25, D. C. Tel. Republic 7400, Ext. 4786.

[RR 791.1]

§ 1607.791-2 Members.

Maurice Hirsch, Colonel, G.S.C., Chairman, (War Department), Room 3B 466, The Pentagon, Washington 25, D. C. Tel. Republic 6700, Ext. 74427.

Commander E. D. McDougal, Jr., U.S.N.R., Vice Chairman (Navy Department), Room 3326, Main Navy Building, 18th and Constitution Ave., Washington 25, D. C. Tel. Republic 7400, Ext. 5169.

1 Section 35 (a) of the United States Criminal Code, 18 U. S. C., section 80, makes it a criminal offense to make a wilfully false statement or representation to any department or agency of the United States as to any matter within its jurisdiction.

tution Avenue, NW., Washington 25, D. C. Tel. Republic 7400, Ext. 5169.

Mr. John R. Paull, (Maritime Commission), Room 512, Electrical Workers Building, 1200 15th Street, NW., Washington 5, D. C. Tel. Executive 3340, Ext. 608.

Captain H. C. Maul, Jr. (Treasury Department), 5304 Procurement Building, 7th and D Streets, SW., Washington 25 D.C., Tel. District 5700, Ext. 2105.

Mr. Charles T. Fisher, Jr., (Reconstruction Finance Corporation), Room 1167, Lafayette Building, 811 Vermont Avenue, NW., Washington 25, D. C. Tel. Executive 3111, Ext. 8.

Mr. Carman G. Blough (War Production Board), Department 1400, 4th and Independence Avenue SW., Washington 25, D. C. Tel. Republic 7500, Ext. 71783.

[RR 791.2]

§ 1607.791-3 Office of General Counsel.

War Contracts Price Adjustment Board. Attention: Lt. Col. W. W. Watts, General Counsel, Room 3B 486, The Pentagon, Washington 25, D. C. Tel. Republic 6700, Ext. 72191.

[RR 791.3]

§ 1607.791-4 Assignment Office.

Assignments and Statistics Branch, Renegotiation Division, Room 3B 537, The Pentagon, Washington 25, D. C. Tel. Republic 6700, Ext. 73678.

[RR 791.4]

§ 1607.791-5 Pentagon Office.

Room 3B 547, The Pentagon, Washington 25, D. C. Tel. Republic 6700, Ext. 73636.

[RR 791.5]

§ 1607.792 Departmental Price Adjustment Boards.

War Department Price Adjustment Board. Attention: Lt. Col. W. H. Coulson, Executive Officer, Room 3B 468, The Pentagon, Washington 25, D. C. Tel. Republic 6700, Ext. 5672.

Navy Price Adjustment Board. Attention: Commander E. D. McDougal, Jr., Chairman (Navy Department), Room 3326, Main Navy Building, 18th and Constitution Avenue NW., Washington 25, D. C. Tel. Republic 7400, Ext. 5169.

Services and Sales Renegotiation Section. Office of Procurement and Material, Navy Department, Washington 25, D. C. Tel. Republic 7400, Ext. 61468.

Treasury Department Price Adjustment Board. Attention: Captain H. C. Maul, Jr., Chairman, 5304 Procurement Building, 7th and D Streets SW., Washington 25, D. C. Tel. District 5700 Ext. 2105.

Maritime Commission Price Adjustment Board. Attention: Mr. John R. Paull, Room 512, Electrical Workers Building, 1200 15th Street NW., Washington 25, D. C. Tel. Executive 3340, Ext. 608.

War Shipping Administration Price Adjustment Board. Attention: Mr. James L. Murphy, Chairman, 39 Broadway, New York 6, New York. Tel. Whitehall 8-8000.

Reconstruction Finance Corporation Price Adjustment Board. Attention: Mr. Charles T. Fisher, Jr., Chairman, Lafayette Building, 811 Vermont Avenue NW., Washington 25, D. C. Tel. Executive 3111, Ext. 8 or 48.

[RR 792]

2. In § 1607.793-1 the second, fifth and seventh addresses are amended to read as follows:

§ 1607.793-1 Headquarters.

Price Adjustment Unit, TSBPSDA. Air Technical Service Command, Army Air

[Order 2117]

## COMMISSIONER OF RECLAMATION

## DELEGATION OF AUTHORITY

Pursuant to the provisions of the Act of December 19, 1941 (55 Stat. 842), Departmental Order No. 2018, dated December 22, 1944 (10 F.R. 259), is hereby amended to include the following additional subsection under section 1 thereof:

(n) To authorize, approve and execute any contract for construction, repair, supplies, services and equipment, where the amount does not exceed \$50,000; and to authorize, approve and execute any change order pursuant to the terms of any contract for construction, repair, supplies, services and equipment, where the amount does not exceed \$50,000.

This order is to be effective immediately.

HAROLD L. ICKES,  
Secretary of the Interior.

OCTOBER 18, 1945.

[F. R. Doc. 45-20206; Filed, Nov. 1, 1945;  
2:35 p. m.]

[Order 2118]

## COMMISSIONER OF RECLAMATION

## DELEGATION OF AUTHORITY

OCTOBER 18, 1945.

1. Pursuant to the provisions of the Act of December 19, 1941 (55 Stat. 842), it is hereby ordered as follows:

That Departmental Order No. 2018, dated December 22, 1944 (10 F.R. 259), and entitled "Delegation of Authority for the Commissioner of Reclamation" be and the same is hereby amended by the addition of a subsection as subsection 1 (m) immediately following the present subsection 1 (l) to read as follows:

(m) To approve, whenever the repayment contract between the United States and an irrigation district or other water users' organization provides for such action on the part of the Secretary of the Interior, the selection and employment by the district of a project manager, irrigation superintendent, reservoir superintendent, treasurer, or such other officer designated in such contract; to issue formal notices requesting the termination of the employment of unsatisfactory employees in such positions; to approve the form and amount of the treasurer's bond where required by the terms of such contract. Where any district or other water users' organization is aggrieved by the action taken, or the action proposed to be taken, by the Bureau of Reclamation in the exercise of the foregoing authority, such district may file an appeal therefrom with the Secretary of the Interior.

This order shall be effective immediately.

HAROLD L. ICKES,  
Secretary of the Interior.

[F. R. Doc. 45-20207; Filed, Nov. 1, 1945;  
2:35 p. m.]

## DEPARTMENT OF AGRICULTURE.

## Rural Electrification Administration.

[Administrative Order 973]

## ALLOCATION OF FUNDS FOR LOANS

OCTOBER 16, 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 a loan for the project and in the amount as set forth in the following schedule:

Project designation:	Amount
West Virginia 8D Hardy.....	\$25,000

[SEAL]

WILLIAM J. NEAL,  
Acting Administrator.

[F. R. Doc. 45-20230; Filed, Nov. 2, 1945;  
11:03 a. m.]

[Administrative Order 974]

## ALLOCATION OF FUNDS FOR LOANS

OCTOBER 16, 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
Arkansas 24N Washington.....	\$420,000
Florida 28G Madison.....	40,000
Iowa 80E Ringgold.....	300,000
Iowa 81A Union.....	675,000
Kansas 50A Labette.....	230,000
Minnesota 61G Freeborn.....	100,000
Missouri 28M Barton.....	235,000
Missouri 48G Newton.....	100,000
North Dakota 26B Mountrail.....	100,000
North Dakota 37B McLean.....	100,000
South Carolina 27K Marlboro.....	50,000
South Carolina 28G Williamsburg.....	155,000
Virginia 28M Lancaster.....	50,000
Wisconsin 29G Clark.....	85,000
Wisconsin 31G Columbia.....	72,000

[SEAL]

WILLIAM J. NEAL,  
Acting Administrator.

[F. R. Doc. 45-20231; Filed, Nov. 2, 1945;  
11:03 a. m.]

[Administrative Order 975]

## ALLOCATION OF FUNDS FOR LOANS

OCTOBER 16, 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
Georgia 35L Walton.....	\$50,000
Iowa 82B Monroe.....	275,000
Louisiana 12N Franklin.....	100,000
Louisiana 20F Concordia.....	222,000
Minnesota 70F Hennepin.....	500,000
Nebraska 4N Polk District Public.....	95,000
Oklahoma 21H Washita.....	205,000
Oregon 22F Clackamas.....	38,000

[SEAL]

WILLIAM J. NEAL,  
Acting Administrator.

[F. R. Doc. 45-20232; Filed, Nov. 2, 1945;  
11:03 a. m.]

[Administrative Order 976]

## ALLOCATION OF FUNDS FOR LOANS

OCTOBER 19, 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
California 32A Butte.....	\$110,000
Colorado 16M Jefferson.....	150,000
Illinois 24G Jackson.....	80,000
Indiana 82E Spencer.....	25,000
Iowa 47G Franklin.....	375,000
Kansas 37B McPherson.....	80,000
Kentucky 21E Nelson.....	195,000
Missouri 39R Lawrence.....	132,000
Ohio 65H Coshartton.....	55,000
Pennsylvania 24F Bedford.....	30,000
South Dakota 21B Brown.....	85,000
Vermont 7N Orleans.....	95,000
Wisconsin 69F Waushara.....	125,000

[SEAL]

WILLIAM J. NEAL,  
Acting Administrator.

[F. R. Doc. 45-20233; Filed, Nov. 2, 1945;  
11:03 a. m.]

[Administrative Order 977]

## ALLOCATION OF FUNDS FOR LOANS

OCTOBER 19, 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 37C Douglas.....	\$193,000
Iowa 63G Henry.....	250,000
Iowa 70F Osceola.....	50,000
Ohio 36G Marion.....	75,000
Oklahoma 24H Lincoln.....	235,000
Texas 70G Hamilton.....	240,000
Texas 103H Polk.....	200,000

[SEAL]

WILLIAM J. NEAL,  
Acting Administrator.

[F. R. Doc. 45-20234; Filed, Nov. 2, 1945;  
11:03 a. m.]

## FEDERAL TRADE COMMISSION.

[Docket No. 5379]

H. D. FINE CO. ET AL.

## ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 31st day of October, A. D. 1945.

In the matter of Herbert D. Fine, individually and trading as H. D. Fine Company, Plasti-Kote Company and Plastic Coating Company.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That Randolph Preston, a trial examiner of this Commission, be

Forces, Wright Field, Dayton, Ohio. Tel. Kenmore 7111, Exts. 22135, 23292, 25225, 2-7196, 3-6350.

The Chief of Ordnance. Attention: Lt. Col. J. A. Rice, Price Adjustment Branch, Room 3B 521, The Pentagon, Washington 25, D. C. Tel. Republic 6700, Ext. 71588.

The Chief Signal Officer. Attention: Major John R. Ramey, Price Adjustment Section, Room 2C 289, The Pentagon, Washington 25, D. C. Tel. Republic 6700, Ext. 6462.

3. Section 1607.794-1 is amended to read as follows:

§ 1607.794-1 *Navy Price Adjustment Board.*

(a) Washington Division. Room 3326, Main Navy Building, 18th and Constitution Avenue, Washington 25, D. C. Tel. Republic 7400, Ext. 5169.

(b) New York Division. Room 310, 630 Fifth Avenue, New York 20, New York. Tel. Columbus 5-3851.

(c) Chicago Division. 12th Floor, 7 South Dearborn Street, Chicago 3, Illinois. Tel. Andover 5740.

(d) San Francisco Division. 727 Financial Center Building, 405 Montgomery Street, San Francisco 4, California. Tel. Exbrook 1161.

IRR 794.11

4. Section 1607.796-1 is amended to read as follows:

§ 1607.796-1 *War Department Patent Royalty Adjustment Offices.*

Patent Royalties Administrator. Office, Director, Production and Purchases Division, Headquarters, Army Service Forces, Room 5D600, The Pentagon, Washington 25, D. C. Tel. Republic 6700, Ext. 6029.

Chairman, Royalty Adjustment Board, Army Air Forces Materiel Command, Wright Field, Dayton, Ohio. Tel. Kenmore 7111, Ext. 25222.

IRR 796.11

PART 1608—TEXT OF STATUTES, ORDERS, JOINT REGULATIONS AND DIRECTIVES

SUBPART A—STATUTES AND EXECUTIVE ORDERS

1. In § 1608.806, paragraph II (i) of Rule 64 is amended to read as follows:

§ 1608.806 *Tax Court rules.*

(1) A copy of the notice by the Board, and a copy of the order of the Board, or of its delegates, as the case may be, determining the amount of excessive profits, which notice and order form the basis for the initiation of the proceeding under section 403 (e) (1) of the Act, or a copy of the order by the Secretary determining the amount of excessive profits, which order forms the basis for the initiation of the proceeding under section 403 (e) (2) of the Act, shall be appended to the petition. If a statement has been furnished to the petitioner by the Board or the Secretary setting forth the facts upon which the determination of excessive profits was based and the reason for such determination, a copy of such statement shall also be appended to the petition.

SUBPART D—EXEMPTIONS

1. In § 1608.841 the following products are added to the list in paragraph (a):

§ 1608.841 *Raw material exemption.*

(a) \* \* \*

Lithium carbonate  
Lithium hydroxide  
Lithium chloride

2. In § 1608.842-3 paragraph (b) is amended to read as follows:

§ 1608.842-3 *Public utilities; transportation.* \* \* \*

(b) Contracts and subcontracts with common carriers to furnish inland or coastal transportation by water, when made at published rates or charges, fixed, approved or subject to regulation as to the reasonableness thereof by the Interstate Commerce Commission or the Maritime Commission, or when made at rates or charges which the Department conducting the renegotiation in its discretion shall determine to be no higher than such published rates or charges for transportation of a comparable character.

[F. R. Doc. 45-20168; Filed, Nov. 1, 1945; 9:41 a. m.]

TITLE 46—SHIPPING

Chapter II—United States Maritime Commission

[Rev. G. O. 21, Amdt. 2]

PART 203—ADMISSION TO PRACTICE BEFORE THE COMMISSION

TERM AND EXTENSION OF SERVICE MEN'S RIGHT TO PRACTICE

Revised General Order 21 (9 F.R. 14609), as amended (10 F.R. 1336), is further amended by revoking § 203.3a *Term of practice* and § 203.13 *Extension of service men's right to practice.*

By order of the United States Maritime Commission.

[SEAL] A. J. WILLIAMS,  
Secretary.

OCTOBER 23, 1945.

[F. R. Doc. 45-20223; Filed, Nov. 2, 1945; 10:53 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

PART 10—STEAM ROADS: UNIFORM SYSTEM OF ACCOUNTS

UNIFORM SYSTEM OF ACCOUNTS FOR STEAM RAILROADS, ISSUE OF 1943

At a session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D. C., on the 26th day of October A. D. 1945.

The matter of the "Uniform System of Accounts for Steam Railroads, Issue of 1943," being under consideration by the division, pursuant to the authority of section 20 of the Interstate Commerce Act, and the modifications which are attached hereto and made a part hereof<sup>1</sup> being found necessary for administration of the provisions of Part I of the act; *it is ordered:*

1. That all carriers by railroad (except those independently operated as electric lines), herein referred to as steam railroads, subject to the provi-

<sup>1</sup> Filed as part of the original document.

sions of the Interstate Commerce Act, and every trustee, receiver, executor, administrator, or assignee of any such carrier, be, and they are hereby, required to comply with the "Uniform System of Accounts for Steam Railroads, Issue of 1943," as hereby modified and amended;

2. That this order shall become effective January 1, 1946; and

3. That a copy of this order shall be served upon every steam railroad subject to the act and upon every trustee, receiver, executor, administrator, or assignee of any such steam railroad, and that notice of this order be given to the general public by depositing a copy thereof in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

By the Commission, Division 1.

[SEAL] W. P. BARTEL,  
Secretary.

[F. R. Doc. 45-20248; Filed, Nov. 2, 1945; 11:35 a. m.]

TITLE 50—WILDLIFE

Chapter I—Fish and Wildlife Service

PART 23—SOUTHWESTERN REGION NATIONAL WILDLIFE REFUGES

SALT PLAINS NATIONAL WILDLIFE REFUGE, OKLAHOMA; FISHING REGULATIONS

Under authority of § 12.3 of the general regulations for the Administration of National Wildlife Refuges (5 F.R. 5284), as amended, the following is ordered:

§ 23.798 *Salt Plains National Wildlife Refuge, Oklahoma*, is amended by deleting from paragraph (b) the sentence "Fishing under this regulation shall be by hook and line (including rod and reel) only, as defined by State law."

Dated: October 26, 1945.

ALBERT M. DAY,  
Acting Director.

[F. R. Doc. 45-20204; Filed, Nov. 1, 1945; 2:35 p. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Office of the Secretary.

[Order 2116]

CENTRAL VALLEY PROJECT

ABOLISHMENT OF ADVISORY COMMITTEE ON POLICY

OCTOBER 18, 1945.

The Advisory Committee on Policy in connection with the Central Valley Project, created by Order No. 1758 of November 13, 1942, and revised by Order No. 1855 of August 17, 1943, is hereby abolished.

HAROLD L. ICKES,  
Secretary of the Interior.

[F. R. Doc. 45-20205; Filed, Nov. 1, 1945; 2:35 p. m.]

and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

*It is further ordered*, That the taking of testimony in this proceeding begin on Thursday, November 8, 1945, at ten o'clock in the forenoon of that day (Eastern Standard Time), in Hearing Room, Federal Trade Commission Building, 6th and Pennsylvania Ave., Washington, D. C.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the facts; conclusions of facts; conclusions of law; and recommendation for appropriate action by the Commission.

By the Commission.

[SEAL]

OTIS B. JOHNSON,  
Secretary.

[F. R. Doc. 45-20235; Filed, Nov. 2, 1945; 11:13 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 364]

UNLOADING OF CORK AT PORT RICHMOND, PA.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 1st day of November A. D. 1945.

It appearing, That 11 cars containing cork at Port Richmond, Pa., on the Reading Company, have been on hand for an unreasonable length of time and that the delay in unloading said cars is impeding their use; in the opinion of the Commission an emergency exists requiring immediate action. It is ordered, that:

*Cork at Port Richmond, Pa., be unloaded.* (a) The Reading Company, its agents or employees, shall unload forthwith the following cars containing cork on hand at Port Richmond, Pa., ex. S. S. Alexander Silva for account Atlantic Freightling Corporation, New York, N. Y.:

NYC 134194	WM 28229
B&M 73191	MILW 709658
WM 28227	PM 24228
B&O 385103	SAL 17110
L&A 36177	SOU 306180
M&STL 22026	

(b) Said carrier shall notify the Director of the Bureau of Service, Interstate Commerce Commission, Washington, D. C., when such carloads have been completely unloaded in compliance with the requirements of paragraph (a). Upon 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 Reading Com-

pany, 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. 45-20246; Filed, Nov. 2, 1945; 11:35 a. m.]

[S. O. 365]

UNLOADING OF GRAIN DOORS AT EAST ST. LOUIS, ILL.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 1st day of November, A. D. 1945.

It appearing, That cars PRR 122614 and RI 155954 containing grain doors at East St. Louis, Ill., on the Illinois Central Railroad Company have been on hand for an unreasonable length of time and that the delay in unloading said cars is impeding their use; in the opinion of the Commission an emergency exists requiring immediate action. It is ordered, that:

*Grain doors at East St. Louis, Ill., be unloaded.* (a) The Illinois Central Railroad Company, its agents or employees shall unload forthwith PRR 122614 and RI 155954 containing grain doors on hand at East St. Louis, Ill., consigned to the Toledo, Peoria & Western Railroad, Peoria, Ill.

(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 Illinois Central Railroad Company, 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. 45-20247; Filed, Nov. 2, 1945; 11:35 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[RMPR 133, Order 524]

CHRYSLER CORP.

APPROVAL OF MAXIMUM PRICES

Order No. 524 under Revised Maximum Price Regulation 136. Machines, parts and industrial equipment. Chrysler 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*:

The maximum prices for sales of the models of Ace and Crown Marine Engines shown below by Chrysler Corporation, Detroit, Michigan, shall be as follows:

Model:	Maximum net price opposite and standard rotation
Ace, V Drive-M6:	
1.43-1 Gear Reduction.....	\$514.00
2.05-1 Gear Reduction.....	514.00
Crown, V Drive-M7:	
1.43-1 Gear Reduction.....	520.00
2.05-1 Gear Reduction.....	520.00

The maximum prices for sales of these products 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 dollars-and-cents, by which his net invoiced cost has been increased due to the adjustment granted the manufacturer by this Order.

Chrysler Corporation shall notify each person who buys these products for resale of the dollars 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.

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 November 2, 1945.

Issued this 1st day of November 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-20181; Filed, Nov. 1, 1945; 11:43 a. m.]

[RMPR 123, Order 4632]

EMPIRE NOVELTY 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. 123; *It is ordered*:

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Empire Novelty Company, 216 Institute Place, Chicago, 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.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
Six-way bronze plated, high-lighted, floor lamp equipped with diffusing bowl, cast candle arms and 5" onyx insert, without shade	53	\$11.69	\$13.75	\$24.75
Three-light bronze plated, high lighted club floor lamp equipped with diffusing bowl, and 5" onyx insert, without shade	52	11.05	13.00	23.40
Student bridge lamp, bronze plated high lighted and equipped with diffusing bowl, 5" onyx insert, without shade	56	9.78	11.50	20.70
Torchiere, bronze plated, high lighted, equipped with 5" onyx and glass reflector	51	12.75	15.00	27.00

These maximum prices are for the articles described in the manufacturer's application dated September 19, 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 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 manufacturer 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) Jobbers' 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 2d day of November 1945.

Issued this 1st day of November 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-20182; Filed, Nov. 1, 1945;  
11:43 a. m.]

[RMPR 208, Amdt. 2 to Order 40]

BLUE BELL, INC.

#### DETERMINATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to section 5.9 (b) of Revised Maximum Price Regulation 208, *It is ordered*, That Order No. 40 be, and it hereby is, amended by adding new paragraphs (f), (g) and (h) to read as follows:

(f) The maximum price for any garment which is the same, except for a replacement of body material, as a garment for which an adjusted maximum price is established in paragraph (a) may be determined as follows:

(1) Take the adjusted maximum price under paragraph (a) for the garment which is the same as the garment being priced except for the replacement;

(2) Add (or subtract if the material cost of the garment being priced is lower) the difference between the cost of body materials in the two garments (as defined in (g) below).

(g) As used in this order, the term "cost of body material" means the maximum net price which Blue Bell, Inc. may lawfully be charged for such material if purchased directly from the mill, or, in the case of converted fabrics, purchased directly from the converter, under the price schedules and maximum price regulations of the Office of Price Administration in effect on June 1, 1945. In no case shall such maximum net price include any markup permitted by such schedules or regulations to a jobber of the fabric.

(h) Before any garment priced under paragraph (f) above is offered for sale, Blue Bell, Inc. shall file a report with the Office of Price Administration, Washington 25, D. C. (Men's Clothing Section) showing the calculation of the adjusted maximum price for the garment as set forth in paragraph (f) above.

This amendment shall become effective November 2, 1945.

Issued this 1st day of November 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-20183; Filed, Nov. 1, 1945;  
11:44 a. m.]

[SO 133, Order 6]

PIED PIPER SHOE 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 Supplementary Order No. 133, it is ordered:

(a) *Maximum prices for sales of footwear by Pied Piper Shoe Company.* The maximum prices at which the Pied Piper Shoe Company, Wausau, Wisconsin, may sell and deliver to retailers the shoes which it manufactures and which are described in its application dated May 29, 1945, shall be the maximum prices therefor previously established under the General Maximum Price Regulation and in effect immediately prior to the issuance of this order plus an amount equal to 2.6 per cent of such maximum prices.

The adjusted maximum prices established by this order are subject to the customary terms, discounts, allowances and other price differentials in effect during March 1942 on sales to each class of purchaser.

(b) *Maximum prices for retail sales subject to the General Maximum Price Regulation.* The maximum price for a sale or delivery at retail under the General Maximum Price Regulation of any shoe covered by this order shall be the retailer's maximum price previously established under the General Maximum Price Regulation increased by 2.6 per cent. A retailer who has not previously established a maximum price therefor under the General Maximum Price Regulation may increase his maximum price otherwise determined under § 1499.2 of the General Maximum Price Regulation by an amount equal to 2.6 per cent of that price.

(c) *Notification.* At the time of (or prior to) the first delivery of each shoe covered by this order to a purchaser for resale on and after the effective date of this order at a price adjusted in accordance with the terms of this order, the seller shall notify the purchaser in writing of the applicable method established by paragraph (b), above, for determining maximum prices for resale of the footwear. This notice may be given in any convenient form.

(d) *Statement to be submitted to the Office of Price Administration.* The manufacturer shall file a report with the Office of Price Administration, Washington 25, D. C., as required by section 5 of Supplementary Order No. 133.

(e) All requests not specifically granted by this order are hereby denied.

(f) This order may be amended, modified, revised or revoked by the Administrator at any time.

This order shall become effective November 2, 1945.

Issued this 1st day of November 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-20183; Filed, Nov. 1, 1945;  
11:44 a. m.]

[MPR 580, Order 239]

SIMON MATTRESS Mfg. Co.

#### ESTABLISHMENT OF MAXIMUM PRICES

MPR 580, Order 238. Establishing ceiling prices at retail for certain articles. Docket No. 6063-580-13-18.

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 articles manufactured by Simon Mattress Manufacturing Co., 1777 Yosemite Avenue, San Francisco, Calif., having the brand name "Serta", and described in the manufacturer's application dated April 3, 1945:

Article	Style No.	Ceiling price at retail
Mattress.....	Tiny 4-A.....	\$9.95
	Restal Knight.....	34.75
Box spring.....	do.....	34.75
Mattress.....	Smooth Rest.....	24.75
Box spring.....	do.....	24.75

(b) The retail ceiling price of an article stated in paragraph (a) shall apply to any other article of the same type, having the same selling price to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this order.

(c) The retail ceiling prices contained in paragraph (a) shall apply in place of the ceiling prices which have been or would otherwise be established under this or any other regulation.

(d) On and after December 1, 1945, Simon Mattress Manufacturing Co. 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:

(Sec. 13, MPR 580)  
OPA Price—\$.....

On and after January 1, 1946, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to January 1, 1946, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of the applicable regulation.

(e) 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.

(f) Unless the context otherwise requires, the provisions of the applicable regulation shall apply to sales for which retail ceiling prices are established by this order.

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

This order shall become effective November 2, 1945.

Issued this 1st day of November 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-20184; Filed, Nov. 1, 1945; 11:44 a. m.]

[MPR 591, Order 34]

OLYMPIAN STONE 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 manufacture, for sales by any person to plumbing and heating wholesalers of the following commodities manufactured by the Olympian Stone Company and described in its application which is on file with the Office of Price Administration, shall be:

Model #2 CGS—Two compartment "Stone-Maid" grey finish laundry tray with shelf.....	\$11.83
Model #2CGWS—Two compartment "Stone-Maid" grey inside, white outside finish laundry tray with shelf.....	12.60
Model #2 CWS—Two compartment "Stone-Maid" white inside, white outside finish laundry tray with shelf.....	14.70

(b) The maximum net prices, f. o. b. point of shipment for sales by any person to plumbing and heating contractors, commercial and industrial users and installers of the following commodities manufactured by the Olympian Stone Company of Seattle, Washington, shall be:

Model #2 CGS—Two compartment "Stone-Maid" grey finish laundry tray with shelf.....	\$14.85
Model #2 CGWS—Two compartment "Stone-Maid" grey inside, white outside finish laundry tray with shelf.....	16.75
Model #2 CWS—Two compartment "Stone-Maid" white inside, white outside finish laundry tray with shelf.....	18.45

(c) The maximum net prices established by this order shall be subject to discounts and allowances including transportation allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of similar commodities during March 1942.

(d) The maximum prices for sales on an installed basis of the commodities covered by this order shall be determined in accordance with the provisions of Revised Maximum Price Regulation No. 251.

(e) The Olympian Stone Company shall notify in writing each of its purchasers of the maximum prices established by this order for sales by the Olympian Stone Company, as well as the maximum prices established for purchasers upon resale.

(f) This order may be amended or revoked by the Price Administrator at any time.

This order shall become effective November 2, 1945.

Issued this 1st day of November 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-20185; Filed, Nov. 1, 1945; 11:44 a. m.]

[MPR 120, 2d Rev. Order 1432]

CUTSHIN COAL CO. ET AL.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and in accordance with § 1340.297 (a) of Maximum Price Regulation No. 120; *It is ordered:*

Revised Order No. 1432 under Maximum Price Regulation No. 120 is revised and amended to read as follows:

(a) Bituminous coal produced at the non-rail connected mines hereinafter described in sub-paragraphs 1 and 2 of this paragraph (a), all of which are located in District No. 8, when trucked from the mine to a rail siding for rail shipment may be sold at the maximum prices established for the respective mines by § 1340.219 (b) (1) of Maximum Price Regulation No. 120 for rail or river shipment plus the sum of 40 cents per net ton.

(1) All non-rail connected mines located in Pike and Letcher Counties, Kentucky.

(2) The mines of the following named companies identified by the mine index numbers set opposite the respective names:

Name	Index Nos.
Cutshin Coal Co.....	7037
Evans Elkhorn Coal Co.....	98, 100, 5754
Farwest Coal Co.....	4193
Hager Hill Mining Co., Inc.....	5623
Higrade Coal Co.....	4154
Nancy Elkhorn Coal Co.....	635, 637, 753, 913, 5974, 5237, 7141, 7176, 7177
Turner Elkhorn Mining Co.....	7416, 7417, 7430
Ball Creek Coal Co.....	7093
Big Block Coal Co.....	7205
Charlies Coal Co.....	102
Bonanza Coal Co.....	1371
Blondell Coal Co.....	7018
City Fuel Co.....	5552
Paul Johnson Coal Co.....	7016
Buchanan Coal Co.....	7253
Cornett Hill Coal Co.....	631
John Eagle Coal Co.....	5343
Johnson Supply Co.....	7033
P. H. Elkhorn Coal Co.....	5777
Estill Elkhorn Coal Co.....	7371
Reid Branch Coal Co.....	7173
Abner Fork Mining Co.....	7024
Jacqueline Elkhorn Coal Co.....	632
City Elkhorn Coal Co.....	7319
City Elkhorn Coal Co. (B. F. Friend).	1100
M. H. Conley Coal Co.....	2557
Chester C. Cornett.....	7430
Pearl Farler.....	7047
Turner & Combs.....	1367
Wyatt Coal Co.....	7592
Pike-Elkhorn Coal Co.....	7033
Kentucky Blue Grass Mining Co.	7477
Clark & Craven.....	7231
Mullins Elkhorn Coal Co.....	7491
Stone Elkhorn Coal Co.....	7054

(b) Bituminous coal produced at the non-rail connected mines of the following named companies identified by mine index numbers set opposite their respective names, all of which are located in District No. 8, when trucked from a mine to a rail siding for rail shipment may be sold at the maximum prices established for the respective mines by § 1340.219 (b) (1) of Maximum Price Regulation No. 120 for rail or river shipment plus the sum of 65 cents per net ton.

Name	Index Nos.
Cutshin Coal Co.....	3647
Smith Coal Co.....	5427, 5631
Wooten Coal Co.....	7281
Viper Coal Co.....	7255
Rader Coal Co.....	5130

(c) The adjustment in maximum prices granted to mines in Pike County by paragraph (a) (1) of this order shall expire on November 30, 1945.

(d) Except as specifically provided in this order the provisions of Maximum Price Regulation No. 120 governing the sale of bituminous coal shall remain in effect.

(e) All invoices in connection with the sale of bituminous coal priced under this order shall state that the price charged was established by Second Revised Order No. 1432 under Maximum Price Regulation No. 120 of the Office of Price Administration.

(f) This Second Revised Order may be amended or revoked by the Price Administrator at any time.

This Second Revised Order No. 1432 under Maximum Price Regulation No. 120 shall become effective November 1, 1945.

Issued this 1st day of November 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-20213; Filed, Nov. 1, 1945; 4:17 p. m.]

[MPR 120, Order 1503]

JOSEPH AND FRANK SARNOSKY ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an opinion issued simultaneously herewith and in accordance with §§ 1340.207 (a) and 1340.210 (a) (6) of Maximum Price Regulation No. 120, *it is ordered:*

(a) The following mines in Subdistrict No. 15 of District No. 1 are hereby assigned the mine index numbers appearing after their respective names:

Name of producer and mine name	Mine Index No.
Joseph and Frank Sarnosky, Sarnosky No. 1.....	5542
Barger and Hill Coal Co., Barger & Hill.....	5545
Howard J. Wissinger, Wissinger.....	5546
F. C. Burns, Beatty.....	5541
Murray Barkley, Barkley.....	5543

(b) Coals produced at the mines listed in Paragraph (a) of this order may be purchased and sold for the indicated uses and movements at per net ton maximum prices not to exceed the following:

	Size group Nos.				
	1	2	3	4	5
Price classifications.....	F	F	F	F	F
All methods of transportation (except trucks or wagon) and for all uses.....	\$3.80	\$3.80	\$3.80	\$3.80	\$3.80
Truck or wagon shipments.....	3.88	3.63	3.63	3.53	3.43

(c) The maximum prices established hereby are f. o. b. the mine or preparation plant for truck or wagon shipments.

(d) The price classifications and the mine index numbers assigned herein are

permanent, but the maximum prices established hereby may be changed by order or amendment.

(e) The applicants shall include statements on all their respective invoices in connection with the sale of coal for rail shipment priced under this order that the price charged includes an adjustment granted by Order No. \_\_\_\_\_ under Maximum Price Regulation No. 120 of the Office of Price Administration.

(f) All prayers of the applicants not granted herein are hereby denied.

(g) Except as specifically provided in this order, the provisions of Maximum Price Regulation No. 120 governing the sale of bituminous coal shall remain in effect.

(h) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective November 2, 1945.

Issued this 1st day of November 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-20214; Filed, Nov. 1, 1945; 4:16 p. m.]

[RMPR 136, Order 527]

MACK MANUFACTURING CORP.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 527 under Revised Maximum Price Regulation 136. Machines, Parts and Industrial Equipment. Mack Manufacturing Corporation. Docket No. 6083-136.21-520.

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 Mack Manufacturing Corporation, Empire State Building, New York, New York, is authorized to sell to national accounts, resellers and purchasers at retail the Mack motor truck containing the chassis described in subparagraph (1) at a price not to exceed the list price in that subparagraph, adjusted as provided in that subparagraph, plus the applicable allowances in subparagraph (2).

(1) *List price*, subject to seller's discount in effect on March 31, 1942, to the applicable class of purchaser:

Model	Wheelbase (inches)	List price f. o. b. factory
EE Special.....	132½	\$1,495

(2) *Charges.* (i) A charge for extra, special and optional equipment not to exceed the charge in effect on March 31, 1942, for such equipment;

(ii) A charge to cover handling and delivery expense computed in accordance with the method 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 the seller had in effect on March 31, 1942;

(iv) A charge to include the federal 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.

(b) A reseller of Mack motor trucks may sell, delivered at place of business, the Mack motor truck containing the chassis described in subparagraph (1) below at a price not to exceed the total of the list price in that subparagraph and the applicable charges in subparagraph (2) below, subject to the discounts in effect on March 31, 1942 to the applicable class of purchaser.

(1) *List price.*

Model	Wheelbase (inches)	List price f. o. b. factory
EE Special.....	132½	\$1,495

(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, for such equipment;

(ii) A charge for transportation which shall not exceed the charge Mack Manufacturing Corporation would make for the transportation of the truck 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 the reseller had in effect on March 31, 1942;

(iv) A charge for handling and delivery equal to the charge the reseller had in effect on March 31, 1942;

(v) The dollar amount of all other charges the reseller had in effect on March 31, 1942, to the applicable class of purchaser.

(c) A reseller of Mack motor trucks 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 list price in subparagraph (1) of paragraph (b) the following applicable charges:

(1) *Charges.* (i) The original equipment retail charge that Mack Manufacturing Corporation suggested on March 31, 1942, be made by resellers for the extra, special or optional equipment attached to the truck as original equipment;

(ii) A charge for transportation which shall not exceed the charge Mack Manufacturing Corporation would make for the transportation of the truck from the factory to the place of business of the reseller;

(iii) A charge equal to the charge made by the Mack Manufacturing Corporation, in accordance with the method that manufacturer had in effect on March 31, 1942, to cover the federal 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 Mack 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 maximum price established in paragraph (b) or (c), whichever is applicable, 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 in accordance with section 8 of Revised Maximum Price Regulation 136, which is different than a price permitted under paragraph (a) because of substantial changes in design, specifications or equipment of 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 November 1, 1945.

Issued this 1st day of November 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-20215; Filed, Nov. 1, 1945; 4:15 p. m.]

[MPR 188, Order 128 Under 2d Rev. Order A-3]

REYNOLDS CABINET 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 § 1499.159d of Maximum Price Regulation No. 188; *It is ordered:*

(a) Reynolds Cabinet Company, of Haskell, Oklahoma, may increase by no more than 29.32 percent its existing maximum prices to each class of purchaser for the 4', 5', 6', 7', 8', and 10 foot step ladders of its manufacture.

(b) *Maximum prices of purchasers for resale.* Purchasers for resale of such articles which the manufacturer has sold at adjusted maximum prices permitted by paragraph (a) above, shall determine their adjusted maximum prices as follows:

(1) A purchaser for resale who has already established his maximum prices under the General Maximum Price Regulation for his resales of such an article prior to the issuance of this order, may increase such maximum prices by the percentage increase charged by his supplier as permitted by this order, but not by more than 29.32 percent.

(2) If a purchaser for resale has not established his maximum prices for such articles under the General Maximum Price Regulation, he shall proceed to do so, and may increase the maximum prices established under § 1499.2 of that regulation by the percentage increase charged by his supplier as permitted by this order, but not by more than 29.32 percent.

However, if the applicable pricing provision of the General Maximum Price Regulation is § 1499.3 (a) which requires his maximum prices to be determined on his bases of cost the reseller shall use the actual invoice price to him as his cost, and the price so computed shall not be increased in any amount.

Ceiling prices which will be established under § 1499.3 (c) of that regulation, if that is the applicable pricing provision, will be based upon the supplier's prices as adjusted in accordance with this order.

(c) *Terms of sale.* Maximum prices adjusted are subject to each seller's customary terms, discounts, allowances and other price differentials on sales to each class of purchaser.

(d) *Notification.* At the time of, or prior to, the first invoice to a purchaser for resale showing a price adjusted in accordance with the terms of this order, the seller shall notify such purchaser in writing of the methods established in section (b) for determining adjusted maximum prices for resales of the articles covered by this order and the percentage by which he has increased his prices as permitted by this order. This notice may be given in any convenient form.

(e) All requests for adjustment of maximum prices not specifically granted by this order are hereby denied.

(f) This order may be revoked or amended by the Price Administrator at any time.

(g) This order shall become effective on the 2d day of November 1945.

Issued this 1st day of November 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-20218; Filed, Nov. 1, 1945; 4:17 p. m.]

[MPR 188, Order 1 Under Order 4418]

CRAWFORD MFG. CO., INC.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and filed with the Division of the Federal Register; and pursuant to Order No. 4418 under § 1499.159b of Maximum Price Regulation No. 188, it is ordered:

(a) *Manufacturer's maximum prices.* Crawford Manufacturing Company, Inc., of Richmond, Virginia, may sell and deliver the automobile seat covers listed below, which it manufactures, at prices no higher than its maximum prices in effect immediately prior to the issuance of this order, plus the appropriate one of the following percentages of each such maximum price:

No. 2030 Series All Fiber Tailor Made Seat Covers

Article	Adjustment charge <sup>1</sup> percent
Group 1.....	14.8
Group 2.....	11.9
Group 3.....	12.8
Group 5.....	11.6
Group 6.....	11.3
Group 8.....	19.6
Group 9.....	15.0
Group 10.....	8.7
Group 11.....	8.9

No. 1000 Series Cloth and Fiber Tailor Made Seat Covers

Group 1.....	32.3
Group 2.....	22.3
Group 3.....	23.0
Group 4.....	22.5
Group 5.....	23.0
Group 6.....	23.0
Group 7.....	25.6
Group 8.....	31.4
Group 9.....	30.9
Group 10.....	22.7
Group 11.....	27.5
Group 12.....	27.9

No. 900 Series Universal Cloth and Fiber Seat Covers

Group 1.....	21.0
Group 2.....	47.8
Group 3.....	23.6
Group 4.....	35.0
Group 5.....	26.3
Group 6.....	20.5

Fiber and Cloth Universal Seat Covers for Sales to Atlas Supply Company

Group 1.....	21.0
Group 2.....	34.6
Group 3.....	33.8
Group 4.....	33.4
Group 5.....	34.8
Group 6.....	35.5
Group 7.....	26.0
Group 8.....	33.0
Group 9.....	29.2

Fiber and Cloth Universal Seat Covers for Sales to Pure Oil Co.

No. 292.....	21.0
No. 210F.....	35.0
No. 212F.....	35.0
No. 213F.....	35.0
No. 214F.....	33.8

5- and 6-Passenger Coupe, Coach and 2-Door Sedan

No. 210.....	39.4
No. 210F.....	35.0
No. 212.....	39.4
No. 212F.....	35.0
No. 213.....	39.4
No. 213F.....	31.9
No. 214.....	34.8
No. 214F.....	33.8
No. 216.....	33.4
No. 216F.....	26.0
No. 217.....	33.4
No. 217F.....	26.0
No. 218.....	39.4
No. 210F.....	26.0

4-Door Sedan

No. 220.....	39.4
No. 220F.....	26.0
No. 222.....	33.4
No. 222F.....	26.0
No. 223.....	33.4
No. 223F.....	26.0
No. 224.....	34.8
No. 224F.....	26.0
No. 225.....	35.5
No. 225F.....	26.0

<sup>1</sup> Unless a specific purchaser is named, the adjustment applies on sales to all classes of purchasers.

Article	Specials	Adjustment charges (percent)
X Coupe, 2-3-passenger, front seat only		26.0
Y 5-6-passenger coupe, coach, or sedan—without arm rest		33.0
Z 5-6-passenger coupe, coach or sedan—with arm rest		29.2
<i>F-2 Series Fiber and Cloth Universal Seat Covers for Sales to B. F. Goodrich Co.</i>		
F-21-13		25.7
F-21-51F		30.6
F-21-52F		30.5
F-21-56F		30.6
F-21-57F		22.6
F-21-51		30.9
F-21-52		30.9
F-21-56		31.0
F-21-57		33.9
F-21-61		30.9
F-21-62		30.8
F-21-63		30.8
F-21-66		30.8
F-21-67		35.0

Article	Specials	Adjustment charges (percent)
Coupe—solid back		30.8
Average back coupe or coach or sedan, front only		30.7
5-passenger coach without center arm rest		30.9
5-passenger coach with center arm rest		24.6
5-passenger sedan without center arm rest		30.8
5-passenger sedan with center arm rest		25.6

(b) *Maximum prices of purchasers for resale.* (1) If the purchaser for resale determines his maximum prices for his resales of an article covered by this order pursuant to the provisions of section 3.5 of Supplementary Regulation 14J, he shall continue to determine his maximum prices under the supplementary regulation. The maximum prices set forth therein reflect the adjustments granted to the manufacturer by paragraph (a) of this order.

(2) Each other purchaser for resale of articles covered by this order shall determine his adjusted maximum prices as follows:

(i) If he delivered or offered for delivery during March 1942 an article which is a most comparable commodity (as that term is defined in (iii) below) he shall determine his maximum prices according to the methods and procedure set forth in § 1499.3 (a) of the General Maximum Price Regulation, using as his costs, his actual invoice costs.

The determination of a maximum price under this paragraph (i) need not be reported to the Office of Price Administration. However, each seller must keep complete records showing all the information specified on OPA Form 620-759, with regard to how he determines his maximum prices. These records must be kept for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended remains in effect.

(ii) If the purchaser for resale cannot determine his maximum prices under (i) above, then he must apply for the establishment of his maximum prices under § 1499.3 (c) of the General Maximum Price Regulation. Maximum prices established under that section will reflect the supplier's price adjusted in accordance with this order.

(iii) An automobile seat cover shall be considered a "most comparable commodity" within the meaning of (i) above, if it meets the tests specified in § 1499.3 (a) of the General Maximum Price Regulation, except that it need not be currently offered for sale by the seller.

(c) *Notification.* At the time of, or prior to the first invoice to a purchaser for resale, showing a price adjusted in accordance with the terms of this order, the seller shall notify the purchaser in writing of the method established in paragraph (b) of this order for determining adjusted maximum prices for resale of the articles covered by this order. This notice may be given in any convenient form.

(d) *Revocation or amendment.* This order may be revoked or amended by the Price Administrator at any time.

(e) *Effective date.* This order shall become effective on November 1, 1945.

Issued this 1st day of November 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-20216; Filed, Nov. 1, 1945; 4:15 p. m.]

[MPR 188 Order 4630]

FRANKLIN INDUSTRIES

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 Franklin Industries, 2142 W. Harrison Street, Chicago 12, 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.	For sales by the manufacturer—		For sales by any person to consumers
		To jobbers	To retailers	
15" lampshade, lined and trimmed	218	\$2.34	\$2.75	\$4.95
14" x 19" lampshade, lined and trimmed	650	2.55	3.00	5.40
12" x 14" drum lampshade, silk lined and trimmed top and bottom	550	2.55	3.00	5.40
14" x 19" junior lampshade, rayon lined, with top and bottom trimming	600	2.85	3.35	6.05
14" lampshade, cotton lined and trimmed	500	1.87	2.20	3.95
16" bell lampshade, rayon lined and trimmed	320	2.34	2.75	4.95
Plated metal lamp base	550	3.93	4.62	8.30

These maximum prices are for the articles described in the manufacturer's application dated July 9, 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 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 Number -----  
OPA Retail Ceiling Price—0-----  
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the manufacturer 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) Jobbers' 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 2d day of November 1945.

Issued this 1st day of November 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-20217; Filed Nov. 1 1945; 4:17 p. m.]

[MPR 188, Order 4631]

WHITE AIRCRAFT CORP.

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 White Aircraft Corporation, Palmer, Massachusetts.

(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 stores	Other retailers	Consumers
Carpet sweeper	Monitor	Each \$3.82	Each \$4.77	Each \$5.17	Each \$7.95

Description. A conventional type carpet sweeper, the dust pan can be lifted out from the top, the brush rotates in the same direction whether the sweeper is pushed or pulled.

These maximum prices are for the articles described in the manufacturer's application dated August 20, 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—\$7.95 Each  
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 2d day of November 1945.

Issued this 1st day of November 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-20218; Filed, Nov. 1, 1945; 4:17 p. m.]

[MPR 580, Order 237]

ALTOONA MATTRESS MANUFACTURING CO.

ESTABLISHMENT OF MAXIMUM PRICES

Maximum Price Regulation 580, Order 237. Establishing ceiling prices at retail

for certain articles. Docket No. 6063-580-13-192.

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 articles manufactured by Altoona Mattress Manufacturing Co., 2701-09 Industrial Ave., Altoona, Pa., and described in the manufacturer's application dated May 9, 1945:

Brand name	Article	Retail ceiling price
Sumbest	Mattress	\$2.75
	Box spring	\$3.00

(b) The retail ceiling price of an article stated in paragraph (a) shall apply to any other article of the same type, having the same selling price to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this order.

(c) The retail ceiling prices contained in paragraph (a) shall apply in place of the ceiling prices which have been or would otherwise be established under this or any other regulation.

(d) On and after December 1, 1945, Altoona Mattress Manufacturing Co., 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:

(Sec. 13, MPR 580)  
OPA Price—\$-----

On and after January 1, 1946, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to January 1, 1946, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of the applicable regulation.

(e) 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.

(f) Unless the context otherwise requires, the provisions of the applicable regulation shall apply to sales for which retail ceiling prices are established by this order.

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

This order shall become effective November 2, 1945.

Issued this 1st day of November 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-20220; Filed, Nov. 1, 1945; 4:16 p. m.]

[MPR 591, Order 93]

NATIONAL CABINET 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 for sales by any person of the following Roll-ez Roller Bearing for wooden drawers manufactured by the National Cabinet Company of Long Beach, California and as described in the application dated July 17, 1945 which is on file with the Building Materials Price Branch, Office of Price Administration, Washington 25, D. C., shall be, including screws:

	On sales to flooring jobbers	On sales to dropship jobbers	On sales to dealers	On sales to consumers
Roll-ez No. 6075	Per doz. \$2.74	Per doz. \$3.60	Per doz. \$3.72	Each \$9.10
Roll-ez No. 6076	Per doz. .81	Per doz. .90	Per doz. 1.15	.15
Roll-ez No. 6077	Per doz. .54	Per doz. .60	Per doz. .72	.10
Roll-ez No. 6078	Per doz. .62	Per doz. .70	Per doz. .80	.10
Set of 4" - 1/2" diameter roller bearing with 1/2" x 1/2" x 1/2" screws	2.43	2.70	3.24	\$9.45
Set of 4" - 1/2" diameter of two "N" units and 1 doz "M" unit	3.51	3.50	4.03	.65
Set of 4" - 1/2" diameter of two "N" units, two "Q" units and 1 doz "M" unit	3.51	3.50	4.03	.65
Set of 4" - 1/2" diameter of four "N" units, two "Q" units and 1 doz "M" unit	4.10	5.10	6.12	.85

121-23 cont.

(b) 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 or would have extended or rendered to purchasers of the same class on comparable sales of similar commodities during March 1942.

(c) The maximum prices specified by this order, except on sales to consumers shall be f. o. b. point of shipment.

(d) Each seller 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 prices established by this order for each such seller as well as the maximum prices established for purchasers upon resale.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective November 2, 1945.

Issued this 1st day of November 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-20221; Filed, Nov. 1, 1945; 4:16 p. m.]

[SO 119, Order 8]

NELSON MACHINE AND 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 sections 13 and 14 of Supplementary Order No. 119, it is ordered:

(a) *Manufacturer's maximum prices.* Nelson Machine and Manufacturing Company, 7933 Ewald Road, Cleveland, Ohio, may increase by no more than 28 percent its ceiling prices, to each class of purchaser, for small electrical appliances of its manufacture.

(b) *Maximum prices of purchasers for resale.* The manufacturer is required to calculate wholesalers' and retailers' ceiling prices for small electrical appliances which he sells at adjusted prices permitted by this order, according to the provisions of this paragraph:

(1) *Retailers' ceiling prices.* The retail ceiling price is the manufacturer's price for the article, exclusive of Federal excise tax, to the class of wholesaler to which the manufacturer sells in the largest volume, plus 100% of such price and the Federal excise tax paid by the manufacturer on a sale to such a wholesaler.

(2) *Wholesalers' ceiling prices.* (a) The wholesale ceiling price for electric heaters is the retail ceiling price, exclusive of Federal excise tax, as established by this order, less 40% for sales in quantities of three or more units, or less 35% for sales in quantities of less than three units, plus the amount of the Federal excise tax included in the retail ceiling price.

(b) The wholesale ceiling price for other small electrical appliances is the retail ceiling price, exclusive of Federal excise tax, as established by this order, less 40% for sales in quantities of six or more units, or less 35% for sales in quantities of less than six units, plus the amount of the Federal excise tax included in the retail price.

(3) *Revision of resellers' ceiling prices.* Resellers' ceiling prices permitted by this order are subject to revision at any time in accordance with any industry-wide action which may be taken by the Office of Price Administration which requires resellers to absorb any increase in prices permitted reconversion manufacturers.

(c) *Exemption.* The maximum prices established for sales of the manufacturer's Model 361 electric iron by Order L-2 under paragraph (a) (19) of Order A-2 under § 1499.159b of Maximum Price Regulation No. 188 and by Section 2.3 of Supplementary Regulation 14J, are not affected by the provisions of this order and shall remain in full force and effect.

(d) *Terms of sale.* Ceiling prices adjusted by this order are subject to each seller's customary terms, discounts, allowances and other price differentials on sales to each class of purchaser.

(e) *Notification.* At the time of, or prior to, the first invoice to a purchaser for resale showing a ceiling price adjusted in accordance with the terms of this order, the seller shall notify each purchaser in writing of the adjusted ceiling prices for resales of the articles covered by this order. This notice may be given in any convenient form.

(f) This order may be revoked or amended by the Price Administrator at any time.

(g) *Effective date.* This order shall become effective on November 1, 1945.

Issued this 1st day of November 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-20222; Filed, Nov. 1, 1945;  
4:15 p. m.]

[MPR 120, Order 1480]

HAROLD E. BROCIOSNS ET AL.,

ESTABLISHMENT OF MAXIMUM PRICES AND  
PRICE CLASSIFICATIONS  
Correction

In Federal Register Document 45-19064, appearing on page 12933 of the issue for Wednesday, October 17, 1945, the price for rail shipment under size group No. 3 in the table for Charles H. Dunlap should be "338".

[MPR 592, Corr. to Amdt. 10 to Order 1]

SPECIFIED CONSTRUCTION MATERIALS AND  
REFRACTORIES

Correction to Amendment No. 10 of Order No. 1, under section 25 of Maximum Price Regulation 592.

All references to section 8.3 in Amendment 10 to Order 1 are corrected to read "section 8.4."

This correction shall become effective November 2, 1945.

Issued this 2d day of November 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-20252; Filed, Nov. 2, 1945;  
11:49 a. m.]

Regional and District Office Orders.

[Region III Order G-2 Under RMPR 251]  
SPECIFIED INSTALLED SIDING IN CLEVELAND,  
OHIO, AREA

An opinion accompanying this order, issued simultaneously herewith, has been filed with the Division of the Federal Register.

In the judgment of the Regional Administrator of Region III of the Office of Price Administration, the maximum prices established by this order are generally fair and equitable and are necessary to effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328.

Therefore, under the authority vested in the Regional Administrator by section 9 of Revised Maximum Price Regulation No. 251, and by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, Order No. G-2 is hereby issued.

ARTICLE I—TRANSACTIONS COVERED BY THIS  
ORDER; ITS RELATIONSHIP TO REVISED  
MAXIMUM PRICE REGULATION NO. 251; AND  
GEOGRAPHICAL APPLICABILITY

SECTION 1. *Transactions covered by this order.* (a) This order covers (1) sales

of composition siding on an installed basis, (2) construction services preparatory to such installations, and (3) additional services unrelated to such installations.

"Composition siding" means types of siding used in new and re-siding jobs such as asbestos-cement and insulated brick or stone but not wood shingles or wood siding.

"Installed basis" means a transaction in which the seller furnishes composition siding and related materials or services required to incorporate such siding into a building or structure.

"Related materials or services" means the furnishing and installation of leveling strips, felt, felt strips, corner beads, calking, mouldings, nails, and other materials, labor cost, other job costs, commissions or brokerage directly related to and necessary to such installations.

"Construction services preparatory to such installations" means all services which are necessary to place a structure in repair prior to installation. (Example—boxing in of concrete, cement block, natural stone, or brick basement walls, construction of new dormer, etc.)

"Additional services unrelated to such installations" means separate work or services which may be performed apart from siding installations (for example, roof repairs, painting, etc.) and not necessary for direct siding installation.

(b) The kinds of siding installation covered by this order are: (1) Asbestos-cement siding of standard surface hardness; (2) Asbestos-cement siding of hard surface; (3) Insulated brick or insulated stone siding.

SEC. 2. *Relationship of this Order No. G-2 to Revised Maximum Price Regulation No. 251.* (a) The provisions of this order supersede sections 6, 7, and 8 of Revised Maximum Price Regulation No. 251, except as otherwise provided in this order, with respect to sales of siding on an installed basis.

(b) An employer paying labor rates higher than those in effect for him on the effective date of this order, by reason of a predetermination of wage rates by the Secretary of Labor under the Davis-Bacon Act or an order or authorization of the Wage Adjustment Board, National War Labor Board or Economic Stabilization Director, may add his increased labor cost to his maximum price as determined under this order. For the purpose of this paragraph "increased labor cost" means the difference in amount between the employer's labor cost based upon labor rates in effect on the effective date of this order, and his labor cost based upon such legally approved rates, plus his additional payments for Federal old-age benefits, unemployment compensation taxes, and public liability insurance. It should be noted that the increased labor cost is to be added to the maximum price determined by this order.

An application need not be made to the Office of Price Administration nor its prior approval obtained in order to put into effect the maximum price increases described in this paragraph (b).

(c) Except as otherwise provided herein, all transactions subject to this order shall remain subject to all provisions of

Revised Maximum Price Regulation No. 251, together with all amendments that have been or hereafter may be issued.

**SEC. 3. Geographical applicability.** This order shall apply in the Cleveland, Ohio area, more particularly defined as the counties of Cuyahoga and Lake, all in the State of Ohio.

**ARTICLE II—MAXIMUM PRICES FOR INSTALLED SIDING**

**SEC. 4. Maximum prices for sales of siding on an installed basis including related materials and services.** The maximum prices for sales of siding on an installed basis including related material and services shall be as shown in the following Table I of this section, and shall be upon a price per square basis for the kinds and sizes described. Such prices include:

(a) The cost of siding materials delivered to the site where the installation is to be performed.

(b) The cost of accessories used in the insulation of the siding, which means, but is not limited to, leveling material, backer board, felt and/or felt strips, corner beads, calking, moulding, nails or other necessary material.

(c) Labor costs, including Federal old-age benefits, unemployment compensation taxes and workmen's compensation and public liability insurance.

(d) Other job costs, including but not limited to trucking, removal of rubbish, rental of scaffold or other equipment (if any).

(e) Margin, which includes commission or brokerage.

TABLE I

The maximum prices are as follows:

Asbestos-cement siding of standard surface hardness:	Per square
Installed over backer board.....	\$27.50
Installed without backer board.....	26.50
Asbestos-cement siding of "hard surface:"	
Installed over backer board.....	29.00
Installed without backer board.....	28.00
Sizes 12" x 24" or 12" x 27" insulated brick or insulated stone siding (fiber insulation board base).....	29.00

**SEC. 5. Measurements.** It shall be the seller's responsibility to ascertain that all measurements of the area to be covered are accurate; such measurements including allowance for wastage and overlap shall be made as follows:

(a) On installation jobs of ten squares or less, sellers shall compute the overall area to be covered with siding without allowance for doors or windows. On installation jobs of more than ten squares, the seller must deduct one-half of the area of doors and windows from the overall area, or

(b) Sellers may use the following alternative method of determining the net area on which the contract price shall be based: deduct the full area of all windows and door openings from the over-all area; to the net area so determined, add 8 percent, bringing the resulting figure up to the nearest larger half or full square.

A tolerance of 3 percent of the net area may be allowed in either of the computations under paragraphs (a) and (b) above; if in excess of 3 percent, an

adjustment will be required to the area established by paragraphs (a) and (b) above.

**SEC. 6. Maximum prices for certain services—(a) Construction services preparatory to installations.** The maximum prices that may be charged by sellers of preparatory construction services which are necessary to place a structure in repair prior to installation shall be the maximum prices established in accordance with Revised Maximum Price Regulation No. 251.

(b) **Additional services unrelated to installations.** The maximum prices that may be charged by sellers of additional services unrelated to installations shall be the maximum prices established in accordance with Revised Maximum Price Regulation No. 251.

**SEC. 7. Quoting a "guaranteed price".** The seller may offer to sell a siding job covered by this order on the basis of a "guaranteed price" wherein the seller agrees to charge a fixed amount; *Provided, however,* That the so-called "guaranteed price" must not be higher than the maximum price figured in accordance with the pricing methods and requirements of this order. Upon completion of the contract, if requested by the purchaser, the seller is required to furnish the purchaser with an itemized statement showing the number of squares, the net area and the maximum price per square for the material used as shown in Table I above, and an itemization of the amount for incidental work.

**SEC. 8. Notification to purchasers of existence of order and Revised Maximum Price Regulation No. 251.** Every person making sales subject to this order shall, if requested by the purchaser, show the purchaser a copy of this order and Revised Maximum Price Regulation No. 251.

**ARTICLE III—MISCELLANEOUS**

**SEC. 9. Revocation.** This order may be revised, amended, or revoked at any time by the Office of Price Administration.

This order No. G-2 shall become effective October 16, 1945.

Issued: October 16, 1945.

JOHN F. KESSEL,  
Acting Regional Administrator.

[F. R. Doc. 45-29157; Filed, Oct. 31, 1945; 4:28 p. m.]

[Region III Order G-13 Under EO 94]

**USED ARMY HELMETS IN CLEVELAND REGION**

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to sections 11 and 13 of Supplementary Order No. 94 and the Emergency Price Control Act of 1942, as amended, *It is hereby ordered,* That:

(a) Notwithstanding the provisions of any regulation or order issued prior to the effective date of this order by the Office of Price Administration, resales of United States Army helmets by any person purchasing such helmets from the United States Government, or any

agency or instrumentality thereof, are exempt from price control.

(b) This Order No. G-13 shall apply to all resales of the subject commodity when made in this Region III, which includes the States of Ohio, Indiana (except the County of Lake), Michigan, Kentucky and West Virginia.

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

This order shall become effective October 26, 1945.

Issued: October 26, 1945.

JOHN F. KESSEL,  
Acting Regional Administrator.

[F. R. Doc. 45-29159; Filed, Oct. 31, 1945; 4:26 p. m.]

[Region III Rev. Order G-13 Under RMPR 122]

**SOLID FUELS IN TOLEDO, OHIO, AREA**

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) **What this order does.** This adopting order establishes dollars and cents maximum prices for specified solid fuels when sold and delivered by dealers in the area hereinafter described. These are the highest prices any dealer may charge when he delivers such fuel at or to a point in such area. They are also the highest prices that any buyer in the course of trade or business may pay for them.

(b) **Area covered.** This adopting order covers all sales to domestic, commercial, industrial, institutional and quantity consumers and other dealers purchasing for resale of specified solid fuels when sold and delivered within the Toledo, Ohio, Area described as the City of Toledo, Ohio and all territory within the Townships of Adams and Washington; that portion of Oregon Township west of Coy Road; that portion of Sylvania Township east of the New York Central Railroad Company right-of-way, including the Village of Sylvania; and the Village of Rossford, all in the State of Ohio.

(c) **Applicability of Basic Order No. G-74.** All the provisions of Order No. G-74 under Revised Maximum Price Regulation No. 122, Basic Order for Area Pricing of Coal in Region III, issued September 19, 1945 by the Cleveland Regional Office, Region III, Office of Price Administration, are adopted in this order and are as much a part of this order as if printed herein. If said Order No. G-74 is amended in any respect, all the provisions of such order as amended shall likewise, without other action, be a part of this adopting order. All persons subject to this adopting order are also subject to, and should be familiar with, the provisions of said Order No. G-74.

(d) **Relationship between this order and previous orders.** This Revised Order No. G-13 supersedes Order No. G-13 un-

der Revised Maximum Price Regulation No. 122 and Regional Supplementary Orders Nos. 3, 4, 5, 6, 7, 8 and 9. Said order No. G-13 is hereby revoked as of the effective date of this Revised Order No. G-13. This revised order is issued as an adopting order pursuant to the provisions of Order No. G-74 under Revised Maximum Price Regulation No. 122, and since all applicable provisions of Regional Supplementary Orders Nos. 3, 4, 5, 6, 7, 8 and 9 are incorporated in this revised order, said Regional Supplementary Orders shall not apply to this Revised Order No. G-13.

(e) *Prices, discounts and service charges*—(1) *Price schedule*. This schedule sets forth maximum prices for sales of specified sizes, kinds and quantities of solid fuels. Column I describes the solid fuels for which maximum prices are established; and Column II lists maximum prices for sales to domestic consumers on a direct delivery basis, pursuant to which payment is made more than fifteen days after the date of delivery. All prices are for sales on a net ton basis.

SCHEDULE I—SALES OF SOLID FUEL RECEIVED BY RAIL

Column I	Column II
I. High volatile bituminous coals from producing district No. 8 (eastern Kentucky and southwestern West Virginia): <sup>1</sup>	
A. Lump—Size group Nos. 1 and 2 (larger than 3"):	
1. Mine price classification A	\$10.10
2. Mine price classifications B through H	9.70
3. Mine price classifications J through O	9.60
B. Egg—Size group Nos. 6 and 7 (top size 3" but not exceeding 6" x bottom size 3" or smaller) excluding mine price classification A	9.10
C. Stoker—Size group No. 10 (top size 1 1/4" and smaller x bottom size smaller than 1 1/4"):	
1. Mine price classification A	9.80
2. Mine price classification, other	9.60
D. Screenings (nut and slack):	
1. Size group No. 18 (dedusted; top size 2" and smaller x bottom size larger than 100 mesh but not exceeding 10 mesh; modified; top size not exceeding 2", total consist containing not less than 15% 3/8" x 0 screenings)	
a. Mine price classifications A through D	9.05
b. Mine price classifications E through L	8.20
2. Size group No. 20 (larger than 3/4" x 0 but not exceeding 2" x 0)	
a. Mine price classifications A through D	9.05
b. Mine price classifications E through L	8.80
E. To the prices stated in paragraphs A, B, C and D of Part I may be added \$0.15 per ton provided the coal is mined in sub-district 6 of producing district 8 and provided it is separately weighed and billed by the dealer. Subdistrict 6 includes that portion of district 8 which is in northern Tennessee and the following counties in Kentucky: Bell, Clay, Clinton, Jackson, Knox, Laurel, Leslie, Madison, McCreary, Owsley, Pulaski, Rock Castle, Wayne and Whitley.	

SCHEDULE I—SALES OF SOLID FUEL RECEIVED BY RAIL—Continued

Column I	Column II
II. High volatile bituminous coals from producing district No. 4 (Ohio):	
A. Lump or Egg:	
1. Size group Nos. 1 and 2 (bottom size larger than 2"):	
a. From subdistrict No. 5 (Hocking)	\$9.06
b. From subdistrict No. 1 (eastern Ohio)	8.66
2. Size groups Nos. 3 and 3A (bottom size larger than 1 1/4" but not exceeding 2") from sub-district No. 5 (Hocking)	8.76
III. Low volatile bituminous coals from producing district No. 7 (southeastern West Virginia and northwestern Virginia): <sup>1</sup>	
A. Lump or Egg—Size group Nos. 1 and 2 (lump; bottom size larger than that designated for screened run of mine; egg: top size larger than 3" x bottom size no limit):	
1. From Mine Index No. 73, the Glen Rogers Mine of the Raleigh Wyoming Mining Company	11.55
2. Mine price classification A	11.45
3. Mine price classifications B and C	11.15
B. Stove—Size group No. 3 (dedusted screenings; top size larger than 1 1/4" but not exceeding 3" x bottom size smaller than 3"):	
1. From Mine Index No. 73, the Glen Rogers Mine of the Raleigh Wyoming Company	11.05
2. Mine price classification A, B and C	11.00
C. Nut—Size group No. 4 (dedusted screenings; top size larger than 3/4" but not exceeding 1 1/4" x bottom size smaller than 1 1/4")	9.95
D. Stoker—Size group No. 5 (double screened pea or dedusted screenings; top size not exceeding 3/4" x bottom size smaller than 3/4")	10.10
E. Run of mine, mine price classification A:	
1. Domestic (screened)	10.30
2. Straight	9.80
IV. Pennsylvania anthracite (excluding broken anthracite) egg, stove or chestnut	15.85
V. Coke (excluding reject or reclaimed coke) egg, stove, furnace, walnut or chestnut	12.90
<sup>1</sup> \$0.10 per ton may be added to the prices of these coals provided the coal has been subjected to an oil or calcium chloride treatment by the producer to allay dust or prevent freezing.	
(2) <i>Discounts</i> —(i) <i>Prompt payment</i> . A discount of not less than \$.25 per ton on the prices listed in Column II shall be given when payment is made within fifteen days after the date of delivery.	
(ii) <i>Quantity sales</i> . The prices listed in Column II on all sales to a single purchaser for delivery at a single location for the purpose of heating three or more apartment units from a central heating plant where the annual purchase of solid fuel from the same dealer amounts to 25 tons or more and on all sales to commercial, industrial and institutional consumers shall be subject to the following discounts:	
	Per ton
Annual purchase of 25 to 99 tons	\$0.50
Annual purchase of 100 to 499 tons	.75
Annual purchase of 500 or more tons	1.00

(iii) *Yard sales*. A discount of not less than \$.75 per ton on the prices listed in Column II shall be given to all consumers and dealers purchasing at the yard.

(3) *Schedule of service charges*. This schedule sets forth maximum prices which a dealer may charge for special services rendered in connection with all sales of solid fuels. These charges may be made only if the buyer requests such services of the dealer and only when the dealer renders the service. Every service charge shall be separately stated in the dealer's invoice.

	Per ton
Carry in from curb—coal	\$1.10
Carry in from curb—coke	1.45
Wheel in from curb—coke	1.10
Wheel in from curb—coal	.85
Carry up or down stairs (each flight)	.25
Additional charge for any coal listed in Part III of the price schedule set forth in paragraph (c)—low volatile bituminous coal from producing district No. 7 (Pocahontas)—when such coal is forked	1.25

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

This order shall become effective October 29, 1945.

Issued: October 29, 1945.

JOHN F. KESSEL,  
Acting Regional Administrator.

[F. R. Doc. 45-20165; Filed, Oct. 31, 1945; 4:29 p. m.]

[Region III Rev. Order G-10 Under RMPR 122]

SOLID FUELS IN WARREN, OHIO, AREA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does*. This adopting order establishes dollars and cents maximum prices for specified solid fuels when sold and delivered by dealers in the area hereinafter described. These are the highest prices any dealer may charge when he delivers such fuel at or to a point in such area. They are also the highest prices that any buyer in the course of trade or business may pay for them.

(b) *Area covered*. This adopting order covers all sales to domestic consumers and other dealers purchasing for resale of specified solid fuels when sold and delivered within the Warren, Ohio, Area, described as the City of Warren, Ohio, and all territory in the State of Ohio that is adjacent to the corporate limits of said city and within three miles thereof.

(c) *Applicability of Basic Order No. G-74*. All the provisions of Order No. G-74 under Revised Maximum Price Regulation No. 122, Basic Order for Area Pricing of Coal in Region III, issued September 19, 1945, by the Cleveland Regional Office, Region III, Office of Price Administration, are adopted in this order and are as much a part of this order as if

printed herein. If said Order No. G-74 is amended in any respect, all the provisions of such order as amended shall likewise, without other action, be a part of this adopting order. All persons subject to this adopting order are also subject to, and should be familiar with, the provisions of said Order No. G-74.

(d) *Relationship between this order and previous orders.* This Revised Order No. G-19 under Revised Maximum Price Regulation No. 122 and Regional Supplementary Orders Nos. 3, 4, 5, 6, 7, 8 and 9. Said Order No. G-19 is hereby revoked as of the effective date of this Revised Order No. G-19. This revised order is issued as an adopting order pursuant to the provisions of Order No. G-74 under Revised Maximum Price Regulation No. 122, and since all applicable provisions of Regional Supplementary Orders Nos. 3, 4, 5, 6, 7, 8 and 9 are incorporated in this revised order, said Regional Supplementary Orders shall not apply to this Revised Order No. G-19.

(e) *Prices, discounts and service charges—(1) Price schedule.* This schedule sets forth maximum prices for sales of specified sizes, kinds and quantities of solid fuels. Column I describes the solid fuels for which maximum prices are established; and Column II lists maximum prices for sales to domestic consumers on a direct delivery basis. All prices are for sales on a net ton basis.

SCHEDULE I—SALES OF SOLID FUELS RECEIVED BY RAIL

Column I	Column II
I. High volatile bituminous coals from producing district No. 2 (western Pennsylvania): <sup>1</sup>	
A. Lump and double-screened coals:	
1. Size group Nos. 1 and 2 (bottom size larger than 2") Mine price classifications A through E.....	\$7.55
2. Size group Nos. 3, 4, 5 (bottom size 2" and smaller) Mine price classifications A through G.....	7.15
II. High volatile bituminous (coals from producing district No. 3 (northwestern West Virginia excluding Panhandle) <sup>1</sup> excluding coals produced in Preston County, W. Va.:	
A. Size group No. 1 (lump and double-screened coals bottom size larger than 2") mine price classification A.....	8.83
B. Size group Nos. 1 and 2 (lump and double-screened coals bottom size larger than mine run and resultants) mine price classifications D through G.....	7.33
III. High volatile bituminous coals from producing district No. 4 (Ohio):	
A. Lump or Egg:	
1. Size group Nos. 1 and 2 (bottom size larger than 2") from Sub-district Nos. 1 (eastern Ohio) and 4 (middle).....	7.36
2. Size group Nos. 3 and 3A (bottom size larger than 1½" but not exceeding 2") from sub-district No. 1 (eastern Ohio)....	7.08
B. Stoker: Size group No. 5 (double-screened coals top size not exceeding 2" x bottom size larger than 10 mesh) from subdistrict No. 1 (eastern Ohio):	
1. Treated.....	6.88
2. Untreated.....	6.76

SCHEDULE I—SALES OF SOLID FUELS RECEIVED BY RAIL—Continued

Column I	Column II
IV. High volatile bituminous coals from producing district No. 8 (eastern Kentucky and southwestern West Virginia): <sup>2</sup>	
A. Lump: Size group Nos. 1 and 2 larger than 3"):	
1. Mine price classifications B through J.....	\$8.95
2. Mine price classifications K through O.....	8.69
B. Egg:	
1. Size group Nos. 6 and 7 (top size larger than 5" but not exceeding 6" x bottom size 2" and smaller; top size 3" but not exceeding 6" x bottom size larger than 2" but not exceeding 3"; top size larger than 3" but not exceeding 5" x bottom size 2" and smaller):	
a. Mine price classification A.....	8.05
b. Mine price classifications B through K.....	8.35
2. Size group No. 6 (top size larger than 5" but not exceeding 6" x bottom size 2" and smaller; top size 3" but not exceeding 5" x bottom size larger than 2" but not exceeding 3") mine price classification L through N.....	8.18
C. To the prices stated in paragraphs A and B of part IV may be added \$.15 per ton provided the coal is mined in subdistrict 6 of producing district 8 and provided it is separately weighed and billed by the dealer. Subdistrict 6 includes that portion of District 8 which is in northern Tennessee and the following counties in Kentucky: Bell, Clay, Clinton, Jackson, Knox, Laurel, Leslie, Madison, McCreary, Owsley, Pulaski, Rock Castle, Wayne and Whitley.	
V. Low volatile bituminous coals from producing district No. 7 (Peachontas): <sup>3</sup>	
A. Egg—Size group No. 2 (double screened; top size larger than 3") mine price classifications B through D.....	9.35
B. Stoker—Size group No. 5 (Pca or dedusted screenings; top size not exceeding ¾" x bottom size smaller than ¾") mine price classification A.....	8.55

<sup>1</sup>\$0.10 per ton may be added to the price of these coals if the coal has been subjected to an oil or calcium chloride treatment by the producer to allay dust or prevent freezing.

(2) *Discounts—(i) Yard sales to domestic consumers.* A discount of not less than \$1.00 per ton on the prices listed in Column II shall be given to domestic consumers purchasing at the yard in quantities of one ton or more.

(ii) *Yard sales to dealers.* A discount of not less than \$1.00 per ton on the prices listed in Column II shall be given to dealers purchasing at the yard in quantities of one ton or more.

(3) *Schedule of service charges.* This schedule sets forth maximum prices which a dealer may charge for special services rendered in connection with all sales of solid fuels. These charges may be made only if the buyer requests such services of the dealer and only when the dealer renders the service. Every service charge shall be separately stated in the dealer's invoice.

	Per ton
Carrying or wheeling from curb.....	\$1.00
Carrying up or downstairs (each flight).....	1.00
Service charge for one-half ton deliveries.....	.50
Deliveries to West Lawn Homes, Federal Housing.....	1.50

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

This order shall become effective October 29, 1945.

Issued October 29, 1945.

JOHN F. KESSEL,  
Acting Regional Administrator.

[F. R. Doc. 45-29162; Filed, Oct. 31, 1945; 4:23 p. m.]

[Region III Rev. Order G-22 Under EMPE 122]

SOLID FUELS IN LEXINGTON, KY., AREA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does.* This adopting order establishes dollars and cents maximum prices for specified solid fuels when sold and delivered by dealers in the area hereinafter described. These are the highest prices any dealer may charge when he delivers such fuel at or to a point in such area. They are also the highest prices that any buyer in the course of trade or business may pay for them.

(b) *Area covered.* This adopting order covers all sales to domestic consumers and other dealers purchasing for resale of specified solid fuels when sold and delivered within the Lexington, Kentucky, Area, described as all the territory within the corporate limits of the City of Lexington, Kentucky and all territory adjacent thereto and within one mile thereof.

(c) *Applicability of Basic Order No. G-74.* All the provisions of Order No. G-74 under Revised Maximum Price Regulation No. 122, Basic Order for Area Pricing of Coal in Region III, issued September 19, 1945 by the Cleveland Regional Office, Region III, Office of Price Administration, are adopted in this order and are as much a part of this order as if printed herein. If said Order No. G-74 is amended in any respect, all the provisions of such order as amended shall likewise, without other action, be a part of this adopting order. All persons subject to this adopting order are also subject to, and should be familiar with, the provisions of said Order No. G-74.

(d) *Relationship between this order and previous orders.* This Revised Order No. G-22 supersedes Order No. G-22 under Revised Maximum Price Regulation No. 122 and Regional Supplementary Orders Nos. 3, 4, 5, 6, 7, 8 and 9. Said Order No. G-22 is hereby revoked as of the

effective date of this Revised Order No. G-22. This revised order is issued as an adopting order pursuant to the provisions of Order No. G-74 under Revised Maximum Price Regulation No. 122, and since all applicable provisions of Regional Supplementary Orders Nos. 3, 4, 5, 6, 7, 8 and 9 are incorporated in this revised order, said Regional Supplementary Orders shall not apply to this Revised Order No. G-22.

(e) *Prices, discounts and service charges*—(1) *Price schedule*. This schedule sets forth maximum prices for sales of specified sizes, kinds and quantities of solid fuels. Column I describes the solid fuel for which maximum prices are established; and Column II lists maximum prices for cash or credit sales on a direct delivery basis. All prices are for sales on a net ton basis.

**SCHEDULE I—SOLID FUELS SHIPPED FROM MINE AND RECEIVED BY RAILROAD**

Column I	Column II
I. High volatile bituminous coals from producing district No. 8 (southwestern Virginia, southern West Virginia, northeastern Tennessee and eastern Kentucky): <sup>1</sup>	
A. Lump—Size group Nos. 1 and 2 (larger than 3"):	
1. Mine price classifications B through F.....	\$7.55
2. Mine price classifications G through N.....	7.35
B. Egg:	
1. Size group No. 6 (top size larger than 5" but not exceeding 6" x bottom size 2" and smaller; top size 3" but not exceeding 3" x bottom size larger than 2" but not exceeding 3") mine price classifications B through K.....	7.10
2. Size group No. 7 (top size larger than 3" but not exceeding 5" x bottom size 2" and smaller) mine price classifications B through M.....	6.95
C. Stoker—Size group No. 10 (double screened; top size 1 1/4" and smaller x bottom size 1/2" and larger):	
1. Mine price classification A.....	7.45
2. Mine price classifications B and lower.....	7.25
D. To the prices stated in sections A, B and C of Part I may be added \$0.15 per ton provided the coal is mined in subdistrict 6 of producing district No. 8. Subdistrict 8 includes that portion of District 8 which is in northern Tennessee and the following counties in Kentucky: Bell, Clay, Clinton, Jackson, Knox, Laurel, Leslie, Madison, McCreary, Owsley, Pulaski, Rock Castle, Wayne and Whitley.	
E. Screenings—(nut and slack), Size group No. 20 (larger than 3/4" x 0 but not exceeding 2" x 0) mine price classifications G through L:	
1. Sales to all commercial and industrial buyers, provided that coal can be delivered in load lots (three tons or more) and dumped.....	5.75
2. To all other classes of buyers....	5.95
II. Coke—(excluding reclaimed or reject coke), egg and walnut sizes....	12.00

**SCHEDULE II—SOLID FUELS SHIPPED FROM MINE AND RECEIVED BY TRUCK**

Column I	Column II
I. High-volatile bituminous coals from specified counties in producing district No. 8: <sup>1</sup>	
A. Lump—Size group 1 (larger than 2"):	
1. From Clay, Laurel, Lee and Wolfe Counties.....	\$7.60
2. From Jackson & Rock Castle Counties.....	7.35
B. Egg—Size group No. 4 (top size 5" and smaller x bottom size 2" but not exceeding 3"):	
1. From Clay, Laurel, Lee and Wolfe Counties.....	7.10
2. From Jackson and Rock Castle Counties.....	6.95
C. Stoker—Size group No. 5 (double screened; top size 3" and smaller x bottom size 2" and smaller):	
1. From Clay, Laurel, Lee and Wolfe Counties.....	7.15
2. From Jackson & Rock Castle Counties.....	7.00
D. Screenings—(slack) Size group #7 (larger than 3/4" x 0 but not exceeding 2" x 0):	
1. From Clay, Laurel, Lee and Wolfe Counties.....	5.65
2. From Jackson & Rock Castle Counties.....	5.40

<sup>1</sup>\$0.10 per ton may be added to the prices of these coals if the coal has been subjected to an oil or calcium chloride treatment by the producer to allay dust or prevent freezing.

(2) *Discounts*. (i) A discount of not less than \$0.50 per ton on the prices listed in Column II shall be given to all domestic consumers purchasing at the yard.

(ii) A discount of not less than \$0.50 per ton on the prices listed in Column II shall be given to all dealers purchasing at the yard for resale.

(3) *Schedule of service charges*. This schedule sets forth maximum prices which a dealer may charge for special services rendered in connection with all sales of solid fuels. These charges may be made only if the buyer requests such services of the dealer and only when the dealer renders the service. Every service charge shall be separately stated in the dealer's invoice.

	Per ton
Trimming in the bin.....	\$0.25
Carrying or wheeling from curb.....	.60
Carrying up or down stairs (each flight).....	.50
Treating of coal at dealer's yard.....	.10
Deliveries of less than one ton (fractional ton price plus).....	.25

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

This order shall become effective October 22, 1945.

Issued October 22, 1945.

JOHN F. KESSEL,  
Acting Regional Administrator.

[F. R. Doc. 45-20161; Filed, Oct. 31, 1945; 4:28 p. m.]

[Region III Rev. Order G-36 Under RMPR 122]

**SOLID FUELS IN OWOSSO, MICHIGAN, AREA**

For the reasons set forth in an opinion issued simultaneously herewith, and un-

der the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does*. This adopting order establishes dollars and cents maximum prices for specified solid fuels when sold and delivered by dealers in the area hereinafter described. These are the highest prices any dealer may charge when he delivers such fuel at or to a point in such area. They are also the highest prices that any buyer in the course of trade or business may pay for them.

(b) *Area covered*. This adopting order covers all sales to domestic consumers of specified solid fuels when sold and delivered within the Owosso, Michigan, Area, described as all the territory within Caledonia Township and eastern one-half of Owosso Township in Shiawassee County, Michigan, including the municipalities of Owosso and Corunna.

(c) *Applicability of Basic Order No. G-74*. All the provisions of Order No. G-74 under Revised Maximum Price Regulation No. 122, Basic Order for Area Pricing of Coal in Region III, issued September 19, 1945 by the Cleveland Regional Office, Region III, Office of Price Administration, are adopted in this order and are as much a part of this order as if printed herein. If said Order No. G-74 is amended in any respect, all the provisions of such order as amended shall likewise, without other action, be a part of this adopting order. All persons subject to this adopting order are also subject to, and should be familiar with, the provisions of said Order No. G-74.

(d) *Relationship between this order and previous orders*. This Revised Order No. G-36 supersedes Order No. G-36 under Revised Maximum Price Regulation No. 122 and Regional Supplementary Orders Nos. 3, 4, 5, 6, 7, 8 and 9. Said Order No. G-36 is hereby revoked as of the effective date of this Revised Order No. G-36. This revised order is issued as an adopting order pursuant to the provisions of Order No. G-74 under Revised Maximum Price Regulation No. 122, and since all applicable provisions of Regional Supplementary Order Nos. 3, 4, 5, 6, 7, 8 and 9 are incorporated in this revised order, said Regional Supplementary Orders shall not apply to this Revised Order No. G-36.

(e) *Prices, discounts and service charges*—(1) *Price schedule*. This schedule sets forth maximum prices for sales of specified sizes, kinds and quantities of solid fuels. Column I describes the solid fuel for which maximum prices are established; and Column II lists maximum prices for cash or credit sales on a direct delivery basis. All prices are for sales on a net ton basis.

**SCHEDULE I—SOLID FUELS RECEIVED BY RAIL**

Column I	Column II
I. High volatile bituminous coals from producing district No. 8 (eastern Kentucky, southern West Virginia, western Virginia and northeastern Tennessee): <sup>1</sup>	
A. Lump:	
1. Size group No. 1 (larger than 5") mine price classifications L through O.....	\$9.20

SCHEDULE I—SOLID FUELS RECEIVED BY RAIL—  
Continued

Column I	Column II
<b>I. High volatile bituminous coals from producing district No. 8, etc.—Con.</b>	
<b>A. Lump—Continued.</b>	
2. Size group No. 2 (larger than 3" but not exceeding 5"):	
a. Mine price classifications E through K	\$9.40
b. Mine price classifications L through O	9.20
<b>B. Egg:</b>	
1. Size group No. 5 (top size larger than 5" but not exceeding 6" x bottom size larger than 2" but not exceeding 3"; top size larger than 6" x bottom size 2" and smaller) mine price classifications B through F	9.80
2. Size group No. 6 (top size larger than 5" but not exceeding 6" x bottom size 2" and smaller; top size 3" but not exceeding 5" x bottom size larger than 2" but not exceeding 3"):	
a. Mine price classifications E through K	9.00
b. Mine price classifications L through N	8.55
3. Size group No. 7 (top size larger than 3" but not exceeding 5" x bottom size 2" and smaller) mine price classifications B through M	8.85
<b>C. Stoker—Size group No. 10 (top size 1 1/4" and smaller x bottom size 1/2" and larger):</b>	
a. Mine price classifications B through E	9.15
b. Mine price classifications F through M	9.08
<b>D. To the prices stated in Sections A, B and C of Part I may be added \$0.15 per ton provided the coal is mined in Sub-District 6 of Producing District No. 8. If sold at the maximum price, this coal must be separately weighed and billed. Sub-District 6 includes that portion of District 8 which is in northern Tennessee and the following counties in Kentucky: Bell, Clay, Clinton, Jackson, Knox, Laurel, Leslie, Madison, McCreary, Owsley, Pulaski, Rock Castle, Wayne and Whitley.</b>	
<b>II. Low volatile bituminous coals from producing district No. 7 (southeastern West Virginia and northwestern Virginia):<sup>1</sup></b>	
<b>A. Egg—Size group No. 2 (double screened; top size larger than 3"):</b>	
1. Mine price classification A	10.75
2. Mine price classifications B through D	10.45
<b>B. Nut or dedusted screenings—(stoker) Size group No. 4 (top size larger than 3/4" but not exceeding 1 1/4" x bottom size smaller than 1 1/4") mine price classification A</b>	9.55
<b>III. Pennsylvania anthracite, egg, stove and chestnut sizes</b>	16.10
<b>IV. Coke (excluding reclaimed or reject coke) egg, stove and nut sizes</b>	13.50

<sup>1</sup>\$0.10 per ton may be added to the prices of these coals, provided the coal has been subjected to an oil or calcium chloride treatment by the producer to allay dust or prevent freezing.

(2) *Schedule of service charges.* This schedule sets forth maximum prices  
No. 217—6

which a dealer may charge for special services rendered in connection with all sales of solid fuels. These charges may be made only if the buyer requests such services of the dealer and only when the dealer renders the service. Every service charge shall be separately stated in the dealer's invoice.

	Per ton
Carry or wheel in from curb	09.00
Carry up or downstairs (each flight)	1.00
Service charge for deliveries in quantities of 1/2 ton	.25
Sales of Bituminous Coal picked up at the yard in quantities of less than 250 lbs. (per cwt.)	.00
Forking	No charge

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

This order shall become effective October 29, 1945.

Issued: October 29, 1945.

JOHN F. KESSEL,  
Acting Regional Administrator.

[F. R. Doc. 45-20160; Filed, Oct. 31, 1945; 4:27 p. m.]

[Region III Rev. Order G-49 Under RMPR 122]

SOLID FUELS IN CLEVELAND, OHIO, AREA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does.* This adopting order establishes dollars and cents maximum prices for specified solid fuels when sold and delivered by dealers in the area hereinafter described. These are the highest prices any dealer may charge when he delivers such fuel at or to a point in such area. They are also the highest prices that any buyer in the course of trade or business may pay for them.

(b) *Area covered.* This adopting order covers all sales to domestic, commercial, industrial and quantity consumers and other dealers purchasing for resale of specified solid fuels when sold and delivered within the Cleveland, Ohio, Area described as all of Cuyahoga County, Ohio, with the exception of the municipalities of Borsa and Chagrin Falls.

(c) *Applicability of Basic Order No. G-74.* All the provisions of Order No. G-74 under Revised Maximum Price Regulation No. 122, Basic Order for Area Pricing of Coal in Region III, issued September 19, 1945 by the Cleveland Regional Office, Region III, Office of Price Administration, are adopted in this order and are as much a part of this order as if printed herein. If said Order No. G-74 is amended in any respect, all the provisions of such order as amended shall likewise, without other action, be a part of this adopting order. All persons subject to this adopting order are also subject to, and should be familiar with, the provisions of said Order No. G-74.

(d) *Relationship between this order and previous orders.* This Revised Order No. G-49 supersedes Order No. G-49 under Revised Maximum Price Regulation No. 122 and Regional Supplementary Orders Nos. 3, 4, 5, 6, 7, 8 and 9. Said Order No. G-49 is hereby revoked as of the effective date of this Revised Order No. G-49. This revised order is issued as an adopting order pursuant to the provisions of Order No. G-74 under Revised Maximum Price Regulation No. 122, and since all applicable provisions of Regional Supplementary Orders Nos. 3, 4, 5, 6, 7, 8 and 9 are incorporated in this revised order, said Regional Supplementary Orders shall not apply to this Revised Order No. G-49.

(e) *Prices, discounts and service charges—(1) Price schedule.* This schedule sets forth maximum prices for sales of specified sizes, kinds and quantities of solid fuels. Column I describes the solid fuels for which maximum prices are established; Column II lists maximum prices for sales to domestic consumers on a direct delivery basis where payment is made after the fifteenth day of the month following the date of delivery; and Column III lists maximum prices for sales to domestic consumers on a direct delivery basis where payment is made on or before the fifteenth day of the month following the date of delivery.

SCHEDULE I—SOLID FUEL RECEIVED BY RAIL

Column I	Col. II	Col. III
<b>I. High volatile bituminous coals from producing district No. 8 (eastern Kentucky, southwestern West Virginia, western Virginia, and northeastern Tennessee):</b>		
<b>A. Lump—Size group No. 1 and 2 (larger than 3"):</b>		
1. Mine price classification A	\$10.00	\$10.00
2. Mine price classifications D through E	9.05	9.70
3. Mine price classifications L through O	9.70	9.45
<b>B. Stoker—Size group No. 10 (top size 1 1/4" and smaller x bottom size 1/2" and larger):</b>		
1. Mine price classification A	10.05	9.50
2. Mine price classifications B through E	9.80	9.75
3. Mine price classifications F through H	9.35	9.10
<b>C. To the prices stated in sections A and B of part I may be added \$0.15 per ton provided the coal is mined in sub-district 6 of producing district 8 and provided it is separately weighed and billed. Sub-district 6 includes that portion of District 8 which is in northern Tennessee and the following counties in Kentucky: Bell, Clay, Clinton, Jackson, Knox, Laurel, Leslie, Madison, McCreary, Owsley, Pulaski, Rock Castle, Wayne and Whitley.</b>		
<b>II. High volatile bituminous coals from producing district No. 2 (eastern Kentucky):</b>		
<b>A. Lump and egg—Size group No. 1 and 2 (larger than 3"; egg bottom size larger than 2") mine price classifications D and E</b>	9.10	9.25
<b>B. Nut, egg, and stoker—Size group No. 4 (top size not exceeding 2") from mine in Reg. No. 224 (Cathlamet Coal Corp.)</b>	9.15	8.90
<b>III. High volatile bituminous coals from producing district No. 3 (southern West Virginia including Fenber list):</b>		
<b>A. Lump and egg—Size group No. 1 (lump and egg—larger than 3") mine price classifications A</b>	10.05	9.55
<b>2. Mine price classifications D through G</b>	8.75	8.45
<b>B. Lump, egg, and stoker—Size group No. 2 (lump and egg—larger than 2" and smaller) mine price classifications D and E</b>	8.65	8.50

<sup>1</sup> See footnote at end of table.

SCHEDULE I—SOLID FUEL RECEIVED BY RAIL—Con.

Column I	Col. II	Col. III
IV. High volatile bituminous coals from producing district No. 4 (Ohio):		
A. Lump and egg: From subdistrict No. 1 (eastern Ohio) and subdistrict No. 4 (middle):		
1. Size group Nos. 1 and 2 (bottom size larger than 2")	\$8.66	\$8.41
2. Size group Nos. 3 and 3A (bottom size larger than 1 1/4" but not exceeding 2")	8.31	8.06
B. Stoker: Size group No. 5 (double-screened coal top size not exceeding 2" x bottom size larger than 10 mesh) from subdistrict No. 1 (eastern Ohio)	8.61	8.36
V. Low volatile bituminous coals from producing district No. 7 (northwestern West Virginia and northwestern Virginia): <sup>1</sup>		
A. Lump: Size group No. 1 (bottom size larger than screened run-of-mine):		
1. Mine price classification A:		
a. Mine index No. 73 (Glen Rogers No. 2 mine of the Raleigh Wyoming Co.)	11.50	11.55
b. All other mines	11.25	11.00
2. Mine price classifications B and C	11.15	10.90
3. Mine price classifications D through F:		
a. Mine index No. 37 (the Carceta No. 5 mine of the Carter Coal Co.)	10.95	10.70
b. All other mines	10.75	10.50
B. Egg: Size group No. 2 (top size larger than 3" x bottom size no limit):		
1. Mine price classification A:		
a. Mine index No. 73 (Glen Rogers No. 2 Mine of the Raleigh Wyoming Mining Co.)	11.80	11.55
b. All other mines	11.40	11.15
2. Mine price classifications B and C	11.30	11.05
3. Mine price classifications D through F:		
a. Mine index No. 37 (the Carceta No. 5 Mine of the Carter Coal Co.)	11.20	10.95
b. All other mines	10.95	10.70
C. Stove or dedusted screenings: Size group No. 3 (top size larger than 1 1/4" but not exceeding 3" x bottom size smaller than 3") mine price classification A:		
1. Forked or screened	11.25	11.00
2. Shoveled	11.00	10.75
D. Nut or dedusted screenings: Size group No. 4 (top size larger than 3/4" but not exceeding 1 1/4" x bottom size smaller than 1 1/4") mine price classification A	10.20	9.95
E. Pea or dedusted screenings: Size group No. 5 (top size not exceeding 5/8" x bottom size smaller than 3/4") mine price classification A	9.85	9.60
F. Domestic run-of-mine: Mine price classifications A through D	10.20	9.95
VII. Anthracite (Pennsylvania): Egg, stove and chestnut sizes	16.35	16.10
VIII. Coke:		
A. Beehive oven coke:		
1. Egg and stove sizes	13.63	13.38
2. Nut size	14.05	13.80
B. Byproduct coke, egg, stove, and nut sizes:		
1. Local	11.90	11.65
2. Other	13.00	12.75

<sup>1</sup>\$0.10 per ton may be added to the prices of these coals if the coal has been subjected to an oil or calcium chloride treatment by the producer to alloy dust or prevent freezing.

(2) *Discounts*—(i) *Quantity sales*. On all sales to commercial, industrial and quantity consumers, a discount of not less than \$1.00 per ton on the prices listed in Column II shall be given where payment is made after the fifteenth day of

the month following the date of delivery and a discount of not less than \$1.00 per ton, plus 2% per ton, shall be given where payment is made on or before the fifteenth day of the month following the date of delivery. A quantity consumer for the purposes of this order is a consumer purchasing solid fuel for delivery to a single location for the heating of four or more units from a central heating plant and whose annual requirements amount to 75 or more tons and whose purchases are made from one dealer.

(ii) *Yard sales to domestic consumers*. A discount of not less than \$1.00 per ton on the prices listed in Column II and III shall be given to domestic consumers purchasing at the yard in quantities of one or more tons.

(iii) *Yard sales to dealers*. A discount of not less than \$1.55 per ton on the prices listed in Column II and III shall be given to all dealers purchasing at the yard in quantities of one or more tons.

(3) *Schedule of service charges*. This schedule sets forth maximum prices which a dealer may charge for special services rendered in connection with all sales of solid fuels. These charges may be made only if the buyer requests such services of the dealer and only when the dealer renders the service. Every service charge shall be separately stated in the dealer's invoice.

	Per hour
Trimming in bin	\$0.88
	Per ton
Carrying from curb	\$1.00
Wheeling in from curb	.75
Service charge for deliveries in quantities of one-half ton	.65
Forking (limited to low volatile lump and egg coals from Districts 7 and 8 and Size Group No. 1, M.P.C. "A" from District 3)	1.00

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

This order shall become effective October 22, 1945.

Issued: October 22, 1945.

JOHN F. KESSEL,  
Acting Regional Administrator.

[F. R. Doc. 45-20159; Filed, Oct. 31, 1945; 4:27 p. m.]

[Region III Rev. Order G-62 Under RMPR 122]

SOLID FUELS IN MARIETTA, OHIO, AREA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered: (a) *What this order does*. This adopting order establishes dollars and cents maximum prices for specified solid fuels when sold and delivered by dealers in the area hereinafter described. These are the highest prices any dealer may charge when he delivers such fuel at or to a point in such area. They are also the highest prices that any buyer in the course of trade or business may pay for them.

(b) *Area covered*. This adopting order covers all sales to domestic con-

sumers of specified solid fuels when sold and delivered within the Marietta, Ohio, Area, described as all the territory within the corporate limits of the City of Marietta, Ohio.

(c) *Applicability of Basic Order No. G-74*. All the provisions of Order No. G-74 under Revised Maximum Price Regulation No. 122, Basic Order for Area Pricing of Coal in Region III, issued September 19, 1945 by the Cleveland Regional Office, Region III, Office of Price Administration, are adopted in this order and are as much a part of this order as if printed herein. If said Order No. G-74 is amended in any respect, all the provisions of such order as amended shall likewise, without other action, be a part of this adopting order. All persons subject to this adopting order are also subject to, and should be familiar with, the provisions of said Order No. G-74.

(d) *Relationship between this order and previous orders*. This Revised Order No. G-62 supersedes Order No. G-62 under Revised Maximum Price Regulation No. 122 and Regional Supplementary Orders Nos. 3, 4, 5, 6, 7, 8 and 9. Said Order No. G-62 is hereby revoked as of the effective date of this Revised Order No. G-62. This revised order is issued as an adopting order pursuant to the provisions of Order No. G-74 under Revised Maximum Price Regulation No. 122, and since all applicable provisions of Regional Supplementary Orders Nos. 3, 4, 5, 6, 7, 8 and 9 are incorporated in this revised order, said Regional Supplementary Orders shall not apply to this Revised Order No. G-62.

(e) *Prices, discounts and service charges*—(1) *Price schedule*. This schedule sets forth maximum prices for sales of specified sizes, kinds and quantities of solid fuels. Column I describes the solid fuel for which maximum prices are established; and Column II lists maximum prices for cash or credit sales on a direct delivery basis. All prices are for sales on a net ton basis.

SCHEDULE I—SALES OF SOLID FUELS RECEIVED BY RAIL OR TRUCK

Column I	Column II
I. High volatile bituminous coals from producing district No. 4 (Ohio):	
A. Lump and egg from subdistrict No. 5 (Hocking):	
1. Size group No. 2 (lump: larger than 2" but not exceeding 5"; egg: bottom size larger than 2")	\$0.41
2. Size group Nos. 3 and 3A (bottom size larger than 1 1/4" but not exceeding 2")	5.90
B. Stoker—Size group No. 5 (double screened, top size 2" and smaller) from subdistrict No. 5 (Hocking)	6.41
II. High volatile bituminous coals from producing district No. 3 (northwestern West Virginia excluding Panhandle): <sup>1</sup>	
A. Lump or egg—Size group No. 1 (lump or double screened coals with bottom size larger than 3") mine price classifications D and E	6.23
B. Stoker—Size group No. 2 (lump and double screened coals with bottom size 2" and smaller) mine price classifications D and E	5.60

<sup>1</sup>\$0.10 per ton may be added to the prices of these coals provided the coal has been subjected to an oil or calcium chloride treatment by the producer to alloy dust or prevent freezing.

(2) *Schedule of service charges.* This schedule sets forth maximum prices which a dealer may charge for special services rendered in connection with all sales of solid fuels. These charges may be made only if the buyer requests such services of the dealer and only when the dealer renders the service. Every service charge shall be separately stated in the dealer's invoice.

	<i>Per ton</i>
Carry from curb.....	\$0.50
Service charge for 1/2 ton deliveries.....	.25
	<i>Per bushel</i>
Sales per bushel.....	\$0.25

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

This order shall become effective October 29, 1945.

Issued: October 29, 1945.

JOHN F. KESSEL,  
*Acting Regional Administrator.*

[F. R. Doc. 45-20158; Filed, Oct. 31, 1945; 4:27 p. m.]

[Atlanta Rev. Order G-1 Under Gen. Order 50, Amdt. 2]

MALT AND CEREAL BEVERAGES IN ATLANTA, GA., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Atlanta District Office of Region IV of the Office of Price Administration by General Order No. 50, issued by the Administrator of the Office of Price Administration, and Region IV Revised Delegation Order No. 17, issued May 5, 1944, this amendment is hereby issued:

(A) Appendix A, Part I, of Revised Order No. G-1 under General Order No. 50 is amended by striking from Appendix A wherever they appear therein Silver Fox DeLuxe Beer and the maximum prices provided therein and inserting again the brand of beer known as Silver Fox DeLuxe and providing therefor the following maximum prices:

(1) Under Group 1 B, in alphabetical order, the following brand or trade name of beer and the maximum price per bottle are added:

Brand or trade name of beer	Maximum price per bottle	
	12-ounce	32-ounce
Silver Fox DeLuxe.....	25¢	60¢

(2) Under Group 2 B, in alphabetical order, the following brand or trade name of beer and the maximum price per bottle are added:

Brand or trade name of beer	Maximum price per bottle	
	22-ounce	32-ounce
Silver Fox DeLuxe.....	20¢	50¢

(3) Under Group 3 B, in alphabetical order, the following brand or trade name

of beer and the maximum price per bottle are added:

Brand or trade name of beer	Maximum price per bottle	
	12-ounce	32-ounce
Silver Fox DeLuxe.....	15¢	45¢

(B) This Amendment No. 2 to Revised Order No. G-1, as amended, under General Order No. 50 shall become effective on and after October 19, 1945.

Issued October 19, 1945.

D. ELLIOTT McCOND,  
*District Director.*

[F. R. Doc. 45-20166; Filed, Oct. 31, 1945; 4:30 p. m.]

[Region IV Order G-20 Under SE 15, MPR 280 and MPR 329, Amdt. 4]

FLUID MILK IN SOUTH CAROLINA

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator, Region IV of the Office of Price Administration by § 1499.75 (a) (9) (ii) (c) of the General Maximum Price Regulation, § 1351.807 (b) (3) of Maximum Price Regulation 280, and § 1351.408 (b) of Maximum Price Regulation 329, it is hereby ordered that Order G-20 be amended in the following respects:

1. The name "Sumter" is deleted from the list of counties in section 14 (c) Area 4 and from the second proviso following Table 4 in this subsection.

2. The name "Sumter" is added to the list of counties set forth in section 14 (d) Area 5 and to the second proviso following Table 5 in section 14 (d).

3. The f. o. b. plant price is changed from \$4.05 to \$4.40 per cwt. and from \$.348 to \$.378 per gallon in section 17 opposite the name "Sumter".

This amendment shall become effective October 31, 1945.

Issued: October 31, 1945.

ALEXANDER HARRIS,  
*Regional Administrator.*

Approved: October 30, 1945.

J. B. HUTTON,  
*Acting Secretary of Agriculture.*

[F. R. Doc. 45-20167; Filed, Oct. 31, 1945; 4:30 p. m.]

[Region VI Order G-16 Under RMFR 122, Appendix 19]

SOLID FUELS IN KENOSHA, WIS., AREA

(a) *Applicability.* This Appendix No. 19 applies to sales of solid fuels delivered within the city of Kenosha, Wisconsin, and all that territory adjacent to the city of Kenosha bounded by Kilbourn Road on the west, McKeon Road on the south, and Berryville Road on the north in the State of Wisconsin.

(b) *Price schedule.* Immediately below and as a part of this section (b) is

a price schedule that sets forth maximum prices for delivered sales by dealers in lots of one (1) ton or more of specified kinds and sizes of solid fuels. Charges for treatment of coal are set forth in section (c). Discounts are set forth in section (d). Service charges are set forth in section (e). Definitions are set forth in section (f). Sales in lots of fractions of a ton or tons shall be governed by the price schedule as follows:

(i) On delivered sales of less than 1 ton, the price shall be proportional to the price per ton plus an additional charge of 50¢, but in no event shall the total price be in excess of that for a sale of 1 ton; for example, if the price of 1 ton is \$10.15, the price of 1/2 ton would be \$5.08 plus 50¢ or a total of \$5.58; the price of 3/4 ton would be \$7.61 plus 50¢ or a total of \$8.11.

(ii) On delivered sales of more than 1 ton, for each fraction of a ton sold, the price shall be proportional to the price per ton; for example, if the price of 1 ton is \$13.70, the price of 1 1/2 tons would be \$20.55.

(iii) On yard sales of any fraction of a ton, whether more or less than 1 ton, the price shall be proportional to the price per ton; for example, if the price of 1 ton at the yard is \$11.90, the price of 1/2 ton would be \$5.95; of 1 1/2 tons, \$17.85.

The price schedule lists maximum prices for the sale of coal on the basis of the type of mine operation by means of which it is produced. On sales of coal produced in District Nos. 7, 8, 9, and 11, the prices established are similar for the same kind and size of fuel regardless of the type of mine operation. On sales of coal from District No. 10 (Illinois), prices for coal described in paragraph IV, A, 1 to 4, inclusive, apply to coal produced by deep machine mines only. District No. 10 (Illinois) prices for the sale of coal described in paragraph IV, B, 1, vary as specified for coal obtained from deep machine mines and strip mines. The prices of by-product coke and briquettes are unaffected by the type of mine operation.

PRICE SCHEDULE      *Delivered (per ton)*

I. Low volatile bituminous coal from district No. 7 (southern West Virginia and northwestern and central Virginia):	
1. Lump and egg—Size group Nos. 1 and 3 (all lump coal bottom size 3/4", all egg coal top size larger than 3", bottom size no limit) in price classification A and B:	
a. Forked or screened.....	\$13.21
b. Shoveled or bin run.....	12.71
2. Stove: Size group No. 3 (top size larger than 1 1/4" but not exceeding 3"; bottom size smaller than 3") in price classification A:	
a. Forked or screened.....	13.01
b. Shoveled or bin run.....	12.51
3. Nut: Size group No. 4 (top size larger than 3/4" but not exceeding 1 1/4", bottom size smaller than 1 1/4") in price classification A:	
a.....	10.83
4. Pea or dedusted screenings: Size group No. 5 (top size not exceeding 3/4", bottom size smaller than 3/4").....	10.31

*Price Schedule—Con.*

II. High volatile bituminous coal from district No. 8 (eastern Kentucky, southwestern West Virginia, western Virginia, northern Tennessee, and North Carolina):

- Egg: Size group No. 4 (all double-screened egg coals, top size larger than 6" and bottom size larger than 2", but not exceeding 3", including 8" x 3") price classification G through N..... \$10.65
- Egg: Size group No. 6 (all double-screened egg coals top size larger than 5" but not exceeding 6" and bottom size 2" and smaller; also top size 3" and larger, but not exceeding 5" and bottom size larger than 2" but not exceeding 3", including 8" x 2" and 5" x 3") price classification B through K..... 10.15
- Egg: Size group No. 7 (all double screened egg coals, top size larger than 3" but not exceeding 5" and bottom size 2" and smaller including 5" x 2" and 4" x 2") :
  - In price classification A..... 10.60
  - In price classification B through D..... 9.95
- Stoker: Size group No. 10 (all double-screened stoker coals, top size not exceeding 1 1/4" and bottom size less than 1 1/4"):
  - In price classification A..... 10.10
  - In price classification B through E..... 9.85

III. High volatile bituminous coal from district No. 9 (Western Kentucky)

- Stoker: Size group Nos. 8-12, inc. (all raw double-screened nut, stoker and pea coals, top size not exceeding 2" and bottom size larger than 10 mesh or 3/32") No. 6 seam..... 8.81

IV. High volatile bituminous coal from District No. 10 (Illinois)

A. Southern subdistrict price group Nos. 1, 2 and 8 (deep machine mines):

- Lump and egg: Size group Nos. 1, 2 and 3 (all lump and egg coal bottom size larger than 2", washed or raw)..... 9.34
- Egg and nut: Size group No. 4, 5, 6 and 8 (all egg and stove coals bottom size 2" and smaller, washed or raw)..... 9.14
- Special stoker: Size group Nos. 21, 22, and 28 (washed or air cleaned) nut and pea coal—bottom size larger than 1 millimeter and top size not exceeding 2"; also all dry dedusted special stoker, bottom size larger than 28 mesh and top size not exceeding 3/8")..... 8.39
- Washed screenings: Size group Nos. 23 and 24 (all washed or air cleaned screenings—top size not exceeding 2")..... 8.09

B. Belleville and duquoin subdistricts: Price group Nos. 10 and 16-22, inc.:

- Egg and nut: Size group Nos. 4, 5, 6, and 8 (all egg and stove coals, bottom size 2" and smaller, washed or raw):
  - Strip mines..... 8.50
  - Deep machine mines..... 8.59

*Price Schedule—Con.*

V. High volatile bituminous coal from district No. 11 (Indiana):

- Lump and egg: Size group Nos. 1, 2, and 3 (all lump and egg coals, bottom size larger than 2" washed or raw):
  - Price group Nos. 6 and 14..... \$9.69
  - Price group Nos. 15 and 16..... 9.49
- Egg, nut, and stove: Size group Nos. 4, 5, 6, and 8 (all egg and stove coals bottom size 2" and smaller, washed or raw)..... 8.59
- Stoker: Size group Nos. 9-12, inc. (raw nut and pea coal—bottom size larger than 10 mesh or 3/32" and top size not exceeding 2"): Price group Nos. 6 and 14..... 8.69

VI. Byproduct coke:

- Stove and nut: Solvay or Koppers..... 14.65
- Stove and nut: Racine..... 13.10
- Pea: Racine..... 12.10

VII. Briquettes: Low volatile united... 12.90

(c) *Charge for treatment of coal.* Whenever a dealer has been charged by his supplier for the chemical or oil treatment of coal at the mine, he may add such treatment charge to the applicable maximum price set by this Appendix No. 19, provided that the treated coal is kept separate and is not mixed with untreated coal. When a treatment charge is made pursuant to this section the dealer need not separately state the amount of such service charge if he clearly indicates on the invoice that such coal is so treated.

(d) *Discounts.* The maximum prices set forth in section (b) shall be subject to the following discounts:

	<i>Per ton</i>
1. On yard sales of 1 ton or more to purchasers other than dealers.....	\$1.00
2. On yard sales of 1 ton or more to dealers.....	1.50
3. On a sale or delivery of a lot of 20 tons or more to one bin at one time.....	.50
4. On a sale or delivery of 50 tons or more annually.....	.50
5. On District Nos. 7 and 8 coal picked up at local docks by dealers.....	2.00

(e) Immediately below and as a part of this section (e) is a Schedule of Service Charges which a dealer may make for the special services described when rendered in connection with sales of solid fuels covered by this Appendix. These charges may be made only if the buyer requests the service and the dealer renders it pursuant to the request. The charges must be separately stated on the dealer's invoice.

SCHEDULE OF SERVICE CHARGES

	<i>Per ton</i>
1. Wheel or carry from curb.....	\$0.75
2. Carry up or down stairs.....	1.00

(f) *Definitions.* Except as otherwise provided herein or as the context may otherwise require, all terms used in this appendix shall bear the meaning given them in Revised Maximum Price Regulation No. 122 or the Emergency Price Control Act of 1942; if not therein defined, they shall be given their customary trade meaning.

This Appendix No. 19 to Order No. G-16 shall become effective June 10, 1945.

Issued this 2d day of June 1945.

RAE E. WALTERS,  
Regional Administrator.

[F. R. Doc. 45-20163; Filed, Oct. 31, 1945; 4:29 p. m.]

[Region VI Order G-16 Under RMFR 122, Appendix 20]

SOLID FUELS IN HAMMOND, IND., AREA

(a) *Applicability.* This Appendix No. 20 applies to sales of solid fuels delivered within the cities of Hammond, Highland, and Munster in the State of Indiana, and the cities of Lansing and Calumet City in the State of Illinois.

(b) *Price schedule.* Immediately below and as a part of this section (b) is a Price Schedule that sets forth maximum prices for delivered sales by dealers in lots of one (1) ton or more of specified kinds and sizes of solid fuels. Charges for treatment of coal are set forth in section (c). Discounts are set forth in section (d). Service charges are set forth in section (e). Definitions are set forth in section (f). Sales in lots of fractions of a ton or tons shall be governed by the Price Schedule as follows:

(i) On delivered sales of less than 1 ton, the price shall be proportional to the price per ton plus an additional charge of 25¢, but in no event shall the total price be in excess of that for a sale of 1 ton; for example, if the price of 1 ton is \$10.15, the price of 1/2 ton would be \$5.08 plus 25¢ or a total of \$5.33; the price of 3/4 ton would be \$7.61 plus 25¢ or a total of \$7.86.

(ii) On delivered sales of more than 1 ton, for each fraction of a ton sold, the price shall be proportional to the price per ton; for example, if the price of 1 ton is \$13.70, the price of 1 1/2 tons would be \$20.55.

The price schedule lists maximum prices for the sale of coal on the basis of the type of mine operation by means of which it is produced. On sales of coal derived from District Nos. 7, 8, 9, and 11, the prices established are similar for the same kind and size of fuel regardless of the type of mine operation. On sales of coal from District No. 10 (Illinois), prices for coal described in paragraph IV, A, 1 to 4 inclusive and IV, D, 1, apply to coal produced in deep machine mines only; prices for coal described in paragraph IV, B, 1 apply to coal produced in strip mines only; prices for coal described in paragraph IV, C, 1, vary as specified for coal obtained from deep machine and strip mines. The prices of by-product coke, Pennsylvania anthracite, and briquettes are unaffected by the type of mine operation.

	<i>1 ton delivered per ton</i>
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PRICE SCHEDULE

I. Low volatile bituminous coal from district No. 7 (southern West Virginia and northwestern and central Virginia):

- Lump and egg, size group Nos. 1 and 2. All lump coal bottom size 3/8"; and all egg coal, top size larger than 3", bottom size no limit.
  - Price classification A, B, C..... \$12.01
  - Mine index No. 73 only..... 13.81
- Lump—Size group No. 1, all lump coal bottom size 3/8"—price classifications D, E and F..... 12.41
- Stove—Size group No. 3. All stove coal top size larger than 1 1/4" but not exceeding 3"; bottom size smaller than 3":
  - Price classification A..... 12.11
  - Price classification D..... 11.71
  - Mine index No. 73 only..... 12.31

**PRICE SCHEDULE—Con.**

*1 ton delivered per ton*

**I. Low volatile bituminous coal from district No. 7, etc.—Continued.**

4. Nut—Size group No. 4. All nut coal top size larger than 3/4" but not exceeding 1 1/4"; bottom size smaller than 1 1/4":

(a) Price classification A..... \$11.11

(b) Mine index No. 73 only..... 11.41

5. Pea—Size group No. 5. All pea coal top size not exceeding 3/4" bottom size smaller than 3/4": price classification A..... 10.76

6. Screened run of mine—Size group No. 6 (straight run of mine from which all or part of the 3/8" or 3/4" top size has been removed):

(a) In price classifications A and B..... 10.81

(b) In price classification E..... 10.56

**II. Low volatile bituminous coal from District No. 8 (eastern Kentucky, southwestern West Virginia, western Virginia, northern Tennessee and North Carolina):**

1. Screened mine run—Size group No. 6 (straight run of mine from which all or part of the 3/8" top size has been removed):

(a) In price classification C..... 10.80

**III. High volatile bituminous coal from District No. 8 (eastern Kentucky, southwestern West Virginia, northern Tennessee, western Virginia and North Carolina):**

1. Lump—Size group Nos. 1 and 2 (All single screened block coal, bottom size larger than 3"):

(a) Price classification A..... 11.70

(b) Price classification C and D..... 11.50

(c) Price classification E through H inclusive..... 10.90

(d) Price classification J through N inclusive..... 10.45

2. Lump—Size group No. 2 (all single screened block coal bottom size larger than 3" but not exceeding 5") mine index No. 285 only..... 11.00

3. Egg—Size group No. 5 (all double screened coals, top size larger than 5" but not exceeding 6" and bottom size larger than 2" but not exceeding 3"; and top size larger than 6" and bottom size 2" and smaller):

(a) Price classifications B through E inclusive..... 11.20

(b) Price classifications G through K inclusive..... 10.65

4. Egg—Size group No. 6 (all double screened egg coals, top size larger than 5" but not exceeding 6" and bottom size 2" and smaller; also top size 3" and larger but not exceeding 5" and bottom size larger than 2" but not exceeding 3"):

(a) Price classifications E through K inclusive..... 10.45

(b) Price classifications L through N inclusive..... 10.25

5. Stoker—Size group No. 10 (all double screened stoker coals, top size not exceeding 1 1/4" and bottom size less than 1 1/4"):

(a) Price classification A..... 10.90

(b) Price classifications B through E inclusive..... 10.50

(c) Price classifications F through M inclusive..... 10.15

**IV. High volatile bituminous coal from District No. 9 (western Kentucky):**

1. Stoker—Size group Nos. 8 through 12 inclusive (all raw double screened nut, stoker and pea coals, top size not exceeding 2" and bottom size larger than 10 mesh or 3/2"):

(a) No. 6 Seam..... \$8.86

**PRICE SCHEDULE—Con.**

*1 ton delivered per ton*

**V. High volatile bituminous coal from District No. 10 (Illinois):**

**A. Southern subdistrict (deep machine mines) price group Nos. 1, 2 and 8:**

1. Lump—Size group No. 1 (all lump coals, bottom size larger than 4" washed or raw)..... \$9.34

2. Egg—Size group No. 3 (all egg coals, bottom size larger than 2" but not exceeding 3" washed or raw)..... 8.19

3. Special stoker—Size group Nos. 21, 22 and 28 (all washed or air cleaned nut and pea coal, bottom size larger than 1 millimeter and top size not exceeding 2"; also all dry dedusted special stoker bottom size larger than 28 mesh and top size not exceeding 3 1/2")..... 8.64

4. Dedusted screenings—Size group Nos. 26 and 27 (all dry dedusted screenings, top size not exceeding 2")..... 8.24

**B. Southern subdistrict (strip mines) price group No. 7:**

1. Lump and egg—Size group Nos. 1, 2 and 3 (all lump and egg coals bottom size larger than 2" washed or raw)..... 8.00

**C. Belleville & Duquoin subdistricts price group Nos. 10 and 16-23 inclusive:**

1. Lump and egg—Size group Nos. 1, 2 and 3 (all lump and egg coals bottom size larger than 2" washed or raw):

(a) From deep machine mines..... 8.14

(b) From strip mines..... 8.05

**D. Central subdistrict (deep machine mines) price group Nos. 12 and 13:**

1. Lump and egg—Size group Nos. 1, 2 and 3 (all lump and egg coals bottom size larger than 2" washed or raw)..... 7.93

**VI. High volatile bituminous coal from District No. 11 (Indiana):**

1. Lump and egg—Size group Nos. 1, 2 and 3 (all lump and egg coals, bottom size larger than 2" washed or raw):

(a) Price group Nos. 15 and 16..... 8.94

(b) Price group Nos. 7, 18 and 19 and Mine Index No. 116..... 8.23

(c) Price group Nos. 9-13 inclusive..... 7.93

2. Stoker—Size group Nos. 9-12 inclusive (all raw nut and pea coal bottom size larger than 10 mesh or 3/2" and top size not exceeding 2") price group Nos. 9-12, inc..... 7.34

**VII. Pennsylvania anthracite:**

1. Egg, stove and nut..... 17.20

**VIII. Coke byproduct:**

1. Stove or r, Solvay or Koppers..... 14.80

2. Pea, Solvay or Koppers..... 13.60

**IX. Briquettes made from district No. 7 low volatile coals:**

1. Glen Rogers..... 13.68

2. Berwind..... 13.40

(c) Charge for treatment of coal. Whenever a dealer has been charged by his supplier for the chemical or oil treatment of coal at the mine, he may add such treatment charge to the applicable maximum price set by this Appendix No. 20; *Provided*, That the treated coal is kept separate and is not mixed with untreated coal. When a treatment charge is made pursuant to this section the

dealer need not separately state the amount of such service charge if he clearly indicates on the invoice that such coal is so treated.

(d) *Discounts.* The maximum prices set forth in section (b) shall be subject to the following discounts:

	<i>Per ton</i>
1. Payment on delivery or within 15 days therefrom.....	\$0.25
2. On deliveries of 2 tons up to 4 tons.....	.25
3. On deliveries of 4 tons up to a carload.....	.50
4. On deliveries of carload lots (49-50 tons) or more.....	.75

(e) *Service charges.* Immediately below and as a part of this section (e) is a schedule of service charges which a dealer may make for the special services described when rendered in connection with sales of solid fuels covered by this appendix. These charges may be made only if the buyer requests the service and the dealer renders it pursuant to the request. The charges must be separately stated on the dealer's invoice.

**SCHEDULE OF SERVICE CHARGES**

	<i>Per ton</i>
1. Wheel from curb:	
Coal.....	\$0.60
Coke.....	.75
2. Carrying from curb:	
Coal.....	.25
Coke.....	1.00

(f) *Definitions.* Except as otherwise provided herein or as the context may otherwise require, all terms used in this Appendix shall bear the meaning given them in Revised Maximum Price Regulation No. 122 or the Emergency Price Control Act of 1942; if not therein defined, they shall be given their ordinary and popular trade meaning.

This Appendix No. 20 to Order No. G-16 shall become effective June 25, 1945.

Issued this 16th day of June 1945.

RAE E. WALTERS,  
Regional Administrator.

[F. R. Doc. 45-20155; Filed, Oct. 31, 1945; 4:26 p. m.]

[Region VI Order G-16 Under RMPR 122, Appendix 22]

**SOLID FUELS IN FARGO-MOOREHEAD, N. DAK.-MINN., AREA**

(a) *Applicability.* This Appendix No. 22 applies to sales of solid fuels delivered within the city of Fargo, North Dakota, and all that territory bounded by six (6) miles from the city limits of Fargo, including West Fargo and Southwest Fargo, North Dakota, and Moorehead and Dilworth, Minnesota.

(b) *Price schedule.* Immediately below and as a part of this section (b) is a Price Schedule that sets forth maximum prices for delivered sales by dealers in lots of one (1) ton or more of specified kinds and sizes of solid fuels. Charges for treatment of coal are set forth in section (c). Discounts are set forth in section (d). Service charges are set forth in section (e). Definitions are set forth in section (f).

## PRICE SCHEDULE

Description	1-ton, per ton	Car- load, per ton	50-ton user, per ton
<b>I. Low volatile bituminous coal from district No. 7 (southern West Virginia, northwestern and central Virginia):</b>			
1. Lump, egg, and stove	\$16.50	\$14.25	\$15.00
2. Nut	15.05	12.80	13.55
3. Stoker	12.75	11.40	12.15
4. Screenings	12.10	10.75	11.50
<b>II. High volatile bituminous coal from district No. 8 (eastern Kentucky, southwestern Virginia, western Virginia, northern Tennessee, and North Carolina):</b>			
<b>1. Lump:</b>			
A. Millers Creek, HI Split, and No. 5 seams	14.75	13.00	13.75
B. Dorothy or No. 5 block seams	14.15	12.25	13.00
<b>2. Egg:</b>			
A. Millers Creek, HI Split, and No. 5 seams	14.50	12.70	13.45
B. Elkhorn and Harlan seams	14.00	12.00	12.75
C. Dorothy, No. 5 Block and Island Creek seams	13.95	11.95	12.70
<b>3. Stove:</b>			
A. Millers Creek, HI Split, and No. 5 seams	14.25	12.50	13.25
B. Elkhorn seam	14.05	12.30	13.05
4. Stoker	12.95	11.60	12.35
<b>5. Screenings:</b>			
A. Millers Creek, HI Split, No. 5 and Elkhorn seams	12.00	10.65	11.40
B. Dorothy, No. 5 Block and Island Creek seams	11.75	10.40	11.15
<b>III. Lignite coals from district No. 21 (North Dakota-South Dakota):</b>			
1. Lump and furnace	6.25	5.45	5.95
2. Stove	5.85	5.05	5.55
3. Stoker	5.40	4.65	5.15
<b>IV. High volatile bituminous Coal from District No. 22 (Montana):</b>			
<b>A. Roundup and Bull Mountain subdistricts Nos. 1 and 9 (all mines in Musselshell, Treasure, Yellowstone, and Golden Valley Counties):</b>			
1. Lump and egg size group Nos. 1 to 6 inclusive (all lump coals bottom size larger than 1/2"; all double-screened coals top size larger than 2" and bottom size 1 1/4" and larger)	13.45	11.55	12.30
2. Nut size group Nos. 7, and 8 (all double-screened nut coals top size not exceeding 2" and bottom size larger than 1/2" but not exceeding 1 1/4")	11.10	9.45	10.20
3. Stoker size group No. 9 (all double-screened stoker coals top size not exceeding 1 1/4" and bottom size not exceeding 1/2")	10.60	8.85	9.60
<b>V. Anthracite:</b>			
1. Egg, stove, and nut	18.60		
<b>VI. Byproduct coke:</b>			
1. Stove and nut: Zenith Eastern	16.05	14.60	15.35
2. Pest: Zenith Eastern	15.05	13.60	14.35
3. Stove, Nut, and Pea: Local City	13.75		
<b>VII. Briquettes:</b>			
1. Glen Rogers	15.55	13.80	14.55
2. Berwind	15.35	13.60	14.35
3. Staff	15.20	13.45	14.20
4. Lignite	14.50	12.60	13.25

On sales of coal delivered within the State of North Dakota, the above prices include the North Dakota Sales Tax, which may not be added to the above prices by the dealer.

(c) *Charge for treatment of coal.* Whenever a dealer has been charged by his supplier for the chemical or oil treatment of coal at the mine, he may add such treatment charge to the applicable

maximum price set by this Appendix No. 22: *Provided*, That the treated coal is kept separate and is not mixed with untreated coal. When a treatment charge is made pursuant to this section the dealer need not separately state the amount of such service charge if he clearly indicates on the invoice that such coal is so treated.

(d) *Discounts.* The maximum prices set forth in section (b) shall be subject to the following discounts:

1. On sales to purchasers at the one ton delivered price if payment is made on delivery or within 10 days therefrom a discount of 3% shall be given.

2. On sales of coal picked up at the yard by all purchasers except dealers, carload delivered purchasers, or 50 ton users, a discount of 75¢ per ton shall be given.

(e) Immediately below and as a part of this section (e) is a schedule of service charges which a dealer may make for the special services described when rendered in connection with sales of solid fuels covered by this appendix. These charges may be made only if the buyer requests the service and the dealer renders it pursuant to the request. The charges must be separately stated on the dealer's invoice.

## SCHEDULE OF SERVICE CHARGES

1. Carry from curb:	<i>Per ton</i>
Coal	\$0.50
Coke	.75
2. Carry up or down stairs:	
Coal	.75
Coke	1.00

(f) *Definitions.* 1. A "50 ton user" means a purchaser whose annual requirements for coal amounts to 50 tons or more. 2. Except as otherwise provided herein or as the context may otherwise require, all terms used in this appendix shall bear the meaning given them in Revised Maximum Price Regulation No. 122 or the Emergency Price Control Act of 1942; if not therein defined, they shall be given their customary trade meaning.

This Appendix No. 22 to Order No. G-16 shall become effective June 25, 1945.

Issued this 16th day of June 1945.

RAE E. WALTERS,  
Regional Administrator.

[F. R. Doc. 45-20164; Filed, Oct. 31, 1945; 4:29 p. m.]

[Rhode Island Order G-1 under RMPR 259, Corr.]

## MALT BEVERAGES IN RHODE ISLAND

In view of a typographical error appearing in the above order as originally issued, the following correction is made: The deposit charge established in section 4 with respect to thirty-two ounce bottles is corrected to read as follows: 32 oz. bottle—5¢.

This correction shall become effective as of October 1, 1945.

Issued this 24th day of October 1945.

FRANK L. MARTIN,  
District Director.

[F. R. Doc. 45-20191; Filed, Nov. 1, 1945; 1:38 p. m.]

[Rhode Island Order 1 Under RMPR 259]

## MALT BEVERAGES IN RHODE ISLAND

For the reasons set forth in the accompanying opinion, *It is hereby ordered:*

SECTION 1. *What this order does.* In accordance with the provisions of section 5.2 (c) of RMPR 259, this order establishes uniform maximum deposit charges which may be imposed by wholesalers and retailers for cases and containers in connection with sales of domestic malt beverages in bottles or cases.

SEC. 2. *Where this order applies.* The provisions of this order apply to all wholesalers and retailers located within the entire State of Rhode Island except the Town of New Shoreham.

SEC. 3. *Applicability.* No wholesaler or retailer located within the area where this order is applicable may after the effective date of this order require a deposit from purchasers in excess of the sum permitted by this order. Until October 22, 1945 refunds for the return of empties shall be the amount required prior to the issuance of this order as a deposit under section 5.2 of RMPR 259.

SEC. 4. *Deposit charges established by this order.* The maximum deposit charges for all sellers to which this order is applicable are as follows:

Cases:	<i>Cents</i>
Wooden cases and bottles	75
Solid fibre cases and bottles	60
Bottles:	
12-oz. bottle	3
32-oz. bottle	3

SEC. 5. *Definitions.* Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, and in RMPR 259, as amended, shall apply to the terms used herein.

This order shall become effective October 1, 1945.

Issued this 24th day of September 1945.

FRANK L. MARTIN,  
District Director.

[F. R. Doc. 45-20192; Filed, Nov. 1, 1945; 1:38 p. m.]

[Region V Order G-1 under Gen. Order 61]

## USED LUMBER IN DALLAS REGION

For the reasons set forth in the opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region V of the Office of Price Administration by General Order No. 61, it is hereby ordered:

## ARTICLE I—COVERAGE OF THIS ORDER

SECTION 1. *Products, transactions and area covered.* This order applies to sales or purchases by any person of the categories of used lumber for which maximum prices are established in this order, when made for delivery in the States of Louisiana, Arkansas, Oklahoma, Texas, Kansas and Missouri, which States comprise Region V of the Office of Price Administration.

This order shall also apply to sales made from stock in this area for delivery outside of the area, if no dollar-and-cents ceiling prices have been issued under

General Order No. 61 for the geographical location in which delivery is to be made.

#### ARTICLE II—DEFINITIONS

**SEC. 2. Used lumber.** Used lumber means lumber and lumber products which have been recovered from, and were at one time a part of, a building, structure or fabricated item made wholly or partially of lumber.

**SEC. 3. Categories of used lumber.** Maximum prices are established in this order for the categories of used lumber described below, including such lumber when run to standard or special patterns; but such descriptions are not intended to, and do not, include items customarily produced and sold as mouldings or mill-work.

(a) **Boards.** Used lumber of less than 2" nominal thickness ("nominal thickness" means the thickness of the piece before planing. Actual thickness, after planing to produce an even and uniform surface, is generally  $\frac{1}{4}$ " to  $\frac{3}{8}$ " less than nominal thickness).

(b) **Dimension.** Used lumber of 2" nominal thickness.

(c) **Planks or small timbers.** Used lumber of over 2" and up to and including 4" nominal thickness and of 12" or less nominal width; also nominal thicknesses over 4" up to and including 6" in all nominal widths up to and including 8".

(d) **Large timbers.** Used lumber of nominal sizes larger than 6" x 8"; also nominal thicknesses of more than 2" when wider than 12".

(e) **Flooring.** Used lumber planed to approximately  $\frac{25}{32}$ " thickness, and which has tongue and groove or other construction commonly used for flooring.

(f) **Plywood.** Three or more thin layers of lumber, glued together with the grain of each layer at an angle to that of the adjoining layer, to form a material having the general characteristics of a thin board.

(g) **Unreclaimed lumber.** Used lumber of any categories defined in (a) through (f) which has not been cleared of bolts, nails, or other foreign matter, and which if so cleared would meet the specifications of some grade of lumber defined in section 4.

(h) **Scrap lumber.** Lumber of any of the categories defined in (a) through (f) which, because of defects in quality or deficiencies in size, does not meet the grade specifications in section 4.

**SEC. 4. Grades.** The following are the grades of used lumber for which maximum prices are established by this order.

(a) **Grades of boards, dimension, planks, and timbers.** (1) Prime grade is used lumber in the form of boards, dimension, planks, or timbers which individually are at least 3' in length, and which are sound, strong, of uniform width and thickness, suitable for substantial construction purposes, free from loose or rotten knots, knot holes, and rot, cleared of bolts, nails, or other foreign matter, and without other defects which will materially impair the strength and serviceability of the piece.

(2) Secondary grade is used lumber in the form of boards, dimension, planks,

or timbers which individually are at least 3' in length, and which though falling to qualify as prime grade are reasonably good construction lumber. They must be free from rot and cleared of bolts, nails, or other foreign matter, but may contain loose knots, knot holes, or other defects which do not interfere with their use for construction purposes. Each piece must show at least 50% prime grade lumber.

(b) **Grades of flooring.** (1) Reclaimed flooring is used flooring of standard  $\frac{5}{16}$ " thickness, entirely free of nails or other foreign matter and with upper surface whole or free from voids or splits. A tolerance of  $\frac{1}{8}$ " in thickness will be permitted where flooring is worn or sanded. Not more than 25 percent of the tongue may be missing on any piece nor more than 25 percent of the lower surface representing the under part of the groove.

(2) Unreclaimed flooring is used flooring which meets the specifications for reclaimed flooring except that nails or other foreign matter have not been removed.

(c) **Grades of plywood.** (1) Prime grade is used plywood which is firmly bonded, free from rot, splits, foreign matter and holes other than nail holes, in pieces of square or rectangular shape at least four square feet in size, and having at least one smooth face suitable for painting.

(2) Secondary grade is used plywood in pieces at least two square feet in size, reasonably free from splits, holes and foreign matter, so that at least 75 percent of the piece meets the specifications for prime grade (except for size and shape).

**SEC. 5. Persons.** The term "person" includes an individual, corporation, partnership, association, or any other organized group of persons, or their legal successors or representatives; the United States, or any government, or any of its political subdivisions, or any agency of the foregoing.

**SEC. 6. Sales.** "Sale" includes a barter, exchange, lease or transfer, and an agreement or offer to sell, barter, exchange, lease or transfer.

**SEC. 7. Established yard.** Seller's established yard means premises occupied by the seller for the purpose of regularly and continually maintaining a stock of new and/or used lumber from various unrelated sources of supply.

#### ARTICLE III—SPECIFIC REQUIREMENTS

**SEC. 8. Posting ceiling prices.** Every person selling used lumber for delivery in, or from stock located in, the area covered by this order shall obtain from the Office of Price Administration at least two copies of the price schedules fixed in this order. One copy of such schedules must be posted and maintained in a prominent place at or near each location in the area where used lumber is offered for sale, in such manner that it can be easily read, and that purchasers can approach it within a distance of two feet. One other copy must be kept available so that it may be shown to and read by any customer at his request.

**SEC. 9. Sales slips and receipts.** Where a sale of used lumber is covered by this order and the total price of the sale is \$5 or more, the seller shall, regardless of his previous practice and whether or not requested by buyers, give to the buyer a sales slip, bill, receipt, or other written evidence of the sale, setting forth the following:

Name and address of seller.....  
Buyer's name.....  
Place of delivery.....  
Location from which stock is sold (seller's yard or site other than seller's yard).....  
Description of items sold and itemized prices (in terms of categories, grades, lengths, quantities and any other specification affecting the price).....  
Total price.....  
Additions (for delivery or other extra).....

**SEC. 10. Records and reports.** Every person who makes a sale of used lumber shall keep a record of such sale showing the name of the buyer and place of delivery, date of the sale, the grades sold, the quantities sold and the price charged in the same detail as required in section 9. Such records shall be kept for a period of 2 years or for the duration of the Emergency Price Control Act of 1942, as amended, whichever be the shorter.

#### ARTICLE IV—PROHIBITED PRACTICES AND PENALTIES

**SEC. 11. Sales of used lumber at higher than maximum prices prohibited.**

(a) On and after the effective date of this order, regardless of any contract or obligation, no person shall make a sale or delivery of used lumber of the varieties covered by this order and no person shall buy or receive such used lumber under a sale, at prices higher than the maximum prices fixed by this order; and no person shall agree, offer, or attempt to do any of these things.

(b) Prices lower than the maximum prices may, of course, be charged and paid.

**SEC. 12. Prohibited practices.** Any practice which is designed to get the effect of a higher than ceiling price is as much a violation of this order as a direct over-the-ceiling charge. Such practices include, but are not limited to, the following:

(a) Getting the effect of a higher price by changing the credit practices from what they were in March 1942. This includes decreasing credit periods, or making greater charges for extension of credit.

(b) Refusing to sell except in small quantities, or with or without delivery under circumstances which bring the seller an extra return.

(c) Wrongly grading used lumber for which maximum prices are fixed in this order; or incorrectly or incompletely recording the information required by section 9 to be set forth on the sales slip, receipt or other evidence of sale.

(d) 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.

(e) Charging, paying or receiving a commission for the service of procuring, buying, selling, or locating used lumber covered by this order, or for any related service which does not involve actual

physical handling of used lumber, if the commission plus the purchase price results in a total payment by the buyer of such used lumber which is higher than the maximum price permitted by this order. For the purpose of this order, a commission is any compensation, however designated, which is paid, wholly or in part, for the procurement of lumber, and which is based directly or indirectly on the quantity, price or value of the lumber in connection with which the service is rendered.

Sec. 13. *Penalties.* (a) Any person violating any provision of this order is subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for suspension of license provided for in the Emergency Price Control Act of 1942, as amended.

(b) Any person making a sale of used lumber covered by this order for which the total price is higher than \$5 and who either fails to give the buyer a sales slip, paid bill, receipt or other evidence of sale, or although such document is given, fails to set forth in it the information required to be set forth by section 9, so that a determination can be made as to whether or not the price charged was

proper, shall be limited to making a charge of \$5 per M'BM for all lumber delivered under such sale. The application or enforcement of this provision to a sale or against a seller shall not exclude the application or enforcement of the penalties provided in paragraph (a) of this section.

ARTICLE V—MAXIMUM PRICES

Sec. 14. Ceiling prices for any category of used lumber for which maximum prices are not fixed in this order are subject to the General Maximum Price Regulation.

Sec. 15. *Maximum prices.* New sellers shall establish their maximum prices.

(a) *Local sales out of seller's established yard.* When delivery is made at a seller's established yard of used lumber covered by this regulation, or by truck within a radius of 30 miles from such established yard, and the used lumber at the time the order is taken is a part of a stock at the seller's established yard, the maximum prices which may be charged are those set forth in Appendix A applicable to the zone defined therein in which the seller's yard is located.

(b) *Local sales from site other than the seller's established yard.* When a sale is made for delivery from stock located at a site other than the seller's established yard and delivery is made either at the site or by truck within a radius of 30 miles of such site, the maximum prices applicable to such sale shall be those set forth in Appendix A applicable in the zone in which the site is located, less \$2.00 per M'BM.

(c) *Deductions—*(1) *When delivery is by truck.* When a sale is made for delivery by truck to the buyer, either from an established yard or a site other than an established yard and delivery is to be made to the buyer at a point located further than 30 miles from the place where the shipment originates, the maximum prices determined by paragraphs (a) and (b) above shall be reduced by \$5.00 per M'BM.

(2) *When rail transportation is involved.* When a sale is made which involves a shipment by rail of used lumber, either by the buyer or seller, the maximum prices determined under Paragraphs (a) or (b) above must be reduced by \$5.00 per M'BM.

APPENDIX A—TABLE OF MAXIMUM PRICES FOR USED LUMBER

A. Boards; Dimension: Planks and Small Timbers; Large Timbers; Flooring.

MAXIMUM PRICES PER THOUSAND BOARD FEET

Zone I. All points in Region V to which the carload rail transportation rates for new lumber do not exceed 14 cents per cwt. from Alexandria, Louisiana.

Length.....	Prime grade			Secondary grade			Unre-claimed (all lengths)
	3'-5'	6'-20'	Over 20'	3'-5'	6'-20'	Over 20'	
<b>Boards:</b>							
Arkansas.....	\$22.25	\$32.25	\$34.25	\$16.25	\$26.25	\$28.25	\$12.50
Louisiana.....	23.25	33.50	35.50	17.50	27.50	29.50	12.50
Texas.....	24.75	34.75	36.75	18.75	28.75	30.75	12.50
<b>Dimension:</b>							
Arkansas.....	20.25	30.25	32.25	14.25	24.25	26.25	12.50
Louisiana.....	21.50	31.50	33.50	15.50	25.50	27.50	12.50
Texas.....	22.75	32.75	34.75	16.75	26.75	28.75	12.50
<b>Planks and small timbers:</b>							
Arkansas.....	24.25	34.25	36.25	18.25	28.25	30.25	12.50
Louisiana.....	25.50	35.50	37.50	19.50	29.50	31.50	12.50
Texas.....	26.75	36.75	38.75	20.75	30.75	32.75	12.50
<b>Large timbers:</b>							
Arkansas.....	25.25	35.25	37.25	19.25	29.25	31.25	12.50
Louisiana.....	26.50	36.50	38.50	20.50	30.50	32.50	12.50
Texas.....	27.75	37.75	39.75	21.75	31.75	33.75	12.50

	Reclaimed		Unre-claimed
	Soft-wood	Hard-wood	
<b>Flooring (any length):</b>			
Arkansas.....	\$32.25	\$42.25	\$12.50
Louisiana.....	33.50	43.50	12.50
Texas.....	34.75	44.75	12.50

Zone II. All points in Region V to which carload rail transportation rates for new lumber are more than 14 cents per cwt. and not in excess of 19 cents per cwt. from Alexandria, Louisiana.

Length.....	Prime grade			Secondary grade			Unre-claimed (all lengths)
	3'-5'	6'-20'	Over 20'	3'-5'	6'-20'	Over 20'	
<b>Boards:</b>							
Arkansas.....	\$23.50	\$33.50	\$35.50	\$17.50	\$27.50	\$29.50	\$12.50
Louisiana.....	24.75	34.75	36.75	18.75	28.75	30.75	12.50
Texas.....	26.00	36.00	38.00	20.00	30.00	32.00	12.50
<b>Dimension:</b>							
Arkansas.....	21.50	31.50	33.50	15.50	25.50	27.50	12.50
Louisiana.....	22.75	32.75	34.75	16.75	26.75	28.75	12.50
Texas.....	24.00	34.00	36.00	18.00	28.00	30.00	12.50
<b>Planks and small timbers:</b>							
Arkansas.....	25.50	35.50	37.50	19.50	29.50	31.50	12.50
Louisiana.....	26.75	36.75	38.75	20.75	30.75	32.75	12.50
Texas.....	28.00	38.00	40.00	22.00	32.00	34.00	12.50
<b>Large timbers:</b>							
Arkansas.....	26.50	36.50	38.50	20.50	30.50	32.50	12.50
Louisiana.....	27.75	37.75	39.75	21.75	31.75	33.75	12.50
Texas.....	29.00	39.00	41.00	23.00	33.00	35.00	12.50

	Reclaimed		Unre-claimed
	Soft-wood	Hard-wood	
<b>Flooring (any length):</b>			
Arkansas.....	\$33.50	\$43.50	\$12.50
Louisiana.....	34.75	44.75	12.50
Texas.....	36.00	46.00	12.50

Zone III. All points in Region V to which the carload rail transportation rates for new lumber from Alexandria, Louisiana, are more than 19 cents and not in excess of 24 cents per cwt.

Length	Prime grade			Secondary grade			Unre-claimed (all lengths)
	3'-5'	6'-20'	Over 20'	3'-5'	6'-20'	Over 20'	
<b>Boards:</b>							
Arkansas	\$24.25	\$34.25	\$38.25	\$18.25	\$28.25	\$32.25	\$12.50
Louisiana, Missouri, Oklahoma	25.75	35.75	37.75	19.75	29.75	31.75	12.50
Texas	27.25	37.25	39.25	21.25	31.25	33.25	12.50
<b>Dimension:</b>							
Arkansas	22.25	32.25	34.25	16.25	26.25	28.25	12.50
Louisiana, Missouri, Oklahoma	23.75	33.75	35.75	17.75	27.75	29.75	12.50
Texas	25.25	35.25	37.25	19.25	29.25	31.25	12.50
<b>Planks and small timbers:</b>							
Arkansas	26.25	36.25	38.25	20.25	30.25	32.25	12.50
Louisiana, Missouri, Oklahoma	27.75	37.75	39.75	21.75	31.75	33.75	12.50
Texas	29.25	39.25	41.25	23.25	33.25	35.25	12.50
<b>Large timbers:</b>							
Arkansas	27.25	37.25	39.25	21.25	31.25	33.25	12.50
Louisiana, Missouri, Oklahoma	28.75	38.75	40.75	22.75	32.75	34.75	12.50
Texas	29.25	40.25	42.25	24.25	34.25	36.25	12.50

	Reclaimed		Unre-claimed
	Soft-wood	Hard-wood	
<b>Flooring (any length):</b>			
Arkansas	\$34.25	\$44.25	\$12.50
Louisiana, Missouri, Oklahoma	35.75	45.75	12.50
Texas	37.25	47.25	12.50

Zone IV. All points in Region V to which carload rail transportation rates for new lumber from Alexandria, Louisiana, are more than 24 cents and not in excess of 29 cents per cwt.

Length	Prime grade			Secondary grade			Unre-claimed (all lengths)
	3'-5'	6'-20'	Over 20'	3'-5'	6'-20'	Over 20'	
<b>Boards:</b>							
Arkansas, except Texarkana, Arkansas	\$26.75	\$36.75	\$39.75	\$20.75	\$30.75	\$32.75	\$12.50
Missouri and Oklahoma	28.25	38.25	40.25	22.25	32.25	34.25	12.50
Texas, including Texarkana, Arkansas	29.75	39.75	41.75	23.75	33.75	35.75	12.50
<b>Dimension:</b>							
Arkansas, except Texarkana, Arkansas	24.75	34.75	36.75	18.75	28.75	30.75	12.50
Missouri and Oklahoma	26.25	36.25	38.25	20.25	30.25	32.25	12.50
Texas, including Texarkana, Arkansas	27.75	37.75	39.75	21.75	31.75	33.75	12.50
<b>Planks and Small Timbers:</b>							
Arkansas, except Texarkana, Arkansas	28.75	38.75	40.75	22.75	32.75	34.75	12.50
Missouri and Oklahoma	30.25	40.25	42.25	24.25	34.25	36.25	12.50
Texas, including Texarkana, Arkansas	31.75	41.75	43.75	25.75	35.75	37.75	12.50
<b>Large Timbers:</b>							
Arkansas, except Texarkana, Arkansas	29.75	39.75	41.75	23.75	33.75	35.75	12.50
Missouri and Oklahoma	31.25	41.25	43.25	25.25	35.25	37.25	12.50
Texas, including Texarkana, Arkansas	32.75	42.75	44.75	26.75	36.75	38.75	12.50

	Reclaimed		Unre-claimed
	Soft-wood	Hard-wood	
<b>Flooring (any length):</b>			
Arkansas, except Texarkana, Arkansas	\$36.75	\$46.75	\$12.50
Missouri and Oklahoma	38.25	48.25	12.50
Texas, including Texarkana, Arkansas	39.75	49.75	12.50

Zone V. All points in Region V, except points in the State of Kansas, to which carload rail transportation rates for new lumber from Alexandria, Louisiana, are more than 29 cents and not in excess of 34 cents per cwt.

Length	Prime grade			Secondary grade			Unre-claimed (all lengths)
	3'-5'	6'-20'	Over 20'	3'-5'	6'-20'	Over 20'	
<b>Boards:</b>							
Arkansas	\$27.75	\$37.75	\$39.75	\$21.75	\$31.75	\$33.75	\$12.50
Missouri and Oklahoma	29.25	39.25	41.25	23.25	33.25	35.25	12.50
Texas	30.75	40.75	42.75	24.75	34.75	36.75	12.50
<b>Dimension:</b>							
Arkansas	25.75	35.75	37.75	19.75	29.75	31.75	12.50
Missouri and Oklahoma	27.25	37.25	39.25	21.25	31.25	33.25	12.50
Texas	28.75	38.75	40.75	22.75	32.75	34.75	12.50
<b>Planks and small timbers:</b>							
Arkansas	29.75	39.75	41.75	23.75	33.75	35.75	12.50
Missouri and Oklahoma	31.25	41.25	43.25	25.25	35.25	37.25	12.50
Texas	32.75	42.75	44.75	26.75	36.75	38.75	12.50
<b>Large timbers:</b>							
Arkansas	30.75	40.75	42.75	24.75	34.75	36.75	12.50
Missouri and Oklahoma	32.25	42.25	44.25	26.25	36.25	38.25	12.50
Texas	33.75	43.75	45.75	27.75	37.75	39.75	12.50

	Reclaimed		Unre-claimed
	Soft-wood	Hard-wood	
<b>Flooring (any length):</b>			
Arkansas	\$37.75	\$47.75	\$12.50
Oklahoma & Missouri	39.25	49.25	12.50
Texas	40.75	50.75	12.50

Zone VI. All points in Region V (except points in the State of Kansas) to which carload rail transportation rates for new lumber from Alexandria, Louisiana, are more than 34 cents per cwt. and all points in Johnson, Wyandotte and Leavenworth Counties in the State of Kansas.

Length.....	Prime grade			Secondary grade			Unre-claimed (all lengths)
	3'-5'	6'-20'	Over 20'	3'-5'	6'-20'	Over 20'	
<b>Boards:</b>							
Arkansas.....	\$23.75	\$38.75	\$40.75	\$22.75	\$32.75	\$34.75	\$12.50
Oklahoma and Missouri.....	30.25	40.25	42.25	24.25	34.25	36.25	12.50
Texas.....	32.00	42.00	44.00	26.00	36.00	38.00	12.50
<b>Dimension:</b>							
Arkansas.....	26.75	36.75	38.75	20.75	30.75	32.75	12.50
Oklahoma and Missouri.....	28.25	38.25	40.25	22.25	32.25	34.25	12.50
Texas.....	30.00	40.00	42.00	24.00	34.00	36.00	12.50
<b>Planks and small timbers:</b>							
Arkansas.....	30.75	40.75	42.75	24.75	34.75	36.75	12.50
Oklahoma and Missouri.....	32.25	42.25	44.25	26.25	36.25	38.25	12.50
Texas.....	34.00	44.00	46.00	28.00	38.00	40.00	12.50
<b>Large timbers:</b>							
Arkansas.....	31.75	41.75	43.75	25.75	35.75	37.75	12.50
Oklahoma and Missouri.....	33.25	43.25	45.25	27.25	37.25	39.25	12.50
Texas.....	35.00	45.00	47.00	29.00	39.00	41.00	12.50

Flooring (any length):	Reclaimed		Unre-claimed
	Soft-wood	Hard-wood	
Arkansas.....	\$38.75	\$49.75	\$12.50
Oklahoma & Missouri.....	40.00	50.00	12.50
Texas.....	40.00	50.00	12.50

Zone VII. All points in the State of Kansas, excepting in Johnson, Wyandotte and Leavenworth Counties.

Length.....	Prime grade			Secondary grade			Unre-claimed (all lengths)
	3'-5'	6'-20'	Over 20'	3'-5'	6'-20'	Over 20'	
<b>Boards: Kansas.....</b>	\$31.50	\$41.50	\$43.50	\$25.50	\$35.50	\$37.50	\$12.50
<b>Dimension: Kansas.....</b>	29.50	39.50	41.50	23.50	33.50	35.50	12.50
<b>Planks and small timbers: Kansas.....</b>	33.50	43.50	45.50	27.50	37.50	39.50	12.50
<b>Large timbers: Kansas.....</b>	34.50	44.50	46.50	28.50	38.50	40.50	12.50

Flooring (any length): Kansas.....	Reclaimed		Unre-claimed
	Soft-wood	Hard-wood	
	\$40	\$50	\$12.50

B. Plywood (all zones)

MAXIMUM PRICE PER SQUARE FOOT

Thickness (inches):	Prime grade	Secondary grade
	Cents	Cents
1/4.....	3.5	2.5
3/8.....	4.5	3.5
1/2.....	6.0	4.5
5/8.....	7.0	5.5
3/4.....	8.0	6.0

Intermediate thicknesses take the price of the next greater thickness listed.

C. For sales of less than \$10.00 any of the above prices in A. & B. may be increased by 10 percent. The dollars-and-cents amount of such increase must be shown separately on the sales ticket or customer's invoice.

D. Scrap Lumber. \$5.00 per ton of 2,000 pounds.

SEC. 16. Additions for delivery. (a) If the buyer requests delivery within a free delivery zone which the seller recognized during March 1942, the seller may not charge for making the delivery.

(b) If the buyer requests delivery outside the free delivery zone which the seller recognized during March 1942, the seller may add a charge for delivery as follows:

(1) Where delivery is by common or contract carrier, the seller may add the actual amount paid to the carrier not to exceed the carrier's legally established rates.

(2) Where delivery up to 100 miles is by truck owned or controlled by the seller, the amount added for delivery may not be higher than 10 cents per M'BM for each mile to place of delivery, but not for any part of the return trip. When truck delivery over 100 miles is to be made, the addition may not be more than 10 cents per M'BM for each mile from the point of origin to the nearest possible point of rail loading-out plus the amount of rail transportation from there to destination.

(3) A minimum charge of 75 cents may be made on any delivery, where the permissible charges do not amount to 75 cents.

(c) If the buyer elects to take delivery at the site of the lumber or at the seller's established yard, no reduction in price shall be required for that reason.

This order may be amended, modified or revoked at any time.

This order shall be effective November 5, 1945.

Issued at Dallas, Texas, this 16th day of October 1945.

W. A. ORTH,  
Regional Administrator.

[F. R. Doc. 45-20193; Filed, Nov. 1, 1945; 1:38 p. m.]

[Region V Order G-4 Under MPR 329]

FLUID MILK IN BRYAN, TEX., AREA

For the reasons set forth in the accompanying opinion and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1351.408 (b) of Maximum Price Regulation No. 329, It is hereby ordered:

(1) Any purchaser of milk located in the Bryan Area, as hereinafter defined, who uses the provisions of § 1351.402, paragraphs (a) or (b), of Maximum Price Regulation No. 329 for the determination of his maximum prices for the purchase of milk, shall be allowed to pay the sum of \$3.75 per cwt. for milk testing 4% butterfat and may use the following adjustment for milk containing more or less than 4% butterfat:

(a) Where the butterfat test of the milk actually purchased is less than 4%, reduce by 5¢ for each 1/10 of 1% that such butterfat test is less than 4% from the base price of \$3.75 per cwt.

(b) Where the butterfat test of the milk actually purchased is more than 4%, increase by 5¢ for each 1/10 of 1% that such butterfat test is in excess of 4% the maximum of \$3.75 per cwt.

(2) The "Bryan Area," as used herein, shall be deemed to include all sellers in and around the cities of Bryan, Texas and College Station, Texas who distribute more than 50% of their approved fluid milk within, the cities of Bryan, Texas and College Station, Texas.

(3) This order may be revoked, amended, or corrected at any time.

This order shall become effective October 23, 1945.

Issued this 23d day of October 1945.

W. A. ORTH,  
Regional Administrator.

Approved:

C. M. EVANS,  
Officer in Charge, Dairy & Poultry Branch, Production and Marketing Administration, U. S. Department of Agriculture, Southwest Field Office, Dallas, Texas.

[F. R. Doc. 45-20194; Filed, Nov. 1, 1945; 1:38 p. m.]

[Region VII Order G-6 under RMPR 122, Revocation]

SOLID FUELS IN JACKSON, WYO., AREA

Order No. G-6 under Revised Maximum Price Regulation No. 122, revocation. Specific maximum prices for bituminous coal sold and delivered by dealers in the Jackson area of the State of Wyoming. Docket No. 7-122-259 (a) (1)-24a.

Pursuant to the Emergency Price Control Act of 1942, as amended, the Sta-

bilization Act of 1942, as amended, § 1340.259 (a) (1) and the reservation contained in paragraph (f) thereof, Order No. G-6 under Revised Maximum Price Regulation No. 122 and all amendments thereto are, for the reasons set forth in the accompanying opinion, hereby revoked.

**Effective date.** This revocation shall become effective on the 19th day of October 1945.

Issued this 19th day of October 1945.

RICHARD Y. BATTERTON,  
Regional Administrator.

[F. R. Doc. 45-20195; Filed, Nov. 1, 1945; 1:39 p. m.]

[Region VII Order G-31 under RMPR 122]

SOLID FUEL IN WYOMING

Order No. G-31 Under Revised Maximum Price Regulation No. 122 adjusted maximum prices for coal sold by trucker-dealers, delivered to consumers anywhere in the State of Wyoming outside of areas now covered by a regional order. Docket No. 7-122-259 (a) (1)-30.

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and § 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, and for the reasons set forth in the accompanying opinion, this Order No. G-31 is issued.

(a) **What this order does.** This Order No. G-31 establishes maximum prices for delivered sales of coal made by trucker-dealers, as herein refined, to consumers in the State of Wyoming on the basis of the cost to the trucker-dealer f. o. b. the mine or preparation facility plus graduated allowances for load-miles necessarily traveled.

(b) **Maximum prices.** On and after the effective date of this Order No. G-31, the maximum prices per ton for coal sold by a trucker-dealer delivered to a consumer anywhere in the State of Wyoming outside of the areas or communities now covered by a general order, an individual order, or a letter order issued by this Regional Office shall be the actual cost per ton to the trucker-dealer f. o. b. the mine or preparation facility, not, however, to exceed the producer's duly established maximum price, plus the applicable allowance for load-miles traveled, as set forth in the following:

TABLE OF ALLOWANCES

Load-miles traveled:	Amount that may be added to f. o. b. mine cost
0 to 10.....	\$1.75
10 to 20.....	2.10
20 to 30.....	2.45
30 to 40.....	2.80
40 to 50.....	3.15
50 to 60.....	3.50
60 to 70.....	3.85
70 to 80.....	4.20
80 to 90.....	4.55
90 to 100.....	4.90
Over 100 miles.....	( <sup>1</sup> )

<sup>1</sup>5¢ per ton for each load-mile traveled.

(c) **Special service charges.** If, at the request of the buyer, the trucker-

dealer performs one or more of the following services: "Wheel-in", "pull-back" or "trimming" carrying up or down stairs, or delivery in less than a two-ton lot, he may, if he shows the same separately upon his invoice, make the following additional charges:

	For ton	For 1/2 ton
"Wheel-in".....	\$3.50	\$3.25
"Pull-back" or "trimming".....	.25	.15
Carrying up or down stairs.....	1.00	.60
Delivery in less than 2-ton lots.....	1.25	.....

<sup>1</sup>For ten additional.

(d) **Relation to other orders and regulations.** Section 1340.254 of Revised Maximum Price Regulation No. 122 is hereby superseded and has no application to sales made by trucker-dealers under this Order No. G-31, except insofar as otherwise provided by paragraph (e) hereof. However, all other provisions of Revised Maximum Price Regulation No. 122 that are not contradictory or inconsistent with the terms and provisions of this Order No. G-31 remain in full force and effect and must be complied with by such trucker-dealers.

(e) **Higher established maximum prices may be maintained.** If any trucker-dealer has heretofore duly established delivered maximum prices for sales of coal covered by this Order No. G-31 in accordance with § 1340.254 of Revised Maximum Price Regulation No. 122 and has filed such duly established prices with the Cheyenne, Wyoming, District Office of the Office of Price Administration on Form 653-40, he may continue to charge and collect such higher maximum prices for such sales.

(f) **Definitions.** (1) The term "trucker-dealer", as used in this Order No. G-31, means a person who purchases coal f. o. b. a mine or preparation facility and transports the same by truck, and sells to consumers on a delivered basis and does not have a rail connected yard where he receives coal by rail.

(2) "Load-miles traveled" means the distance necessarily traveled by the loaded truck over the most direct route from the mine or preparation facility to the place where unloading takes place upon delivery to the purchaser.

(3) "Wheel-in" means to transport coal from the vehicle in which delivery is made or from the nearest accessible point of dumping or unloading and place the same in the buyer's bin or storage space, when the physical condition of the premises is such as to prevent dumping or unloading into such bin or storage space.

(4) "Pull-back" or "trimming" means to arrange and place coal in the buyer's bin by rehandling the same for the purpose of filling the bin, and applies only to the amount of coal actually rehandled.

(5) "Carrying up or down stairs" means the labor involved in carrying coal up or down stairs for depositing in the customer's bin or storage space.

(6) "Delivery in less than two-ton lots" means delivery of a quantity of less than two tons on a single order.

(g) **Invoice covering sale.** A trucker-dealer making a sale and delivery under

this Order No. G-31 must at the time of the transaction deliver to the buyer an invoice plainly indicating thereon:

(1) The name of the mine from which he purchased the coal in question and the f. o. b. mine price;

(2) The number of miles traveled with his load and his charge therefor;

(3) Each service charge made by him.

(h) **Licensing.** The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or order. A seller's license may be suspended for violation 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.

(i) **Right to revoke or amend.** This order may be revoked, modified or amended at any time by the Price Administrator or the Regional Administrator.

**Effective date.** This Order No. G-31 shall become effective on the 19th day of October 1945.

Issued this 19th day of October, 1945.

RICHARD Y. BATTERTON,  
Regional Administrator.

[F. R. Doc 45-20186; Filed Nov. 1, 1945; 1:39 p. m.]

[Region VII Order G-81 under MPR 123]

ROSE MFG. CO. ET AL.

ESTABLISHMENT OF MAXIMUM PRICES

Order No. G-81 Under Maximum Price Regulation No. 188 authorized maximum prices for certain durable goods manufactured by Rose Manufacturing Company, Denver, Colorado, when sold by the manufacturer and specified resellers. Docket No. 7-188-158-148.

Pursuant to the Emergency Price Control Act of 1942, as amended, and §§ 1493.158 and 1499.158a of Maximum Price Regulation No. 188, and for the reasons set forth in the accompanying opinion, this Order No. G-81 is issued.

(a) **What this order does.** This Order No. G-81 establishes maximum prices for certain durable goods manufactured by Rose Manufacturing Company, Denver, Colorado, when sold at the specified levels.

(b) **Authorized maximum prices.** Upon and after the effective date of this Order No. G-81, the maximum prices for the Wallet with Secretary, Models Nos. 30, 31, and 32; Key Case, Model No. 25; Coin Purse, Double Compartment, Model No. 5; Coin Purse, One Compartment, Model No. 0; and Zipper Coin Purse, Model No. 10, manufactured by Rose Manufacturing Company, a partnership, of 1731 Arapahoe Street, Denver, Colorado, in accordance with the specifications set forth in the application of said manufacturer now on file in this Regional Office as a part of the record in this case, shall be as follows:

(1) When sold by the manufacturer to a jobber or a wholesaler:

	<i>Per dozen</i>
Wallet with Secretary, Model No. 30	\$24.40
Wallet with Secretary, Model No. 31	28.80
Wallet with Secretary, Model No. 32	34.56
Key Case, Model No. 25	4.32
Coin Purse, Double Compartment, Model No. 5	4.80
Coin Purse, One Compartment, Model No. 0	3.36
Zipper Coin Purse, Model No. 10	4.52

(2) When sold by the manufacturer, a jobber or a wholesaler to a retailer:

	<i>Per dozen</i>
Wallet with Secretary, Model No. 30	\$30.50
Wallet with Secretary, Model No. 31	36.00
Wallet with Secretary, Model No. 32	43.20
Key Case, Model No. 25	5.40
Coin Purse, Double Compartment, Model No. 5	6.00
Coin Purse, One Compartment, Model No. 0	4.20
Zipper Coin Purse, Model No. 10	5.65

(3) When sold by any seller to an ultimate consumer or user:

	<i>Each</i>
Wallet with Secretary, Model No. 30	\$4.25
Wallet with Secretary, Model No. 31	5.00
Wallet with Secretary, Model No. 32	6.00
Key Case, Model No. 25	.75
Coin Purse, Double Compartment, Model No. 5	.85
Coin Purse, One Compartment, Model No. 0	.59
Zipper Coin Purse, Model No. 10	.79

NOTE: (1) The maximum prices as above set forth for sales other than sales to ultimate consumers are subject to a discount of 2% for payment within 10 days from date of invoice, net 30 days.

(ii) The above prices are for sales f. o. b. shipping point, and include all costs incident to wrapping, packing, boxing, and carting.

(c) *Notice to be given purchasers for resale and tagging with maximum price at retail level.* When the manufacturer or any other seller makes a first sale under this Order No. G-81 to a person who purchases it for resale, other than at the retail level, he must show upon the invoice or on a separate slip or rider attached thereto the applicable resale price as set forth in paragraph (b) above. The manufacturer must attach to each of the articles in question, by any suitable means, a tag plainly marked "Maximum price when sold by any seller to an ultimate consumer or user, \$-----"

(d) *Applicability of other regulations.* The pricing provisions of the General Maximum Price Regulation have no application to the prices established by this Order No. G-81 for sales by the manufacturer or any reseller.

(e) *Geographical applicability.* The maximum prices authorized by this Order No. G-81 for resellers are applicable only to sales made within this Region VII, which includes the States of Colorado, Montana, New Mexico, Utah, and Wyoming, and all that part of the State of Idaho lying south of the southern boundary of Idaho County, the County of Malheur in the State of Oregon, and all that part of the Counties of Mohave and Coconino in the State of Arizona lying north of the Colorado River.

(f) *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or order. A seller's license may be suspended for violation 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.

(g) *Right to revoke or amend.* This order may be revoked, modified, or amended at any time by the Price Administrator or the Regional Administrator.

*Effective date.* This Order No. G-81 shall become effective on the 25th day of October 1945.

Issued this 25th day of October 1945.

RICHARD Y. BATTERTON,  
Regional Administrator.

[F. R. Doc. 45-20197; Filed, Nov. 1, 1945; 1:39 p. m.]

[Region VIII Order G-13 Under RMPR 251]

PLUMBING AND HEATING SERVICES IN WASHINGTON AND IDAHO

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by section 9 of Revised Maximum Price Regulation No. 251, it is hereby ordered:

(a) *Geographical applicability.* This order applies to sellers located in Northern Idaho, southward to and including Idaho County, and in the State of Washington with the exception of Clark, Cowlitz, Klickitat, Skamania, and Wahkiakum Counties, which are covered by Order No. G-7 under Revised Maximum Price Regulation No. 251. This territory is divided for pricing purposes into the following three areas:

*Area 1.* In the State of Washington: Kitsap County and the Seattle Metropolitan area, the boundary of which proceeds as follows: Commencing at the northwest corner of Woodway Park eastward along the northern boundary line of such park and along an extension of said line to a point north of the northernmost point of Lake Ballinger; thence due south to Lake Ballinger and southward along the western shore of said lake to the northern boundary of King County; thence eastward along said county boundary to a point north of the easternmost limit of Kenmore; thence due south to Lake Washington; thence southward along the western shore of Lake Washington to the southernmost point of said lake; thence due east to a point north of the easternmost limit of Renton; thence due south to Renton and southward along the boundary of said city to East Valley Road; thence southward along said road to a point midway between the northern and southern boundaries of Section 8, Township 22 North, Range 3, East Willamette Meridian; thence due west to Puget Sound; thence northward along the eastern shore of Puget Sound to the point of beginning.

*Area 2.* The remainder of the part of the State of Washington covered by this order and lying west of the crest of the Cascade Mountains.

*Area 3.* The remainder of the part of the State of Washington covered by this order and lying east of the crest of the

Cascade Mountains; and the following Counties in the State of Idaho: Benewah, Bonner, Boundary, Clearwater, Idaho, Kootenai, Latah, Lewis, Nez Perce, and Shoshone.

(b) *Maximum prices.* The maximum price of plumbing and heating services in the areas described above is the sum of a charge for labor, the maximum price of the materials used, and such other charges as may be permitted by this order. The maximum charge for labor shall be the sum of the number of hours of labor performed in each category multiplied by the maximum hourly rate applicable to that category, as provided by subparagraph (b) (1). The maximum price of the materials used shall be determined as is provided by subparagraph (b) (2). The maximum prices established by this order include all expenses; no fees, commissions, or other charges, as for rental or use of equipment or other incidental services, may be charged except as may be otherwise specified in this order.

(1) *Maximum labor charge.* (i) The maximum hourly rate shall be either the rate in Column A or the labor cost per hour multiplied by the percentage in Column B, rounded out to the nearest 5 cents, whichever is lower:

	In area 1		In area 2		In area 3	
	Col. A	Col. B	Col. A	Col. B	Col. A	Col. B
Journeyman plumber.	\$3	Pct. 170	\$2.76	Pct. 160	\$2.60	Pct. 165
Apprentice plumber, semiskilled and common labor	2	160	1.76	160	1.60	160

(ii) *Overtime.* If overtime work is performed for which employees are actually paid 1½ or 2 times the straight time or normal wage rate, then in determining the maximum hourly rate for such work the hourly rate stated in Column A may be increased by 1½ or 2 times, as the case may be. However, the maximum hourly rate provided by subparagraph (b) (1) (i) above, may not be increased unless the overtime work is performed at the customer's request and unless it is performed on Saturdays, Sundays, holidays, or between the hours of 5:00 p. m. and 8:00 a. m.

(iii) *Measurements of hours.* The number of hours to be charged against any job is to be counted from the time the workman leaves the shop or the previous job (whichever is later) until he completes the job if he proceeds to another job, or until he returns to the shop if he proceeds there directly. For any job extending into more than one day, time in transit to or from the job may be charged only once. The hours for which charges are made shall not exceed those shown on the seller's payroll records nor those shown on any records or invoices which this order may require the seller to prepare or keep.

(iv) *Minimum charge.* If a job requires less than one man-hour, there may be collected a minimum charge equal to the rate for one hour.

(v) A Journeyman plumber doing his own work shall take as his labor cost the

labor cost applicable to journeyman plumbers.

(2) *Materials.* The maximum price of any new material shall be the highest price charged for such material by the seller during March 1942, or the price published as of the date of issuance of this order, in Moore's Price Service, published by Moore's Price Service, Inc., Lloyd Building, Seattle 1, Washington, whichever is lower. The maximum price of any used materials or any new materials which cannot be priced as provided above, shall be the seller's maximum price determined under the appropriate maximum price regulation.

(3) *Other charges*—(i) *Outside sewer stoppage removal.* A minimum charge not to exceed \$5.00 may be made for outside sewer stoppage removal subject to Revised Maximum Price Regulation No. 251, where total applicable hourly rate does not exceed this amount. If, because of employment of power-driven equipment, maximum hourly rates were in effect during March 1942, and records are available to substantiate such rates, then the same rates may be continued for this type of work.

(ii) *Out of town travel expenses.* A seller who furnishes men on "out of town" work for the installation of building materials, shall be reimbursed to the extent of the amount he shall have to pay for travel expense and subsistence where this work necessitates the men being away from their home office. This item must be explained to customer prior to starting the work and invoiced properly as a separate item. Subsistence cannot be collected unless employer actually pays employee.

(c) *Definitions.* (1) "Plumbing and heating services" means plumbing installation, repair and maintenance services, the sale of installed plumbing materials, and the installation of oil burners, feed lines, and automatic sprinklers. "Plumbing" means gas, water, and steam distribution or waste removal systems.

(2) "Labor cost" means the wage rates in effect on October 3, 1942, or wage rates which have been established by proper governmental agencies, but not in excess of the wage actually paid.

(d) *Jobs selling for more than \$350.00.* The maximum price of jobs in excess of \$350.00 shall be the maximum price calculated under this order but shall not exceed a price calculated under section 7 of Revised Maximum Price Regulation No. 251, using the sum of labor costs, material costs, direct costs, and a margin not exceeding the margin used on the most comparable job in the period January 1, 1939, to March 31, 1942, or, for sellers not in business in March 1942, a margin not exceeding 30% of the sum of labor and material and other direct costs.

(e) *Guaranteed prices.* A seller may supply plumbing and heating services covered by this order on the basis of a guaranteed price, the seller agreeing to charge a fixed amount, but such guaranteed price may not exceed the maximum price established by this order, and with respect to such job the seller shall keep records and furnish invoices as required by other provisions of this order.

(f) *Notification to purchasers.* Every person making sales subject to this order shall furnish to the customer an invoice or sales slip on which he has itemized charges for materials and labor (including wage rates and hours of labor) and any other additions permitted by this order, and on which he has certified that the price charged does not exceed the prices permitted by this Order No. G-13 under Revised Maximum Price Regulation No. 251. In the case of sales subject to paragraph (d) (Jobs Selling for More than \$350.00), invoices or sales slips need show only total charges for labor, materials, and other additions.

(g) *Records.* Duplicates of the invoices or sales slips required by paragraph (f) shall be kept by the seller at his place of business. Additionally, every person making sales subject to this order shall keep a permanent record of all employee's time and materials consumed for each job. The material used on a job shall be listed according to the trade names and shall be properly identified according to the serial number and grade. The job cards showing both the time and material consumed shall be signed by the employee. Travel time or other additions permitted in this order shall be clearly listed as such on the record. All of such records shall be available for inspection at any time by the Office of Price Administration.

(h) This order supersedes sections 6, 7, and 8 of Revised Maximum Price Regulation No. 251 with respect to the plumbing and heating services to which it relates, except where it is otherwise provided herein.

(i) This order may be amended, corrected, or revoked at any time.

This order shall become effective October 21, 1945.

Issued this 12th day of October 1945.

BEN C. DUNWAX,  
Regional Administrator.

[F. R. Doc. 45-20198; Filed, Nov. 1, 1945;  
1:40 p. m.]

## SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 59-29, 54-128, 59-12, 54-51]

### PENNSYLVANIA POWER & LIGHT CO. ET AL. ORDER APPROVING APPLICATIONS AND PERMITTING 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 26th day of October, A. D. 1945.

In the matter of Pennsylvania Power & Light Company, National Power & Light Company and Electric Bond and Share Company, File No. 59-29; Pennsylvania Power & Light Company, National Power & Light Company and Electric Bond and Share Company, File No. 54-128; Electric Bond and Share Company, National Power & Light Company, et al., File No. 59-12; Electric Bond and Share Company, National Power & Light Company, Pennsylvania Power & Light Company, Lehigh Valley Transit Company, The Ed-

ison Illuminating Company of Easton, et al., File No. 54-51; Applications 8, 9, and 10.

The Commission having, on July 25, 1941, entered an order instituting proceedings pursuant to sections 11 (b) (2), 12 (c), and 15 (f) of the Public Utility Holding Company Act of 1935 directed to Pennsylvania Power & Light Company ("Pennsylvania"), National Power & Light Company ("National"), and Electric Bond and Share Company ("Bond and Share"), and Pennsylvania and National having jointly requested a continuance of such proceeding pending completion of a plan for the recapitalization of Pennsylvania as a part of a program for the dissolution of National ordered by this Commission pursuant to section 11 (b) (2) of the act on August 23, 1941; and

Pennsylvania, National, and Bond and Share having jointly filed a plan of recapitalization for Pennsylvania, and amendments thereto, such plan proposing, in addition to a refunding consummated pursuant to our order dated September 26, 1945, the following transactions: (1) The making of certain capital contributions by National, the corporate parent of Pennsylvania, resulting in the creation of capital surplus, (2) the making of certain accounting adjustments by Pennsylvania to comply with orders of the Federal Power Commission and the Pennsylvania Public Utility Commission and for other purposes, (3) the issuance of 1,818,719 shares of new common stock by Pennsylvania through an offer of rights to subscribe to such shares to National which will in turn offer such rights to its own stockholders on a pro-rata basis at \$10 per share, (4) the exchange of 440,000 shares of new cumulative preferred stock for a like number of shares of \$7, \$6, and \$5 cumulative preferred stock presently outstanding and the redemption of the remaining shares of such \$7, \$6 and \$5 preferred stock not so exchanged, and (5) the amending of the corporate charter to give the new cumulative preferred stock special voting rights in the event of dividend defaults and in the event of certain corporate actions and to place certain limitations on the payment of common stock dividends; and

Lehigh Valley Transit Company ("Transit") having filed an amendment to an application previously filed (File No. 54-51, Application 9, which amendment requests that Transit be permitted to exchange its holdings of 15,469 shares of Pennsylvania's preferred stock for new 4½% preferred stock of Pennsylvania and to receive the call price of \$110 per share for any shares not selected for exchange as provided in Pennsylvania's plan; and

National and The Edison Illuminating Company of Easton ("Edison Illuminating") having requested permission to withdraw a joint application previously filed (File No. 54-51, Application 8), which application requested permission for Edison Illuminating to dispose of certain assets and redeem a portion of its capital stock, and for National to transfer the capital stock as so reduced to Pennsylvania as a capital contribution, for the reason that the action con-

templated under the plan provides for the transfer of such capital stock to Pennsylvania without prior reduction; and

Pennsylvania having requested that the Commission enter an order finding that the proposed issue and sale of 440,000 shares of new preferred stock, any interim deposit certificates issued in connection therewith, the issue and sale of 1,818,719 shares of new common stock by Pennsylvania, and the issuance of any rights to subscribe thereto by Pennsylvania and the assignment of any such rights by National to its stockholders, the receipt of cash by Transit for any of the 15,469 shares of \$7 preferred stock of Pennsylvania not exchanged for new preferred stock of Pennsylvania, and the transfer of 12,317 shares of the capital stock of The Edison Illuminating Company of Easton by National to Pennsylvania are necessary and appropriate to the integration or simplification of the holding company system of which parties to the plan are members and necessary or appropriate to effectuate the provisions of section 11 (b) of the act, and that such order conform to the pertinent requirements of Sections 371 and 1808 of the Internal Revenue Code, as amended, and contain the recitals, specifications, and itemizations therein required; and

The Commission having consolidated proceedings with respect to Pennsylvania, National, and Bond and Share under sections 11 (b) (2) and 11 (e) and a public hearing having been held, after appropriate notice, at which hearing security holders of Pennsylvania, National, and Bond and Share and other interested persons were afforded an opportunity to be heard and at which hearing requests for specific findings, briefs, and oral argument were waived with respect to the transactions proposed in the plan; and

The Commission having considered the record and having entered its findings and opinion herein and deeming it appropriate in the public interest and in the interest of investors and consumers to approve Pennsylvania's plan of recapitalization, subject to certain conditions and reservations of jurisdiction herein-after ordered:

*It is ordered*, That pursuant to the applicable provisions of the act and the rules and regulations promulgated thereunder, the aforesaid plan of recapitalization and the declaration and applications incident thereto are approved and permitted to become effective, subject, in addition to the terms and conditions contained in Rule U-24, to the following conditions:

(1) That a copy of our findings and opinion herein and a copy of this order be mailed to all preferred stockholders of Pennsylvania in connection with the solicitation of preferred stock for exchange and to all common stockholders of National in connection with the offer to them of rights to subscribe to Pennsylvania common stock;

(2) That Pennsylvania make some appropriate disposition of the Edison Illuminating stock within a period of one year from the date of this order.

*It is further ordered*, That jurisdiction be, and hereby is, reserved over all legal

fees and expenses proposed to be paid in connection with the transactions incident to the plan, including fees and expenses of financial advisers and fees of counsel for the dealer-managers effecting the preferred stock exchange and with respect to provisions to be contained in the offer of rights by National to protect the interests of members of the armed services who, because of being overseas, are not in a position to either exercise or sell their rights.

*It is further ordered*, That the application of Lehigh Valley Transit Company (designated Application 9, File No. 54-51), as amended, to exchange its 15,469 shares of Pennsylvania's preferred stock, which it owns for new 4½% preferred stock of Pennsylvania and to receive the call price of \$110 per share for any share not selected by lot for exchange as provided for in Pennsylvania's plan is approved subject to the condition that our jurisdiction over the status of this intercorporate holding shall not be deemed to be prejudiced by virtue of Transit's receiving shares of new preferred and cash for shares of the old preferred now held by Transit.

*It is further ordered*, That the issues, distributions, transfers and exchanges of securities and the transactions specified and itemized below, all as provided by the plan, are necessary or appropriate to the integration and simplification of the holding company system of which Pennsylvania, National, Bond and Share and Transit are members, and are necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935:

(1) The issuance by Pennsylvania of 440,000 shares of new preferred stock of \$100 par value and the exchange thereof for an equal number of shares of old preferred stocks of Pennsylvania, without nominal or par value, theretofore outstanding, and the issuance of interim deposit certificates incident to such exchange.

(2) The transfer by Transit to Pennsylvania of that portion of the 15,469 shares of Preferred (\$7) Stock of Pennsylvania owned by it which are not exchanged for new preferred stock pursuant to the Exchange Offer and the payment by Pennsylvania to Transit of the redemption price thereof as set forth in the Plan.

(3) The transfer by National to Pennsylvania as a capital contribution of 12,317 shares of the capital stock of The Edison Illuminating Company of Easton.

(4) Distribution by Pennsylvania and the receipt thereof by its common stockholders of rights to subscribe to 1,818,719 shares of common stock without nominal or par value of Pennsylvania.

(5) The distribution by National to its common stockholders of rights to subscribe on a pro rata basis to 1,818,700 shares of common stock of Pennsylvania.

(6) The issuance by Pennsylvania of 1,818,719 shares of common stock without nominal or par value.

*It is further ordered*, That the application of National and The Edison Illuminating Company of Easton to withdraw an application previously filed

(designated Application 8, File No. 54-51) be, and hereby is, granted.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 45-20199; Filed, Nov. 1, 1945;  
2:34 p. m.]

[File Nos. 59-17, 59-11, 54-25]

UNITED LIGHT AND POWER CO. ET AL.

ORDER GRANTING PETITION OF TRUSTEE TO INTERVENE

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 30th day of October, A. D. 1945.

In the matter of The United Light and Power Company, The United Light and Railways Company, American Light & Traction Company, Continental Gas & Electric Corporation, United American Company, and Iowa-Nebraska Light and Power Company, respondents, File No. 59-17; The United Light and Power Company and its subsidiary companies, respondents, File No. 59-11; The United Light and Power Company, applicant, File No. 54-25; Application No. 25.

The Commission having on September 20, 1945 issued its Notice of Filing and Order for Hearing with respect to Application No. 25 filed by The United Light and Railways Company and its subsidiary, Continental Gas & Electric Corporation, both registered holding companies, pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935;

The Cleveland Trust Company, Trustee under the debenture agreements relating to the outstanding 5½% debentures of The United Light and Railways Company and the 5% debentures of Continental Gas & Electric Corporation, having filed a written petition for leave to intervene in these proceedings; and

The Commission having considered said petition for intervention and deeming it appropriate to permit said Trustee to intervene,

*It is ordered*, That the petition of The Cleveland Trust Company for leave to intervene be, and the same hereby is, granted.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 45-20200; Filed, Nov. 1, 1945;  
2:34 p. m.]

[File No. 70-1169]

NORTHERN NATURAL GAS CO.

SUPPLEMENTAL ORDER PERTAINING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 30th day of October 1945.

Northern Natural Gas Company, a registered holding company and a subsidiary of North American Light & Power Company and The North American Company, both of which are registered holding companies, having filed a declaration and amendments thereto pursuant to Sections 6 and 7 of the Public Utility Holding Company Act of 1935 and Rule

U-50 promulgated thereunder, regarding the issuance and sale at competitive bidding of \$25,000,000 principal amount of serial debentures to mature serially, \$1,500,000 principal amount in each of the years 1950 to 1955, inclusive, and \$1,600,000 principal amount in each of the years 1956 to 1965, inclusive, and the application of the net proceeds from the sale of the serial debentures, together with general funds of the company, to the redemption of its outstanding first mortgage and first lien Bonds, Series A, 3 3/4%, due 1961, in the principal amount of \$16,000,000, at the redemption price of \$16,480,000 (103% of the principal amount thereof) and to the construction of additional property and facilities estimated in the amount of \$10,179,000; and

The Commission having by order dated October 19, 1945, permitted the amended declaration to become effective subject to the condition that the proposed issuance and sale of securities should not be consummated until the results of competitive bidding pursuant to Rule U-50 shall have been made a matter of record in this proceeding and a further order shall have been entered by the Commission in the light of the record so completed; and

Northern Natural Gas Company having filed a further amendment to the amended declaration setting forth the action taken to comply with the requirements of Rule U-50 and stating that, pursuant to the invitation for competitive bids, five bids on the 1950-55 serial debentures by four groups of underwriters and a group of commercial banks, and four bids on the 1956-65 serial debentures by four groups of underwriters, headed by the firms set forth below were received:

For the 1950 to 1955 Serial Debentures:

Bidder	Coupon rate	Price to company <sup>1</sup> (percent of principal amount)	Net interest cost to company
	Percent		Percent
Kidder, Peabody & Co.....	1 5/8	99.219	1.7356
Halsey, Stuart & Co.....	1 3/4	99.4529	1.8282
Blyth & Co.....	1 3/4	99.377	1.8590
Mellon Securities Corporation.....	1 3/4	99.159	1.8701
First National Bank of Chicago.....	1 7/8	99.380	1.9636

For the 1956 to 1965 Serial Debentures:

Bidder	Coupon rate	Price to company <sup>1</sup> (percent of principal amount)	Net interest cost to company
	Percent		Percent
Kidder, Peabody & Co.....	2 3/8	99.404	2.4147
Halsey, Stuart & Co.....	2 1/2	100.2079	2.4863
Blyth & Co.....	2 1/2	100.069	2.4974
Mellon Securities Corporation.....	2 1/2	99.649	2.5234

<sup>1</sup> Plus accrued interest.

The said amendment having further stated that Northern Natural Gas Company has accepted the bid of the group headed by Kidder, Peabody & Co., for the serial debentures maturing 1950 to 1955 and that the proposed offering prices to the public and the approximate yields to maturity are as follows:

Series	Offering prices per unit (percent of principal amount)	Approximate yield to maturity
		Percent
1950.....	100.63	1.70
1951.....	100.60	1.70
1952.....	100.15	1.69
1953.....	99.47	1.70
1954.....	98.63	1.80
1955.....	97.62	1.69

It being further stated that the aggregate of the various offering prices to the public amounts to \$8,962,650 for the 1950 to 1955 serial debentures, resulting in a difference between the over-all price to the company and the offering prices to the public of \$32,940 which represents an average spread of .366%; and

It being further stated that Northern Natural Gas Company has accepted the bid of the group headed by Kidder, Peabody & Co., for the serial debentures maturing 1956 to 1965 and that the proposed offering prices to the public and the approximate yields to maturity are as follows:

Series	Offering prices per unit (percent of principal amount)	Approximate yield to maturity
		Percent
1956.....	103.00	2.05
1957.....	102.20	2.16
1958.....	101.20	2.23
1959.....	100.87	2.20
1960.....	100.31	2.25
1961.....	99.68	2.40
1962.....	98.69	2.45
1963.....	97.24	2.50
1964.....	96.43	2.55
1965.....	97.32	2.55

It being further stated that the aggregate of the various offering prices to the public amounts to \$15,992,640 for the 1956 to 1965 serial debentures, resulting in a difference between the over-all price to the company and the offering prices to the public of \$88,000 which represents an average spread of .550%; and that the total proceeds to the company for the serial debentures aggregate \$24,834,350 and the company having represented that the bids accepted represent the lowest total net interest cost of money to the company for the serial debentures; and

A further hearing having been held and the Commission having examined said amendment and having considered the record herein, and finding no basis for imposing terms and conditions with respect to the prices to be paid to the company for said serial debentures, the interest rate thereon, the underwriters' spreads and their allocation and the redemption prices;

It is ordered, That subject to the terms and conditions contained in Rule U-24, said declaration, as amended, be and the same is hereby permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 45-20201; Filed, Nov. 1, 1945; 2:34 p. m.]

[File No. 70-1173]

THE MILWAUKEE ELECTRIC RAILWAY & TRANSPORT CO. AND WISCONSIN ELECTRIC POWER CO.

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 31st day of October 1945.

Notice is hereby given that a joint declaration or application (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by The Milwaukee Electric Railway & Transport Company, a wholly-owned subsidiary of Wisconsin Electric Power Company, and by Wisconsin Electric Power Company, a subsidiary of The North American Company, a registered holding company; and

Notice is further given that any interested person may, not later than November 9, 1945, at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter, said joint declaration or application, as filed or as amended, may become effective or may be granted, as provided in Rule U-23 of the rules and regulations promulgated pursuant to said act. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania.

All interested persons are referred to the joint declaration or application, which is on file in the office of the Commission, for a statement of the transactions therein proposed, which are summarized below:

The Milwaukee Electric Railway & Transport Company proposes to redeem on December 1, 1945, at par plus accrued interest, \$800,000 principal amount of its First Mortgage 4% Bonds owned by Wisconsin Electric Power Company and pledged as collateral under the latter company's Mortgage and Deed of Trust dated October 28, 1938, to First Wisconsin Trust Company, as Trustee. Wisconsin Electric Power Company seeks authorization to surrender said bonds on the basis described.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 45-20202; Filed, Nov. 1, 1945; 2:34 p. m.]

[File Nos. 54-54, 70-539, 59-50]

NORTHERN STATES POWER CO. (DEL.) ET AL.  
ORDER APPROVING AMENDED PLAN, GRANTING APPLICATIONS AND PERMITTING DECLARATIONS TO BECOME EFFECTIVE SUBJECT TO RESERVATIONS OF JURISDICTION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 31st day of October 1945.

In the matter of Northern States Power Company (Delaware), File No. 54-54; and Northern States Power Company (Minnesota), File No. 70-559; and

Northern States Power Company (Delaware) and each of its subsidiaries, File No. 59-50.

Northern States Power Company (Delaware), (hereinafter called Delaware) a registered holding company, and its subsidiary, Northern States Power Company (Minnesota), (hereinafter called Minnesota) also a registered holding company, having filed a plan, applications, declarations and amendments thereto for the liquidation of Delaware, pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935, and with respect to other transactions to be performed in connection with such plan under other applicable sections of the act, and the Commission having instituted proceedings under sections 11 (b) (2), 15 (f) and 20 (a) of the act with respect to the entire holding company system and the two actions having been consolidated;

Public hearings having been held on the amended plan in the consolidated proceedings after appropriate notice in which all interested persons were given opportunity to be heard, and briefs having been filed and oral argument having been heard; and the Commission having on April 26, 1945, issued its findings and opinion requiring an amendment to the amended plan so that the balance in the pro forma "paid-in" surplus account of \$4,989,007 as of December 31, 1943, be transferred to the reserve for depreciation; and Minnesota having filed on July 10, 1945, such amendment to the amended plan;

The Commission having issued a memorandum opinion on October 12, 1945, stating its view that the amended plan should be further amended to reduce the stated value of the proposed common stock of Minnesota from \$6.75 to \$6.00 per share, thus creating a pro forma capital surplus of \$6,162,171, which will be available for the disposition of all known and probable maximum adjustments to the balance sheet accounts of Minnesota and having afforded a period of 15 days from the date of such opinion for the filing of such an amendment and for any interested person to request a hearing thereon; and Delaware and Minnesota having each filed amendments to the plan on October 26, 1945, in which such reduction in the stated value of the common stock is proposed to be effected, no requests for hearing having been received by the Commission; and Delaware and Minnesota having requested the Commission, pursuant to section 11 (e) of the act, to apply to a court in accordance with the provisions of section 18 (f) of the act to enforce and carry out the terms and provisions of the amended plan;

In accordance with said findings and opinion dated April 26, 1945 and said memorandum opinion dated October 12, 1945,

*It is ordered,* Pursuant to the applicable provisions of the act and subject to the further reservations of jurisdiction hereinafter set forth, that the amended plan be and hereby is approved, and that the applications and declarations with respect to the issuance of securities and

the distribution of cash be and hereby are granted and permitted to become effective, respectively: *Provided however,* That this order shall be subject to the condition that Delaware and Minnesota, or either of them, shall pay such fees and other compensation and reimbursement of expenses in connection with the amended plan, the transactions incident thereto and the consummation thereof, as the Commission by further order or orders, upon the petition of any person or persons, may approve, allow, allocate, or award;

*It is further ordered,* That Minnesota shall annually retain \$445,207 in its earned surplus account over a period of 16 $\frac{3}{4}$  years from April 1, 1942 until a total of \$7,457,220 has accumulated therein, which retained earned surplus will not at any time be available for dividends on any class of its stock;

*It is further ordered,* That the condition contained in the order of December 27, 1938 (Holding Company Act Release No. 1392) as extended by the order of November 30, 1943 (Holding Company Act Release No. 4719), with respect to the Class B common stock of Delaware has been fulfilled and such stock shall not be required to be cancelled as stated in said order but shall be forthwith released from deposit with Wilmington Trust Company, Wilmington, Delaware and surrendered to Standard Gas and Electric Company, a Delaware Corporation;

*It is further ordered,* That counsel for the Commission be, and they hereby are, authorized and directed to make application forthwith on behalf of the Commission to an appropriate United States District Court, pursuant to the provisions of section 11 (e) and in accordance with section 18 (f) of the act, to enforce and carry out the terms and provisions of the amended plan;

*It is further ordered,* That this order shall not be operative to authorize any reclassification, issuance or retirement of securities, transfer, distribution or acquisition of securities or of assets, or distribution of cash contemplated by said plan, nor the consummation of such plan in any respect, until an appropriate District Court of the United States shall have entered an order enforcing said plan pursuant to an application duly made by the Commission for that purpose;

*It is further ordered,* That jurisdiction is hereby reserved:

(1) To take such further action as we shall deem necessary or appropriate to effectuate the requirements of section 11 (b) (1) of the act by Minnesota and each of its subsidiary companies.

(2) To secure compliance by Delaware and Minnesota with the requirements of section 11 (b) (2) of the act in the event the amended plan is not enforced.

(3) To take such further action as we shall deem necessary or appropriate in the proceedings pursuant to sections 15 (f) and 20 (a) of the act with respect to Minnesota and each of its subsidiary companies.

(4) To require that no charges other than those specified in the amended plan

shall be made to the "Reserve for Possible Adjustment of Utility Plant Accounts and Other Balance Sheet Accounts" proposed to be created in the Amended Plan and that no charges shall be made to the "paid-in" surplus proposed to be created in the Amended Plan without prior approval by this Commission.

(5) To entertain such further proceedings, to make such supplemental findings and to take such further action as we may deem appropriate in connection with the plan, the transactions incident thereto and the consummation thereof.

Delaware, having requested that the Commission's order shall conform with sections 371 (a), (b), (c), and (f) and section 1808 (f) of the Internal Revenue Code, as amended,

*It is further ordered and recited,* That the transactions proposed in the aforesaid amended plan to be effected by Northern States Power Company (Delaware) and Northern States Power Company (Minnesota) including particularly those hereinafter described and recited, are hereby approved and found to be necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935:

(a) The discharge of the open-account indebtedness of Delaware in the amount of \$7,530,852 owed to Minnesota and the surrender to Minnesota by Delaware of 481,111 shares of the common stock of Minnesota for a credit of \$7,457,220 and the assignment to Minnesota by Delaware of certain claims for Federal income tax refunds for a credit of \$73,632.

(b) The reclassification by Minnesota of 3,518,889 shares of its common stock having an aggregate stated value of \$82,542,780 into 8,216,228 shares of common stock, without par value, having an aggregate stated value of \$49,297,368 (\$6 per share).

(c) The payment of \$3.50 and \$3.00 dividends in cash per share to the holders of the 7% and 6% preferred stock of the Delaware company, respectively.

(d) The retirement of all classes of the outstanding capital stock of Delaware by a distribution, to the holders thereof, of the 8,216,228 shares of the reclassified shares of common stock of Minnesota as follows:

	Number of shares of Minnesota common for each share of Delaware stock	Total number of shares of Minnesota allocated to each class of stock of Delaware	Percentage division between classes
7% preferred.....	10	3,010,770	47.60
6% preferred.....	9	3,519,891	42.84
Total to preferred stock.....		7,430,661	10.14
Class A common.....	2	683,192	8.32
Class B common.....	0.1405	102,465	1.21
Total to common.....		785,657	9.56
		8,216,228	100.00

(e) The dissolution of Delaware.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 45-20203; Filed, Nov. 1, 1945;  
2:35 p. m.]

[File No. 55-14]

JAY SAMUEL HARTT

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 31st day of October, A. D. 1945.

In the matter of Jay Samuel Hartt, trustee of the estate of Midland Utilities Company, File No. 55-14.

The Commission having, on February 25, 1939, upon the application of Jay Samuel Hartt, a co-trustee of the Estate of Midland Utilities Company, a registered holding company, filed pursuant to section 11 (f) of the Public Utility Holding Company Act of 1935 and Rule U-11F-2 then promulgated thereunder, entered an order wherein, among other things, the trustees of Midland Utilities Company were permitted to pay to Elbridge Lennon Lord in full payment for all fees, expenses and remuneration for services as principal accountant for the Trustees of Midland Utilities Company a maximum amount not to exceed \$450 per month; and

The said Elbridge Lennon Lord having filed an application with the District Court of the United States for the District of Delaware, the reorganization court in which Midland Utilities Company is undergoing reorganization pursuant to section 77B of the Bankruptcy Act, for an allowance of an amount of \$15,325 above the maximum amount permitted by the Commission's order of February 25, 1939; and

The said Elbridge Lennon Lord having filed a declaration with this Commission requesting that the Commission rescind or amend that portion or portions of its aforesaid order of February 25, 1939 which limited the allowance said Elbridge Lennon Lord might receive for services rendered the Estate of Midland Utilities Company; or, in the alternative, enter an order withdrawing the restriction of the maximum allowance which might be paid the said Elbridge Lennon Lord, in order that the said Elbridge Lennon Lord might properly request the said District Court of the United States for the District of Delaware to grant him an allowance in an amount greater than the maximum amount fixed by the aforesaid order of February 25, 1939; and

Notice of said filing having been duly given, and the Commission not having received a request for a hearing with respect to said declaration within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission deeming it appropriate that the said order of February 25, 1939 be withdrawn:

It is hereby ordered, That said declaration be, and hereby is, permitted to become effective and the said order of February 25, 1939, be and hereby is, deemed to be withdrawn.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 45-20224; Filed, Nov. 2, 1945;  
11:05 a. m.]

[File No. 50-13]

NEW ENGLAND GAS AND ELECTRIC ASS'N.  
AND WESTERN HANCOCK ELECTRIC CO.

ORDER GRANTING EXEMPTION

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 31st day of October 1945.

New England Gas and Electric Association (New England), a registered holding company, having filed an application pursuant to Rule U-100, promulgated under the Public Utility Holding Company Act of 1935, for exemption from the requirements of Rules U-42 and U-43, promulgated under sections 12 (c) and 12 (f) of the act, with respect to the surrender by New England of its investment in Western Hancock Electric Company (Western Hancock), its wholly-owned subsidiary, consisting of 40 shares of common stock, par value \$25 per share, and open account indebtedness amounting to \$2,535.15, and the acquisition thereof by Western Hancock in order that Western Hancock may proceed with its final liquidation, all of its property and franchises having been sold to a non-affiliated company for the sum of \$1,704.85; and

It appearing to the Commission that it is not necessary or appropriate in the public interest or for the protection of investors or consumers that such transactions be subject to the requirements of Rules U-42 and U-43;

It is ordered, Pursuant to said Rule U-100, that the said application be, and hereby is, granted forthwith.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 45-20225; Filed, Nov. 2, 1945;  
11:05 a. m.]

[File No. 70-319]

INDIANA GAS UTILITIES CO. AND ASSOCIATED ELECTRIC CO.

ORDER GRANTING EXTENSION OF TIME

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 31st day of October, A. D., 1945.

Associated Electric Company ("Aelec"), a registered holding company, and its wholly-owned subsidiary, Indiana Gas Utilities Company ("Utilities"), having filed an application-declaration, pursuant to the applicable provisions of the Public Utility Holding Company Act of 1935, concerning the acquisition by Aelec

of all the assets of Utilities, subject to its existing liabilities, upon the surrender by Aelec, for cancellation, of all the outstanding shares of capital stock of, and claims against, and the subsequent dissolution of, Utilities; and

The Commission having, on March 9, 1944, after notice and hearing, filed its Memorandum Opinion and Order (Holding Company Act Release No. 4934) granting the application and permitting the declaration to become effective; and

The Commission having, by orders dated June 22, August 29, and December 27, 1944, February 26, April 25, June 21, and August 27, 1945 upon the request of applicants-declarants, extended the time for consummating said transaction to and including October 28, 1945; and

Applicant-declarants having, on September 21, 1945, advised the Commission that the parties have been unable to consummate the transaction proposed in said application-declaration within such time; and

It appearing to the Commission that the proposed transaction has been substantially consummated in that Utilities has disposed of all of its assets, except \$5,000 in cash, and its liabilities, other than to Aelec, have all been satisfied except for an alleged claim of \$4,000; and

It further appearing to the Commission that it is appropriate in the public interest and the interest of investors to extend the time for consummating said transaction to and including April 28, 1946;

It is ordered, That the time for consummating said transaction be, and hereby is, extended to and including April 28, 1946.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 45-20226; Filed, Nov. 2, 1945;  
11:05 a. m.]

[File No. 70-633]

ASSOCIATED ELECTRIC CO. AND MISSOURI SOUTHERN PUBLIC SERVICE CO.

ORDER MODIFYING CONDITION AND GRANTING EXTENSION OF TIME

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 31st day of October 1945.

Associated Electric Company, a registered holding company, and its wholly-owned subsidiary, Missouri Southern Public Service Company, having filed joint applications-declarations, as amended, pursuant to sections 9 (a), 10, and 12 of the Public Utility Holding Company Act of 1935 and the Rules and Regulations promulgated thereunder, regarding the proposed sale by Missouri Southern Public Service Company of all its physical properties to New-Mac Electric Cooperative, Inc., for a base cash consideration of \$170,000; the subsequent transfer by Missouri Southern Public Service Company of 40 shares of capital stock of Atlantic Utility Service Corporation and its other than remaining assets, subject to its liabilities, to Associated

Electric Company, and the surrender to Missouri Southern Public Service Company of all its capital stock and indebtedness held by Associated Electric Company; and the dissolution of Missouri Southern Public Service Company; and

The Commission having by order dated September 4, 1944, granted the applications, as amended, and permitted the declarations, as amended, to become effective, subject to the terms and conditions prescribed in Rule U-24; and the Commission having by subsequent orders extended the time within which the transactions may be consummated to November 1, 1945; and

Applicants-declarants having, on September 21, 1945, advised the Commission that they have been unable to consummate completely the transactions proposed in said application-declaration, as amended, within such time; and

It appearing to the Commission that Missouri Southern Public Service Company has sold all its physical properties to New-Mac Electric Cooperative, Inc., for a base cash consideration of \$170,000, that Missouri Southern Public Service Company has transferred 40 shares of the capital stock of Atlantic Utility Service Corporation and its other remaining assets, subject to its liabilities, to Associated Electric Company; and that Associated Electric Company has surrendered to Missouri Southern Public Service Company all the indebtedness of such company held by Associated Electric Company, but that Associated Electric Company has not as yet surrendered to Missouri Southern Public Service Company the capital stock of the latter and that Missouri Southern Public Service Company has not as yet been dissolved; and

It further appearing to the Commission that it is appropriate in the public interest and the interest of investors to extend the time for consummating said transactions to and including May 1, 1946;

It is hereby ordered, That the time for consummating said transactions be, and hereby is, extended to and including May 1, 1946.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 45-20227; Filed, Nov. 2, 1945;  
11:05 a. m.]

[File No. 54-81]

MIDDLE WEST CORP. ET AL.

MEMORANDUM OPINION AND ORDER RECONVENING HEARING FOR LIMITED PURPOSE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 31st day of October, A. D., 1945.

In the matter of The Middle West Corporation, Central and South West Utilities Company and American Public Service Company, File No. 54-81.

This Commission issued its findings, opinion and order under section 11 (b) (2) of the Public Utility Holding Company Act of 1935 ("act") on June 4, 1942

directing, among other things, the termination of the corporate existence of either Central and South West Utilities Company ("Central") or American Public Service Company ("American") and a change in the capitalization of Central and American to a capitalization in a single corporation consisting of one class of stock, namely common stock. Holding Company Act Release No. 3580. On review, this order was affirmed by the United States Court of Appeals for the District of Columbia on June 7, 1943. *Central and South West Utilities Company, et al., v. S. E. C.*, 136 Fed. (2nd) 273.

On August 2, 1943, the Middle West Corporation ("Middle West"), a registered holding company and its subsidiaries, Central and American, both registered holding companies, in compliance with the Commission's order of June 2, 1942, filed joint applications and declarations designated as a "Plan" pursuant to section 11 (e) of the act proposing action designed to merge American and Central to a single class of common stock in a corporation to be called Central and South West Corporation.

The Commission on September 4, 1943, issued its notice of filing and order for hearing with respect to the Plan and set the matter down for hearing on October 12, 1943. Holding Company Act Release No. 4542. The notice and order contained a summary of the terms of the Plan and Central and American were directed to cause a copy to be mailed to the holders of the outstanding stocks of Central and American at their last known addresses at least 20 days prior to the date of the hearing.

In October, November and December of 1943, hearings were held on the Plan before a trial examiner. Although notice was given to all stockholders of Central and American, in the manner above described, apart from counsel for the companies and the staff of the Public Utilities Division only one person appeared before the examiner and requested to be heard. Extensive testimony was adduced at the hearings, numerous exhibits were offered and participants given full opportunity to examine and cross examine witnesses and to file briefs. On December 15, 1943, after all participants had indicated their satisfaction with the completeness of the record, hearings were continued subject to the call of the trial examiner or order of this Commission.

Thereafter in August 1945 Middle West, Central and American filed amendments to the original plan, substantially modifying the allocations of securities to the respective stockholders of Central and American, together with supplemental financial statements in support thereof. Since it appeared to the Commission that the record had been fully developed at the date of the last hearing and that the supplemental data which was filed merely brought the record up to date with respect to the financial condition of the Central system, we did not order a hearing before a trial examiner but instead issued a notice of filing of amendments to the Plan and ordered the matter set down for oral argument and hearing on September 11, 1945, before the Commission.

Holding Company Act Release No. 5982. Copies of this notice and order were also required to be sent to the holders of the outstanding stock of Central and American. We adopted this procedure because the matter had been before the Commission for a considerable period of time and because there had not been theretofore any indication of a desire on the part of the public security holders to participate in the proceedings, with the single exception noted.

There appeared at the argument and hearing before the Commission on September 11, 1945, in addition to those theretofore appearing in this matter, representatives of various groups of stockholders who had not previously participated. Motion was made by counsel for certain stockholders requesting, in general, that the record be kept open to permit an examination and cross-examination of witnesses for the applicants with respect to the financial statements and material filed in connection with the Plan, as amended, and more specifically, to permit evidence relating to maintenance charges and depreciation reserves of the companies, the possibility of refunding operations and the results which would be accomplished therefrom, the earnings of the system and the value of the proposed new common stock. Motion was also made by counsel for one of the applicants that representatives of stockholders be required to state the names of the stockholders represented, the amount and class of stock owned by such stockholders and the time of purchase of such stock. We reserved our ruling on both motions, heard argument, and set the time for filing proposed findings by counsel for the staff of the Public Utilities Division and answers thereto.

We have examined the record in this proceeding and we are satisfied that the evidence therein up to the close of the hearing in December 1943 is fully adequate with respect to the historical and financial data of Central and its subsidiaries, as well as the managerial, accounting, and financial practices and relationships between Middle West (or its predecessor) and the Central system. In addition the record includes a projection of earnings of Central and its subsidiary companies to and including 1947. We shall not grant leave to duplicate evidence already appearing in the record. Neither shall we permit evidence pertaining to matters which could have been investigated at previous hearings. However, stockholders have not had opportunity to examine witnesses or to adduce evidence with respect to the facts arising since 1943, including the data filed in support of the Plan as amended. Accordingly, we believe it appropriate to afford such opportunity to persons having a bona fide interest.

With respect to the motion to require a disclosure of the nature and extent of the holdings of the stockholders, it appears that Middle West and the representative who participated in the proceeding, prior to the date of the argument on September 11, 1945, have produced for the record the amount and class of stock which they hold or repre-

sent, the price paid for such stock and the time of purchase. Under Rule XVII of our rules of practice pertaining to intervention, leave to be heard, and informal participation, it is provided that any person filing an application for leave to be heard shall set forth the nature and extent of his interest in the proceeding. In connection with extending the privilege of participation to persons claiming to have an interest in the proceeding, we deem it appropriate that such persons indicate fully the nature and extent of that interest, including the time such interest came into being. Accordingly, we shall grant the motion requiring that each participant produce for the record the names of the stockholders he represents, the amount and class of stock owned by each and the time of the purchase thereof.

It appearing, therefore, that the above mentioned motions should be granted to the extent indicated, for the limited purpose heretofore specified, and that the hearing should be reconvened before a trial examiner:

*It is ordered*, In accordance with the foregoing opinion and for the limited purpose therein specified, that the hearing in the above matter be reconvened under the applicable provisions of the Public Utility Holding Company Act of 1935 and the rules of the Commission thereunder, on December 4, 1945, at 10:00 a. m., e. s. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, in the room designated on said day by the hearing room clerk in Room 318.

*It is further ordered*, That the Secretary of the Commission shall serve notice of the matters contained herein by mailing forthwith a copy of this opinion and order by registered mail to the respondents and to their respective counsel and to all persons granted the right to be heard and participate in the above described proceedings and argument, and shall give notice to all other interested persons by publication in the FEDERAL REGISTER.

*It is further ordered*, That the time schedule adopted at the date of the argument for filing of proposed findings by counsel for the Public Utilities Division of the Commission and for answers thereto by other counsel and stockholders be, and hereby is, rescinded.

*It is further ordered*, That the motion to require each participant to state or produce for the record the names of the stockholders whom he represents, the amount and class of stock owned or beneficially owned by each and the date of purchase of such stock be, and hereby is, granted.

*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 in such matters. The officer so designated is hereby authorized to exercise all 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 all persons desiring to be heard or otherwise wishing to participate herein shall notify the Commission to that effect in the manner provided by Rule XVII of the Commission's rules of practice, on or before November 27, 1945, and shall at that time submit the names of the stockholders whom they represent, the amount and class of stock owned or beneficially owned by such stockholders and the time of the acquisition of such stock.

By the Commission.

[SEAL]

ORVAL L. DUBOIS,  
Secretary.

[F. R. Doc. 45-20223; Filed, Nov. 2, 1945;  
11:06 a. m.]

[File No. 7-843]

BALDWIN LOCOMOTIVE WORKS

ORDER SETTING HEARING ON APPLICATION TO  
EXTEND UNLISTED TRADING PRIVILEGES

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 1st day of November, A. D. 1945.

In the matter of application by the Boston Stock Exchange to extend unlisted trading privileges to The Baldwin Locomotive Works, Common Stock, \$13 Par Value, File No. 7-843.

The Boston Stock Exchange, pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934, and Rule X-12F-1 promulgated thereunder, having made application to the Commission to extend unlisted trading privileges to the above-mentioned security;

The Commission deeming it necessary for the protection of investors that a hearing be held in this matter at which all interested persons be given an opportunity to be heard;

*It is ordered*, That the matter be set down for hearing at 11:00 a. m. on Tuesday, November 13, 1945, at the office of the Securities and Exchange Commission, 82 Devonshire Street, Boston, Massachusetts, and continue thereafter at such times and places as the Commission or its officer herein designated shall determine, and that general notice thereof be given; and

*It is further ordered*, That Frank Kopelman, or any other officer or officers of the Commission named by it for that purpose, shall preside at the hearing on such matter. The officer so designated to preside at such hearing is hereby empowered to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

By the Commission.

[SEAL]

ORVAL L. DUBOIS,  
Secretary.

[F. R. Doc. 45-20223; Filed, Nov. 2, 1945;  
11:06 a. m.]

SURPLUS PROPERTY ADMINISTRATION.

[Special Order 24]

PRICING AND DISTRIBUTION POLICY FOR  
CONSUMER GOODS

The Congressional policy announced by the Surplus Property Act of 1944 is to foster wide distribution of surplus commodities to consumers at fair prices utilizing normal channels of trade in such manner as to strengthen and preserve the competitive position of small business concerns. This special order is intended to implement that policy with respect to consumer goods and shall be administered accordingly.

Pursuant to the authority vested in me by Public Law 181, 79th Cong., 1st Sess., and by the Surplus Property Act of 1944 (58 Stat. 765; 50 U. S. C. App. Sup. 1611), *It is hereby ordered*, That:

1. The minimum quantity which should be offered for sale by the disposal agency should to the extent feasible be a quantity which will enable small independent retailers who normally buy direct from manufacturers to participate in these offerings. The price on such quantity shall be known as the net price.

2. Another minimum quantity applicable to the wholesale trade should be offered to wholesalers of the commodity offered who agree to use their best efforts to sell to small retail establishments unable or unwilling to buy in quantities as great as the minimum established according to paragraph 1. This minimum quantity may be less than the minimum quantity offered to large retailers pursuant to paragraph 3 hereof. The price to the wholesaler should be such as to compensate for the distributive function to be performed by the wholesaler, taking into consideration the type of goods, the turn-over potential, the cost of care and handling, the value, and the quantity offered.

3. Certain large retailers, including chain stores, mail order houses and co-operative organizations, normally purchase in quantities far in excess of those purchased by the small retailer and small wholesaler. To facilitate the disposal of surplus property, and thereby to protect the interest of the Government in such property, and in recognition of the fact that retailers who buy in large quantities usually perform an intermediate distributive function in the movement of the goods to the consumer level, such purchases should generally be made at a discount of not more than 5 percent from the net price. The minimum quantity subject to this discount shall be specified in the offering.

4. No other reductions or discounts shall be given and there shall be no graded discounts within the same class of buyers.

5. The price levels contemplated by this order shall be established by the disposal agency as to each kind of property to be sold. Subject to Office of Price Administration ceilings, surplus consumer goods shall be priced by the disposal agency to effectuate orderly and prompt disposal, giving due considera-

tion to the kind, quantity, condition, and value of each item at the time of the offering.

6. The disposal agency shall allocate surplus property equitably among purchasers in accordance with this policy. When the total supply of a commodity is less than the demand, consideration should be given to the needs of other purchasers before large quantities are sold to one or a few purchasers. Precedence should be given to orders received from small retailers and from wholesalers who serve small independent

retailers. Manufacturers who perform the distributive functions of serving small independent retailers may buy as wholesalers subject to the rules applicable to purchases made by wholesalers. Wholesalers and manufacturers who own, operate, or control retail stores are required to buy as retailers for their company owned or controlled retail stores. Buying offices of associated groups of retail stores operated on the voluntary chain system of buying will buy as retailers.

7. Copies of all proposed offerings shall be filed with the Surplus Property Administrator at least six calendar days in advance of publication, except where the declared value of the entire commodity to be offered is less than \$50,000.

This order shall become effective October 31, 1945.

W. STUART SYMINGTON,  
*Administrator.*

OCTOBER 31, 1945.

[F. R. Doc. 45-20244; Filed, Nov. 2, 1945;  
11:31 a. m.]