

THE NATIONAL ARCHIVES
LITTERA SCRIPTA MANET
1934
OF THE UNITED STATES

FEDERAL REGISTER

VOLUME 10 NUMBER 222

Washington, Saturday, November 10, 1945

Regulations

TITLE 7—AGRICULTURE

Chapter VII—Production and Marketing Administration (Agricultural Adjustment)

PART 702—INSULAR AGRICULTURAL CONSERVATION PROGRAM

SUBPART E—1946 BULLETIN

Sec.	
702.701	Farm allowances, practices and rates of payment.
702.702	Division of payments.
702.703	Increase in small payments.
702.704	Payments limited to \$10,000.
702.705	General provisions relating to payment.
702.706	Application for payment.
702.707	Appeals.
702.708	Area bulletins, instructions and forms.
702.709	Definitions.
702.710	Authority, availability of funds and applicability.

Authority: §§ 702.701 to 702.710, inclusive issued under secs. 7 to 17, inclusive, of the Soil Conservation and Domestic Allotment Act, as amended, 49 Stat. 1148, 16 U.S.C. 590g to 590q.

Payment will be made for participation in the 1946 Agricultural Conservation Program in Alaska, Hawaii, and Puerto Rico (hereinafter referred to as the 1946 program) in accordance with the provisions of this bulletin and such modifications thereof as may hereafter be made.

§ 702.701 *Farm allowances, practices and rates of payment*—(a) *Farm allowances.* Farm allowances shall be established in each area upon recommendation of the State office and approval of the Director of Field Service Branch of Production and Marketing Administration for the purpose of limiting payments to available funds. Farm allowances shall be based upon practices which will provide for the equitable distribution of payments on the basis of individual farm conservation needs.

(b) *Conservation practices*—(1) *Basis for approval.* The conservation practices for which payment will be made shall be those which are recommended

by the State office of each area of the Insular Region and approved by the Director of the Field Service Branch, Production and Marketing Administration, as best adapted for each of the areas to maintain and increase soil fertility, control and prevent erosion caused by wind or water, encourage conservation and better agricultural use of water; or conserve and increase range and pasture forage.

Payments will be made within the limit of the farm allowance for carrying out in the calendar year 1946 conservation practices approved for each acre. To qualify for payment practices must be carried out by methods and with the kind of seed and other materials that conform to good farming practice, and must conform with prescribed specifications.

(2) *Practices carried out with local government or Federal aid.* The extent of any practice shall not be reduced because it is carried out with materials or services furnished by the Field Service Branch, Production and Marketing Administration, equipment furnished by the Soil Conservation Service or materials or services furnished by an agency of a Territory or Puerto Rico to another agency of the same Territory or to Puerto Rico. In other cases of local government or Federal aid, the total extent of any practice performed shall be reduced for purposes of payment by not less than the percentage of the total cost of the practice which the State office determines was furnished by a local government or Federal agency.

(c) *Rates of payment.* The rate of payment for carrying out any practice in each area of the Insular Region will be recommended by the respective State office and approved by the Director of the Field Service Branch, Production and Marketing Administration, in accordance with the following provisions:

(1) The rates of payments for application of material may not exceed 80% of the estimated average cost of such materials determined on a farm delivery basis.

(2) The rates of payment for engineering and construction practices may

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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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not exceed the estimated average cost of labor, materials and use of equipment.
(3) The rates of payment for other practices may not exceed 75 percent of the estimated average cost of performing the practice.

§ 702.702 Division of payments—(a) Conservation practice payments. The

payment earned in carrying out practices shall be paid to the producers who carried out the practices. If more than one producer contributed to the carrying out of the practices on the farm in 1946, the payment shall be divided in the proportion that the State office determines the producers contributed to the carrying out of the practices. All persons contributing to any practice carried out on a particular acreage shall be deemed to have contributed equally to the carrying out of that practice unless they establish to the satisfaction of the State office that their respective contributions thereto were not in equal proportion, in which event the participation shall be determined by the proportion which the State office finds each person contributed thereto.

(b) *Death, incompetency, or disappearance of producer.* In case of the death, incompetency, or disappearance of any producer, his share of the payment shall be paid to his successor, determined in accordance with the provisions of the regulations in ACP-122, as amended.

§ 702.703 *Increase in small payments.* The total payment computed under § 702.701 for any person with respect to any farm shall be increased as follows:

- (a) Any payment amounting to 71 cents or less shall be increased to \$1;
- (b) Any payment amounting to more than 71 cents but less than \$1 shall be increased by 40 percent;
- (c) Any payment amounting to \$1 or more shall be increased in accordance with the following schedule:

Amount of payment computed:	Increase in payment
\$1.00 to \$1.99	\$0.40
\$2.00 to \$2.99	.80
\$3.00 to \$3.99	1.20
\$4.00 to \$4.99	1.60
\$5.00 to \$5.99	2.00
\$6.00 to \$6.99	2.40
\$7.00 to \$7.99	2.80
\$8.00 to \$8.99	3.20
\$9.00 to \$9.99	3.60
\$10.00 to \$10.99	4.00
\$11.00 to \$11.99	4.40
\$12.00 to \$12.99	4.80
\$13.00 to \$13.99	5.20
\$14.00 to \$14.99	5.60
\$15.00 to \$15.99	6.00
\$16.00 to \$16.99	6.40
\$17.00 to \$17.99	6.80
\$18.00 to \$18.99	7.20
\$19.00 to \$19.99	7.60
\$20.00 to \$20.99	8.00
\$21.00 to \$21.99	8.20
\$22.00 to \$22.99	8.40
\$23.00 to \$23.99	8.60
\$24.00 to \$24.99	8.80
\$25.00 to \$25.99	9.00
\$26.00 to \$26.99	9.20
\$27.00 to \$27.99	9.40
\$28.00 to \$28.99	9.60
\$29.00 to \$29.99	9.80
\$30.00 to \$30.99	10.00
\$31.00 to \$31.99	10.20
\$32.00 to \$32.99	10.40
\$33.00 to \$33.99	10.60
\$34.00 to \$34.99	10.80
\$35.00 to \$35.99	11.00
\$36.00 to \$36.99	11.20
\$37.00 to \$37.99	11.40
\$38.00 to \$38.99	11.60
\$39.00 to \$39.99	11.80
\$40.00 to \$40.99	12.00
\$41.00 to \$41.99	12.10
\$42.00 to \$42.99	12.20

Amount of payment computed—Continued.	Increase in payment
\$43.00 to \$43.99	12.30
\$44.00 to \$44.99	12.40
\$45.00 to \$45.99	12.50
\$46.00 to \$46.99	12.60
\$47.00 to \$47.99	12.70
\$48.00 to \$48.99	12.80
\$49.00 to \$49.99	12.90
\$50.00 to \$50.99	13.00
\$51.00 to \$51.99	13.10
\$52.00 to \$52.99	13.20
\$53.00 to \$53.99	13.30
\$54.00 to \$54.99	13.40
\$55.00 to \$55.99	13.50
\$56.00 to \$56.99	13.60
\$57.00 to \$57.99	13.70
\$58.00 to \$58.99	13.80
\$59.00 to \$59.99	13.90
\$60.00 to \$125.99	14.00
\$126.00 to \$199.99	(1)
\$200.00 and over	(2)

¹ Increase to \$200.
² No increase.

§ 702.704 *Payments limited to \$10,000.00—(a) Individuals, partnerships, estates.* The total of all payments made in connection with the 1946 program to any individual, partnership, or estate with respect to farms, ranching units and turpentine places located within a single State, Territory, or possession shall not exceed \$10,000.00.

(b) *Others.* The total of all payments made in connection with the 1946 program to any person other than an individual, partnership, or estate with respect to farms, ranching units and turpentine places in the United States (including Hawaii, Alaska, and Puerto Rico) shall not exceed \$10,000.00.

(c) *Evasion.* All or any part of any payment which has been or otherwise would be made to any person under the 1946 program may be withheld or required to be refunded if he has adopted or participated in adopting any scheme or device designed to evade, or which has the effect of evading the provisions of this section.

§ 702.705 *General provisions relating to payment—(a) Practices defeating purposes of the program.* If the State office finds that any producer has adopted or participated in any practice which tends to defeat the purposes of the 1946 or previous programs, he may withhold or require to be refunded all or any part of any payment which has been or would be computed for such person.

(b) *Depriving others of payment.* If the State office finds that any person has employed any scheme or device (including coercion, fraud, or misrepresentation), the effect of which would be or has been to deprive any other person of any payment under the program, it may withhold, in whole or in part, from the person participating in or employing such a scheme or device, or require him to refund in whole or in part, the amount of any payment which has been or would otherwise be made to him in connection with the 1946 program.

(c) *Failure to carry out approved erosion control measures.* Payment will not be made to any person with respect to any farm which he owns or operates if the State office finds that he has been negligent and careless in his farming operations by failing to carry out approved erosion control measures on land

under his control to the extent that any part of such land has become an erosion hazard during 1946 to other land in the community.

(d) *Payment computed and made without regard to claims.* Any payment or share of payment shall be computed and made without regard to questions of title under Territorial Law or law of Puerto Rico; without deduction of claims or advances made (except as provided in paragraph (e) of this section, and except for indebtedness to the United States subject to set-off under orders issued by the Secretary); and without regard to any lien against any crop or proceeds thereof, in favor of the owner of any other creditor.

(e) *Assignments.* Any person who may be entitled to any payment in connection with the 1946 program may assign his payment in whole or in part as security for cash loaned or advances made for the purpose of financing the making of a crop in 1946. No assignment will be recognized unless it is made in writing on Form ACP-69, and in accordance with the instructions in ACP-70.

§ 702.706 *Application for payment—(a) Persons eligible to file applications.* An application for payment with respect to a farm may be made by any person who contributed to the carrying out of approved practices.

(b) *Time and manner of filing applications and information required.* Payment will be made only upon application submitted on the prescribed form to the respective State offices on or before the time limit as established by the Director of the Field Service Branch of the Production and Marketing Administration, except that the timely filing of an application by one person on a farm shall constitute the timely filing on behalf of all persons on that farm. Payment may be withheld from any person who fails to file any form, or furnish any information required with respect to any farm which such person is operating or renting to another person for a share of the crop grown thereon, or for cash or standing rent.

Any application may be rejected if any form or information required is not submitted to the State office within the time fixed by the Director. At least two weeks' notice to the public shall be given of the expiration of a time limit for filing prescribed forms or required information, and any time limit shall be such as affords a full and fair opportunity to those eligible to file the form or information within the period prescribed. Notice shall be given by mailing it to the office of each local Agricultural Extension Agent, and making copies of it available to the press.

§ 702.707 *Appeals.* Any producer may within 15 days after notice thereof is forwarded to or made available to him, request the State office in writing to reconsider its recommendation, or determination in any matter affecting the right to or the amount of his payment with respect to the farm. The State office shall notify him of its decision in writing within 15 days after receipt of a written request for reconsideration. If the producer is dissatisfied with the decision of

the State office he may within 15 days after its decision is forwarded to or made available to him request the Director to review the decision of the State office.

Written notice of any decision rendered under this Section by the State office shall also be issued to each other producer on the farm who may be adversely affected by the decision.

§ 702.708 *Area bulletins, instructions and forms.* The Field Service Branch of the Production and Marketing Administration is authorized to make determinations and to prepare and issue area bulletins, instructions and forms required in administering the 1946 program.

§ 702.709 *Definitions.* For the purpose of the 1946 program:

"Secretary" means the Secretary of Agriculture of the United States.

"Director" means the Director of the Field Service Branch, Production and Marketing Administration.

"Insular region" means the area included in the Territory of Alaska, the Territory of Hawaii and Puerto Rico.

"State office" means the office of the Agricultural Adjustment Agency in Fairbanks, Alaska, Territory of Alaska; Honolulu, Territory of Hawaii; San Juan, Puerto Rico; depending upon the area concerned.

"Person" means an individual, partnership, association, corporation, trust or estate, or other business enterprise or legal entity wherever applicable, a State, Territory, or Possession, or a political subdivision, or agency thereof.

"Farm" means all tracts of cropland, pasture land, and other land in Alaska, Hawaii or Puerto Rico (considering tracts located in only one of these areas) operated by one or more persons in 1946 as a single farming unit, with cropping practices, work stock, farm machinery, management, and labor substantially separate from that for any other such unit, and including any other land which serves as watershed for the supply of water for the farm and on which any applicable conservation practice is performed.

§ 702.710 *Authority, availability of funds and applicability*—(a) *Authority.* This program is approved pursuant to the authority vested in the Secretary of Agriculture under sections 7 to 17, inclusive, of the Soil Conservation and Domestic Allotment Act, as amended.

(b) *Availability of funds.* The provisions of the 1946 program are necessarily subject to such legislation affecting the program as the Congress of the United States may hereafter enact; the making of the payments herein provided is contingent upon such appropriations as the Congress may hereafter provide for such purpose; and the amounts of such payments will necessarily be within the limits finally determined by the appropriation.

(c) *Applicability.* The provisions of the 1946 program contained herein, except § 702.704, are applicable only to the Territories of Alaska and Hawaii and to Puerto Rico. They do not apply to any department or bureau of the United States Government or any corporation wholly owned by the United States, or

to grazing land owned by the United States which was acquired or reserved for conservation purposes or which is to be retained permanently under Government ownership, including, but not limited to, grazing land administered under the Taylor Grazing Act, or by the Forest Service or the Soil Conservation Service of the United States Department of Agriculture, or by the Bureau of Biological Survey of the United States Department of Interior.

The program is applicable to (1) privately-owned lands; (2) lands owned by corporations which are partly owned by the United States, such as Federal Land Banks and Production Credit Associations; (3) land temporarily owned by the United States or a corporation wholly owned by it, which were not acquired or reserved for conservation purposes including lands administered by the Farm Security Administration, the Reconstruction Finance Corporation, the Home Owners' Loan Corporation, or the Federal Farm Mortgage Corporation, or by any other Government agency designated by the Field Service Branch, Production and Marketing Administration; and (4) any cropland farmed by private persons which is owned by the United States or a corporation wholly owned by it.

Done at Washington, D. C. this 9th day of November 1945. Witness my hand and the seal of the Department of Agriculture.

[SEAL] J. B. HUTSON,
Acting Secretary of Agriculture.

[F. R. Doc. 45-20575; Filed, Nov. 9, 1945;
11:11 a. m.]

Chapter XI—Production and Marketing Administration (War Food Distribution Orders)

[WFO 143, Amdt. 1]

PART 1405—FRUITS AND VEGETABLES

APPLES

War Food Order No. 143 (10 F.R. 12478) is hereby amended as follows:

1. By deleting the provisions of § 1405.58 (a) (1) and inserting, in lieu thereof, the following:

(1) "Apples" means whole, fresh apples of any or all strains of the Winesap, Newtown, or Delicious (except Golden Delicious) varieties of C grade, or higher grades, and of 2 1/2 size, or larger sizes, grown in the Wenatchee-Okanogan District or in the Yakima-Hood River District, and which apples are located in either Washington or Oregon. This definition shall not apply to the word "apples" as used the first two times in (c) of this order; and, prior to November 10, 1945, this definition shall not apply to the Newtown variety of apples grown in the Wenatchee-Okanogan District or in that part of the Yakima-Hood River District situated in Washington.

2. By deleting the provisions of § 1405.58 (b) (1) and inserting, in lieu thereof, the following:

(1) No handler shall purchase from, or sell, contract to sell, ship, or deliver to, any person any one of the specified varieties of apples except on condition that such handler sets aside and thereafter holds for sale and delivery to a governmental agency a quantity of apples of such variety, in the aggregate, of the fancy grade, or higher grades, and of sizes from 100 to 163, inclusive, equivalent to 25 percent of the total quantity of the apples of such variety which he owned or controlled on October 3, 1945, and of which he subsequently acquired ownership or control. With respect to apples of the Newtown variety grown in the Wenatchee-Okanogan District or in that part of the Yakima-Hood River District situated in Washington, the quantity of apples of such variety, in the aggregate, of the fancy grade, or higher grades, of the aforesaid sizes, which such handler is required to set aside and thereafter hold for sale and delivery to a governmental agency, shall be equivalent to 25 percent of the total quantity of such variety which he owned or controlled on November 10, 1945, and of which he subsequently acquired ownership or control. Notwithstanding the size restrictions contained in the preceding sentences, any handler may substitute, in the respective quantities of Winesap apples or Newtown apples set aside or required to be set aside by him, not to exceed 20 percent of sizes 175 or 180 of the fancy grade, or higher grades, of the same variety. When the requisite quantity of apples in any lot owned or controlled by any first handler has been set aside, the remainder of such apples shall thereafter, even in the hands of a subsequent handler, be free from all set-aside restrictions and computations. The restrictions set forth in (b) (1) hereof shall not apply to any handler so long as the total quantity of the apples which he owned or controlled on October 3, 1945, and those of which he acquired ownership or control thereafter does not exceed 500 bushels.

3. By deleting the provisions of § 1405.58 (c) and inserting, in lieu thereof, the following:

(c) *Credits.* In the event a handler sells to a governmental agency any quantity of apples of varieties other than those required to be set aside by the provisions of this order, he may obtain credit for such quantity against his set-aside quantity of apples of the Delicious variety. In the event a handler sells to a governmental agency a quantity of apples of fancy grade, or higher grades, of the Winesap or Newtown varieties, of sizes other than those required to be set aside by the provisions of this order, he may, pursuant hereto, obtain credit for such quantity against his respective set-aside quantity of apples of the Winesap or Newtown variety. The credit provided for by either of the two preceding sentences may be obtained by such handler, subject to verification by the Deputy Order Administrator for the district (Wenatchee-Okanogan or Yakima-Hood River, as the case may be) where such apples were grown, by giving written notice to such Deputy Order

Administrator of the date of the shipment, the purchase order number, the car initials and number, or other shipment identification acceptable to such Deputy Order Administrator, and the number of the boxes of each variety.

The provisions of this amendment shall be effective as of 12:01 a. m., P. s. t., November 10, 1945. With respect to violations, rights accrued, liabilities incurred, or appeals taken under the said War Food Order No. 143 prior to the effective time of this amendment, all provisions of the said War Food Order No. 143 in effect prior to the effective time of this amendment shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with regard to any such violation, right, liability, or appeal.

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

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; E.O. 9577, 10 F.R. 8087)

Issued this 8th day of November 1945.

[SEAL] CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 45-20527; Filed, Nov. 8, 1945;
3:20 p. m.]

TITLE 8—ALIENS AND NATIONALITY

Chapter II—Office of Alien Property Custodian

PART 503—GENERAL ORDERS

EXTENSION OF TIME FOR FILING NOTICES OF CLAIM UNDER VESTING ORDERS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, determining that it is in the national interest to extend the time for filing notices of claim under vesting orders as hereinafter set forth, and that adherence to a period of limitation expiring prior to April 1, 1946, may cause undue hardship or inequity to claimants, hereby further amends General Order No. 21, to read as follows:

§ 503.21 *General Order No. 21, as amended.* (a) Without limitation by reason of any provision as to a specified claim period in any vesting order heretofore issued, any person, except a national of a designated enemy country, asserting any claim arising as a result of a vesting order, may file with the Alien Property Custodian a notice of claim of his, together with a request for a hearing thereon, on Form APC-1, Form APC-16 or Form APC-17, as may be appropriate, at any time up to and including April 1, 1946, or within such further time as may be provided in any such order or on application or otherwise.

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

(40 Stat. 411, 50 U.S.C. App.; 55 Stat. 839, 50 U.S.C. App. and Sup.; E.O. 9193, 3 CFR Cum. Supp.; E.O. 9567, 10 F.R. 6917)

Executed at Washington, D. C. on November 7, 1945.

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

[F. R. Doc. 45-20591; Filed, Nov. 9, 1945;
11:15 a.m.]

TITLE 29—LABOR

Chapter IX—Department of Agriculture (Agricultural Labor)

[Supp. 88]

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

WORKERS ENGAGED IN CORN HARVESTING OPERATIONS IN SOUTH DAKOTA

§ 1104.3 *Workers engaged in corn harvesting operations in the State of South Dakota.* Pursuant to § 4001.7 of the regulations of the Economic Stabilization Director relating to salaries and wages issued August 28, 1943, as amended (8 F.R. 11960, 12139, 16702; 9 F.R. 6035, 14547; 10 F.R. 9478, 9628) and to the regulations of the War Food Administrator issued March 23, 1945 (10 F.R. 3177) entitled "Specific Wage Ceiling Regulations" and based upon a certification of the South Dakota USDA Wage Board that a majority of the producers of corn in the area affected participating in hearings conducted for such purpose have requested the intervention of the Secretary of Agriculture, and based upon relevant facts submitted by the South Dakota USDA Wage Board and obtained from other sources, it is hereby determined that:

(a) *Areas, crops and classes of workers.* Persons engaged in corn harvesting operations in the State of South Dakota are agricultural labor as defined in § 4001.1 (1) of the regulations of the Economic Stabilization Director issued on August 28, 1943, as amended (8 F.R. 11960, 12139, 16702; 9 F.R. 6035, 14547; 10 F.R. 9478, 9628).

(b) *Definitions.* When used in this section:

(1) The term "Area I" means all of that area included in the counties of Buffalo, Jerauld, Sanborn, Miner, Lake, Moody, Minnehaha, McCook, Hanson, Davison, Aurora, Brule, Charles Mix, Douglas, Hutchinson, Bon Homme, Turner, Yankton, Lincoln, Clay, and Union, State of South Dakota.

(2) The term "Area II" means all of that area included in the counties of Brookings, Kingsbury, Beadle, Hamlin, Deuel, Coddington, Clark, Grant, Day, Marshall, and Roberts, State of South Dakota.

(3) The term "Area III" means all that area included in the counties of

South Dakota other than those counties above named in Area I and Area II.

(4) The term "bushel" means a measure equivalent to one inch depth in a standard wagon box.

(c) *Maximum wage rates for corn harvesting operations.* (1) Maximum wages for harvesting corn in Area I:

(i) For hand picking—10¢ per measured bushel where elevator is used for unloading, or 11¢ per measured bushel where corn is scooped into crib.

(ii) For driving tractor or operating mechanical picker—\$1 per hour with board and room.

(2) Maximum wages for harvesting corn in Area II:

(i) For hand picking—12¢ per measured bushel where elevator is used for unloading, or 13¢ per measured bushel where corn is scooped into crib.

(ii) For driving tractor or operating mechanical picker—\$1 per hour with board and room.

(3) Maximum wages for harvesting corn in Area III.

(i) For hand picking—14¢ per measured bushel where elevator is used for unloading or 15¢ per measured bushel where corn is scooped into crib.

(ii) For driving tractor or operating mechanical picker—\$1 per hour with board and room.

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

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

Effective date. This Supplement No. 88 shall become effective at 12:01 a. m., central standard time, November 13, 1945.

(56 Stat. 765 (1942), 50 U.S.C. 961 et seq. (Supp. IV); 57 Stat. 63 (1943); 59 U.S.C. 564 (Supp. IV); 58 Stat. 632 (1944); Pub. Law 108, 79th Cong., E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; E.O. 9577, 10 F.R. 8087, E.O. 9620, 10 F.R. 12033; regulations of the Economic Stabilization Director, 8 F.R. 11960, 12139, 16702, 9 F.R. 6035, 14547, 10 F.R. 9478, 9628; regulations of the War Food Administrator, 9 F.R. 655, 12117, 12611, 10 F.R. 7609, 9581; 9 F.R. 831, 12807, 14206, 10 F.R. 3177)

Issued this 8th day of November 1945.

[SEAL] HOWARD A. PRESTON,
Acting Director of Labor,
U. S. Department of Agriculture.

[F. R. Doc. 45-20574; Filed, Nov. 9, 1945;
11:11 a.m.]

**TITLE 31—MONEY AND FINANCE:
TREASURY**

**Chapter II—Fiscal Service: Department
of the Treasury**

Subchapter B—Bureau of the Public Debt

[1945 Dept. Circ. 728, Amdt. 1]

**PART 320—REGULATIONS GOVERNING IS-
SUE OF, TRANSACTIONS IN, AND OPTIONAL
REDEMPTIONS OF, UNITED STATES EX-
CESS PROFITS TAX REFUND BONDS**

OPTIONAL REDEMPTION

NOVEMBER 7, 1945.

United States Excess Profits Tax Refund Bonds issued under authority of sections 780 to 783, of the Internal Revenue Code, as amended, and under the provisions of this circular are non-negotiable, and are not transferable by sale, exchange, assignment, pledge, hypothecation or otherwise (except to a successor) on or before the date of cessation of hostilities in the present war as fixed by proclamation of the President or by a concurrent resolution of the two Houses of Congress. No such proclamation has been issued and no such concurrent resolution has been adopted. Consequently, these bonds have not become transferable or negotiable and may not be pledged or hypothecated. However, by the provisions of section 3 (c) of the Tax Adjustment Act of 1945 (Public 172, 79th Congress) any such bond is payable at the option of the owner on or after January 1, 1946.

To carry out the provisions of law for such optional redemptions, Department Circular No. 728, dated December 31, 1943, is hereby amended, under authority of section 782 of the Internal Revenue Code, as amended, and of § 320.7 of such circular, by renumbering §§ 320.6 and 320.7 as §§ 320.11 and 320.12, and inserting the following new sections:

§ 320.6 *Optional redemption; Assignments.* In order to secure optional redemption of an Excess Profits Tax Refund Bond on or after January 1, 1946, the bond must be assigned by the owner, using the form on the back of the bond, unless otherwise specifically instructed, to "The Secretary of the Treasury for redemption" in the presence of one of the officers authorized to witness such assignments. (See § 320.8.) If the registered owner is a corporation the signature should be in the name of the corporation by an authorized officer thereof, whose manual signature should be affixed and his title given, for example: "X Corporation by William Jones, Treasurer." If the owner is a partnership the signature should be in the name of the partnership followed, by the manual signature of a general partner so described, for example: "Smith and Jones, a partnership, by John Smith, a general partner." The assignment form must then be completed by an officer authorized to witness such assignments, who should affix his official signature, title, address, and seal, as well as the date of the assignment. In the case of a notary public the date on which his commission expires must be shown. In the case of a corporation the title of the official ex-

ecuting the assignment must be inserted on the blank line in the form for the witnessing officer. In the case of a partnership the word "the" should be stricken out immediately before the blank line and the words "a general partner" inserted. In the case of an individual owner the words "of the" following the blank line should be stricken out. If an owner is an individual under disability, the estate of a deceased person, a fiduciary, a corporation in course of dissolution, or is an insolvent or bankrupt, special instructions should be requested of the Treasury Department, Division of Loans and Currency, Washington 25, D. C.

(a) *Detached assignments.* Detached assignments will not be accepted, except where specifically authorized by the Treasury Department or by a Federal Reserve Bank.

(b) *Assignments in blank.* Assignments in blank will be recognized only as authority for payment to the registered owner named on the bond.

(c) *Assignments for account of third parties.* Assignments for account of third parties will not be accepted in any case.

(d) *Resolution.* No resolution of the directors of a corporation owning bonds in its own right will be required as authority for the officer executing an assignment for redemption.

§ 320.7 *Optional redemption; successors.* If the successor of the registered owner of an Excess Profits Tax Refund Bond desires redemption and the bond has not already been surrendered for reissue, such owner should request instructions as to procedure from the Treasury Department, Division of Loans and Currency, Washington 25, D. C. If the bond has already been submitted for reissue, accompanied by the necessary evidence, the Treasury Department, Division of Loans and Currency, should be immediately informed of the owner's desire for redemption rather than reissue, and requested to furnish instructions as to procedure.

§ 320.8 *Optional redemption; witnessing officers.* All assignments, whether on the bonds themselves or on detached forms specifically authorized by the Treasury Department or Federal Reserve Banks, must be executed in the presence of and be witnessed by one of the officers authorized to witness assignments of United States registered bonds for redemption for account of the registered owner. The officers so authorized include, among others, executive officers of banks and trust companies incorporated in the United States and its organized territories and the branches thereof, foreign and domestic, executive officers of Federal Land banks, certain officers of Federal Reserve Banks and Branches and notaries public. A complete list of such officers may be obtained from the Treasury Department or a Federal Reserve Bank or Branch.

§ 320.9 *Optional redemption; surrender of bonds.* After the execution of the assignment for optional redemption, bonds should be surrendered at the expense and risk of the owner, either to

the Treasury Department, Division of Loans and Currency, Washington 25, D. C., or to a Federal Reserve Bank or Branch.

(a) *Immediate surrender.* Those owners desiring to take advantage of the optional redemption privilege and who desire payment on January 1, 1946, are strongly urged to surrender their bonds immediately in order that examination of assignments may be completed and checks drawn in time to be delivered on January 1, 1946. Those owners not desiring to take immediate advantage of the privilege, but who later determine to do so are likewise urged to surrender their bonds well in advance of the date on which they desire payment.

§ 320.10 *Optional redemption; payment.* Payment will be made by check drawn to the registered owner of the bond, except that in case of successorship the check will be drawn to the order of the successor or successors. In special cases such as individual owners under disabilities, estates of deceased owners, fiduciaries, corporations being dissolved, or insolvent or bankrupt owners, checks will be drawn to the proper representatives.

[SEAL]

D. W. BELL,

Acting Secretary of the Treasury.

[F. R. Doc. 45-20526; Filed, Nov. 8, 1945; 3:14 p. m.]

TITLE 32—NATIONAL DEFENSE

**Chapter IX—Civilian Production
Administration**

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, 58 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; E.O. 9638, 10 F.R. 12591; CPA Reg. 1, Nov. 5, 1945, 10 F.R. 13714.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-908]

HANSON ROPE AND HALTER CO.

Martin Hanson and Fern Hanson are partners doing business as Hanson Rope and Halter Company in Sioux City, Iowa. During the period from February 1, 1945 to June 15, 1945 they accepted delivery of rope made from binder twine, put into process 108 bales of binder twine to manufacture rope for sale, and sold and delivered rope made of binder twine having a sales value of approximately \$3,600 each in violation of General Conservation Order M-84. The partners were aware of the provisions of Conservation Order M-84 and their actions constituted willful violations thereof. These violations diverted critical materials to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.908 *Suspension Order No. S-908.* (a) For a period of two months from the effective date of this order Martin Hanson and Fern Hanson shall not deliver or otherwise dispose of binder or baler twine except in conformance

with provisions of Conservation Order M-84, receive or accept delivery of binder or baler twine, process or manufacture any rope made wholly or in part from new binder or baler twine.

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

(c) The restrictions and prohibitions contained herein shall apply to Martin Hanson and Fern Hanson, doing business as Hanson Rope and Halter Company and under any other name, their successors or assigns or persons acting in their behalf. Prohibitions against taking of any action include the taking indirectly as well as directly of any such actions.

(d) This order shall take effect on November 8, 1945.

Issued this 29th day of October 1945.

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

[F. R. Doc. 45-20569; Filed, Nov. 8, 1945;
4:49 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-909]

THE BOCK CO. AND STOCKMAN'S SUPPLY AND
BROKERAGE CO.

H. J. Bockelman, S. M. Bockelman, W. D. Bockelman, G. G. Bockelman and P. J. Bockelman, doing business under the name of The Bock Company and also as Stockman's Supply and Brokerage Company are engaged in manufacturing various types of lariats and ropes in Sioux City, Iowa. During the period from May 7, 1944 to June 15, 1945, they manufactured, sold and delivered rope made from binder twine having a value of approximately \$15,000 in violation of Conservation Order M-84. They were familiar with the provisions of M-84 and the violations were wilful and resulted in diversion of critical materials to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.909 *Suspension Order No. S-909.* (a) For a period of three months from the effective date of this order, H. J. Bockelman, S. M. Bockelman, W. D. Bockelman, G. G. Bockelman and P. J. Bockelman shall not receive or accept delivery of binder or baler twine, process or manufacture any rope made wholly or in part from new binder or baler twine, nor shall they deliver or otherwise dispose of binder or baler twine except in accordance with the provisions of Conservation Order M-84.

(b) Nothing contained in this order shall be deemed to relieve H. J. Bockelman, S. M. Bockelman, W. D. Bockelman, G. G. Bockelman and P. J. Bockelman from any restrictions, prohibition or provision contained in any other order or regulation of the War Production Board except insofar as the same may

be inconsistent with the provisions thereof.

(c) The restrictions and prohibitions contained herein shall apply to H. J. Bockelman, S. M. Bockelman, W. D. Bockelman, G. G. Bockelman and P. J. Bockelman, doing business as The Bock Company, Stockman's Supply and Brokerage Company, or any other name, their successors or assigns or persons acting in their behalf. Prohibitions against taking of action include the taking indirectly as well as directly of any such action.

(d) This order shall take effect on November 8, 1945.

Issued this 29th day of October 1945.

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

[F. R. Doc. 45-20570; Filed, Nov. 8, 1945;
4:49 p. m.]

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

[Priorities Reg. 3, as Amended Nov. 9, 1945]

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

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

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

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

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

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

(c) *Use of ratings in general.* (1) When a regulation, preference rating order or preference rating certificate assigns a rating to any person, either by naming him or by describing the class of persons to which he belongs, that person may apply the rating to get delivery of material or the performance of certain services. Also, a person may under certain conditions extend a rating which has been applied or extended to his deliveries of material, but not one applied to serv-

ices. More detailed rules as to how and when ratings may be applied or extended are set out below in this regulation.

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

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

(d) *When AAA or MM ratings may be extended for material.* The following provisions of this paragraph (d) apply to all extensions of AAA or MM preference ratings to get deliveries of material, unless they are modified by or are inconsistent with the provisions of any particular order.

(1) [Deleted Oct. 1, 1945.]

(2) When a person has received a AAA or MM rated order for the delivery of material, he may extend the AAA or MM rating to get the material which he will deliver on that order, or which will be physically incorporated in material which he will deliver, subject to applicable inventory restrictions of the Civilian Production Administration as explained in Priorities Regulation 32. If the material is to be processed, this includes the portion of it which would normally be consumed or converted into scrap or by-products in the course of processing.

(3) If a person has made delivery of material, or has incorporated it into other material which he has delivered on an AAA or MM rated order, he may extend the AAA or MM rating to replace it in his inventory. However, if after delivering the material he still has a practicable working minimum inventory he may not extend the AAA or MM rating to replace the material delivered; and if by making the delivery his inventory is reduced below this minimum, the AAA or MM rating may be extended to get only the amount necessary to restore the inventory to a practicable working minimum. Any material ordered to replace in inventory must be substantially the same as the material which the person delivered or incorporated in the material which he delivered, except for minor variations in size, shape or design.

(4) A person to whom a rating of AAA or MM has been applied or extended to get material may not extend that AAA or MM rating to get any material for his own plant improvement expansion or construction, or to get machine tools or other items which he will carry as capital equipment, or to get business machines for his own use whether purchased or leased, or to get maintenance, repair or operating supplies for his own use.

(d-1) *CC ratings may not ordinarily be extended.* CC ratings may not be ex-

tended by a supplier to get production materials needed to make the item sold to his customer, or to replace in inventory materials used to make the item or to get containers or closures needed to pack the item. A distributor, warehouse, retailer, or other person who resells the item without further fabrication may extend the CC rating where he does not have the item in inventory, but may not extend the rating to replace the item in inventory.

However, when a person has received a CC rated order for the delivery of textile fabric (cotton, rayon, or wool, or their blends), he may extend the CC rating to get the fabric which he will deliver on that order, or the unfinished fabric which he will deliver on it after finishing, subject to applicable inventory restrictions of the Civilian Production Administration as explained in Priorities Regulation 32. If the rating is extended for gray fabric to fill an order for finished fabric, it may include the portion of the gray fabric which would normally be consumed or converted into scrap or by-products in the course of finishing. If a person has made delivery of textile fabric, or has converted gray fabric into finished fabric which he has delivered on a CC rated order, he may extend the CC rating to replace it in his inventory: Provided, That if after delivering the fabric he still has a practicable working minimum inventory, he may not extend the CC rating to replace the fabric delivered; and if by making the delivery his inventory is reduced below this minimum, the CC rating may be extended to get only the amount necessary to restore the inventory to a practicable working minimum. Any fabric ordered to replace inventory must be made of the same textile fiber (or combination of such fibers), and of the same type of construction and approximate weight as the fabric which such person delivered.

(e) Additional restrictions upon use of ratings for certain materials. Because of special circumstances which exist with respect to certain materials and products, the use of preference ratings to get items on List A attached to this regulation is restricted as follows:

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

(2) [Deleted Oct. 1, 1945.]

(3) [Deleted Oct. 1, 1945.]

(f) Use of ratings for services—(1) Ratings may not be used for personal services. Preference ratings may never be used to get labor or personal services as distinct from services performed in

the course of a regular business involving the use of plant, machinery or equipment owned by the person furnishing the services. For example, ratings may be used to get a repair job done in a repair shop as explained below but may not be used to compel an individual employee to work on a repair job or to obtain the services of a consulting engineer.

(2) Three cases where ratings may be used for services. There are only three situations in which a preference rating may be used to get services, as distinct from the production or delivery of material:

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

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

(iii) For repairs. Any rating which may be applied to the delivery of specific repair parts or materials may also be applied to the installation of the repair parts or materials or to the repair job alone if it is found that installing the parts or materials is not necessary. However, in the case of ordinary plumbing, heating, electrical, automotive or refrigeration repairs, a rating may not be applied to repair work even if the rating is expressly applicable to repair parts or materials. As used in this subparagraph "repair" means to fix a plant, machinery or equipment after it has broken down or when it is about to break down. "Repair" does not mean upkeep or maintenance service such as periodic inspection, cleaning, painting, lubricating, etc.

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

(g) How to apply or extend a rating.

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

CERTIFICATION

The undersigned purchaser hereby represents to the seller and to the Civilian Production Administration that he is entitled to apply or extend the preference ratings indicated opposite the items shown on this order and that such application or extension is in accordance with Priorities Regulation 8 as amended, with the terms of which the undersigned is familiar.

(Name of Purchaser)

(Address)

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

(Date)

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

(4) When a person applies or extends a rating he shall also include on his purchase order or contract any information which may be required by any applicable Civilian Production Administration order.

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

(6) When either certification authorized in this paragraph (g) is used it will not be necessary to use any other certification in order to apply or extend a preference rating, nor will it be necessary to furnish a copy of any preference rating order no matter what any regulation, preference rating order or preference rating certificate says unless it expressly states that this regulation does not apply.

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

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

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

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

(3) When a person has two or more ratings of different grades, or where they were assigned by the same or different certificates or orders, he may extend them to deliveries under one purchase order. However, the purchase order must show the amount of each material to which a particular grade of rating is extended. If the type and quantity of the material is such that the supplier can readily determine the exact effect of the extension of the rating on his production and delivery schedule from percentage figures alone, then the purchase order may show the amount of the material to which the particular grade of rating is extended on a percentage basis; otherwise, it must be shown as a separate item. In order to avoid production or delivery of material in quantities smaller than the minimum commercially practicable a person may combine ratings of different grades and extend the rating of the lowest grade to the total production or delivery.

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

Issued this 9th day of November 1945.

CIVILIAN PRODUCTION ADMINISTRATION,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST A

The following items may be delivered without regard to any Civilian Production Administration preference ratings:

- Automobiles, passenger.
- Chemicals of the following types manufactured or produced for exclusive use in the petroleum industry, as petroleum industry is defined in Preference Rating Order P-98-b:
 - a. Antioxidants (gum inhibitors) for motor fuels.
 - b. Chemical additives and compound bases for heavy duty gasoline engine, diesel engine and aviation engine oils.
 - c. Chemical additives and compound bases for hypoid gear oils.
 - d. Synthetic catalysts for oil cracking operation.
 - e. Synthetic catalysts for cumene and co-dimer manufacture.
 - f. Synthetic catalysts for petroleum isomerization operations.
 - g. Synthetic catalysts for petroleum sweetening operations.
- Coal.
- Coke.
- Communications services.
- Electric energy.
- Gas manufactured combustible, of the type generally distributed by utilities.
- Gas, natural.
- Petroleum, including only the following products:
 - (1) Liquefied petroleum gas: propane, propylene, butanes, butenes, or any combination or dilution thereof commonly known as liquefied petroleum gas.
 - (2) Aviation gasoline: any liquid fuel (including components thereof), except Diesel fuel, used for aircraft propulsion which meets current provisional or permanent United States Army or Navy specifications for aircraft fuels.
 - (3) Motor fuel: any liquid fuel (including components thereof) suitable for use in the propulsion of motor vehicles or motor boats.
 - (4) Naphtha: any liquid petroleum fraction or derivative commonly known as naphtha, including that cut of gasoline or kerosene classified as naphtha: *Provided*, That the term naphtha shall not include any toluene fraction of Kauri-butanol value of 85 Kauri-butanol number or higher, or any aromatic petroleum solvent, as defined in General Preference Order M-150, as amended.
 - (5) Insecticide base: any liquid petroleum fraction or derivative used as or suitable for

use as a base or carrier for the active chemical ingredients of an insecticide, germicide or deodorant.

(6) Fuel oil: any liquid petroleum fraction or derivative commonly known as fuel oil, including grades No. 1, 2, 3, 4, 5, or 6, Bunker "C" fuel oil, Diesel fuel, kerosene, range oil, gas, oil and any other liquid petroleum product used for the same purpose as the above designated grades.

(7) Lubricating oil: any liquid petroleum fraction or derivative regardless of the extent processed, (1) which is used for or is suitable for lubrication, including, but not limited to, cutting, drawing, processing, soluble, transformer and white oils, and (2) which does not contain in excess of 50% by weight of additives or compounds.

(8) Lubricating grease: any lubricant manufactured from petroleum and a soap, organic salt or ester of any fatty oil or fatty acid.

(9) Asphalt: asphalt of petroleum origin and all asphaltic products of petroleum origin, including road oils.

(10) Micro-crystalline wax: any solid hydrocarbon mixture, commonly known as micro-crystalline wax (amorphous wax, petroleum wax) but not including paraffin wax defined as a solid hydro-carbon mixture having a melting point between 110° F. to 155° F. (ASTM-D-87) and a maximum kinematic viscosity of 5.74 centistokes at 210° F (ASTM-D445-42T), wholly derived by low temperature solidification and expression, or by solvent extraction, from that portion of crude petroleum known as paraffin distillate.

(11) Petrolatum: any semi-solid hydrocarbon mixture, plastic and unctuous, commonly known as petrolatum or petroleum jelly, regardless of the extent processed.

(12) Mineral oil polymers: any resinous product produced by the polymerization of mixtures of unsaturated hydrocarbons (either the solid resin or solvent extended product); but not including polystyrene, polyisobutylene, polyethylene, butadiene, or the copolymers of such materials.

- Steam heating, central.
- Ice.
- Tobaccos.¹
- Vegetable, fish, marine animal and animal fats and oils, whether edible or inedible and including their by-products and residues (whether resulting from refining, distillation saponification, pressing or setting).¹
- Sulfated, sulfonated, and sulfurized fats and oils.
- Tall oil.¹
- Wool grease.¹
- Soap (other than metallic).¹
- Fatty acids.¹
- Food for human or animal consumption.¹
- Glycerine.¹
- Water.
- Low and high temperature fractional distillation equipment for gas and gasoline analysis.
- Wood pulp.

LIST B: Deleted Oct. 1, 1945.

INTERPRETATION 1

Interpretation 1 of Priorities Regulation 3 [Revoked Nov. 17, 1943.]

INTERPRETATION 2

EFFECT OF LIST A ON UNFILLED ORDERS

The restrictions on the use of ratings for the items on List A apply to orders for such items which had been placed before the date the item was put on the list but were not yet filled. (Issued Oct. 1, 1945.)

INTERPRETATION 3: Revoked Oct. 1, 1945.

INTERPRETATION 4: Revoked Oct. 1, 1945.

¹Subject to War Food Order 71 (formerly FD Regulation No. 1) of the War Food Administration.

INTERPRETATION 5

RESTRICTIONS ON OTHER ORDERS

(a) *Restrictions of other orders on use of ratings or delivery.* The provisions of paragraph (a) relate only to the items which appear on the list. When any other order of the Civilian Production Administration restricts the use of preference ratings to obtain any product or restricts delivery of a product in any way, those restrictions are applicable even though that product is not listed in Priorities Regulation 3 (§ 844.23).

(b) [Deleted Oct. 1, 1945.]

(Issued Oct. 1, 1945.)

INTERPRETATION 6

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

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

(b) The rule stated in the preceding paragraph is consistent with the statement in paragraph (c) (2) of Priorities Regulation 3 (§ 844.23), that a preference rating may be applied only to the specific quantities and kinds of material authorized. Ordinarily a reference in a preference rating certificate to a particular product of a particular manufacturer is no more than a shorthand way of describing the product. It is safe to assume, unless the certificate clearly states otherwise, that what is being rated is a certain kind and size of product which may be obtained from any manufacturer who makes that kind and size. If it is intended to confine the rating to a particular product of a particular manufacturer, the certificate should say so explicitly. (Issued Sept. 8, 1943.)

INTERPRETATION 7: Revoked Oct. 1, 1945.

INTERPRETATION 8: Revoked Oct. 1, 1945.

INTERPRETATION 9: Revoked Oct. 1, 1945.

INTERPRETATION 10

USE OF RATING TO OBTAIN LEASED MACHINERY

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

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

(2) If the rating is limited by specific dollar amount it may be used only to lease machinery or equipment whose fair market value is no greater than the amount specified.

(b) If the instrument assigning the ratings specifies a lease rather than a purchase, it is not necessary to comply with the above conditions. (Issued Oct. 1, 1945.)

INTERPRETATION 11: Revoked Oct. 1, 1945.

INTERPRETATION 12

RECORDS OF EXECUTES

Paragraph (g) (5) of Priorities Regulation No. 3 requires each person who applies or extends a rating to keep all documents including preference rating orders and certificates which authorize him to apply or extend

the rating at his regular place of business. The Foreign Economic Administration and its predecessors, the Board of Economic Warfare and the Office of Economic Warfare, have assigned preference ratings to exporters for export by endorsing appropriate legends upon export licenses. The original of every export license, however, is required by other government regulations to be surrendered to export officials at the time of shipment. Consequently, persons who receive their assignments of preference ratings on export licenses are not in a position to retain the original of the export license and thus are not required to do so by paragraph (g) (5) except only in those cases where other government regulations do not require the surrender to the government of the documents referred to. However, such persons must keep any copies of the export licenses which are returned to them for their files. (Issued August 24, 1945.)

INTERPRETATION 13

TIME LIMIT ON USE OF RATINGS

Preference ratings may not be extended to replace material in inventory after three months from the time delivery was made to the customer. This is the rule of paragraph (h) (1) of the regulation.

When a rating is being applied (except a blanket rating such as one assigned by CMP Regulation 5) or when any rating is extended for some purpose other than to replace inventory, this may be done only within a reasonable time after the rating was received. Generally speaking, more than three months is deemed to be an unreasonable delay in the use of a rating. In a particular case there may be circumstances which make a reasonable time shorter or longer than three months. For example,

(1) [Deleted Oct. 1, 1945.]

(2) A rating assigned in connection with an export license may be applied as long as the license is valid and expires when the license expires or is revoked. (For explanation of this rule see Interpretation 2, Directive 27.)

(3) When a rating is applied to a long term contract (such as the construction of a ship), it may be extended for material needed to fill the contract, even though more than three months have elapsed.

(4) If the purpose for which the rating was assigned no longer exists, the rating may not be applied even though three months have not elapsed.

(5) When a rating is extended by a person to get material to deliver to his customer, or to incorporate in such material, the time within which it may be done will, in general, be controlled by the delivery date on his customer's order.

The fact that a person has not been able to get his rated order accepted by a supplier does not lengthen the time within which he may use his rating.

Nothing in this interpretation means that any AA rating still has any effect. All AA ratings become ineffective in every respect on September 30, 1945. (Issued Oct. 1, 1945.)

INTERPRETATION 14: Revoked Apr. 23, 1945.

INTERPRETATION 15

REFERENCES IN LIST A TO ORDERS WHICH HAVE BEEN REVOKED

In many items on List A of Priorities Regulation 3 reference is made to specific WPB orders or schedules for a definition of the specific items covered by the lists. Sometimes the order or schedule referred to is revoked without any change in the listing on List A. When one of these orders or schedules is revoked, the listing of the item on List A, nevertheless, remains in full force and effect, and the item as listed on List A

has the same meaning as before the revocation of the order. (Issued Oct. 1, 1945.)

[F. R. Doc. 45-20593; Filed, Nov. 9, 1945; 11:15 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-328, Direction 28]

SALES, DELIVERY, AND USE OF CERTAIN RAYON FABRICS AS LININGS IN MEN'S AND BOYS' CLOTHING

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

(a) *Purpose.* This direction restricts the use of rayon twill or serge, 88 to 140 sley, inclusive, to linings for men's or boys' suits, overcoats, topcoats, separate jackets, or trousers, and is needed to assure an adequate supply of linings for this purpose.

(b) *Restrictions on producers.* On and after November 9, 1945, no producer of rayon twill or serge, 88 to 140 sley, inclusive, may sell or deliver such fabrics in the gray state on CC rated or unrated orders except to persons who give the certificate set forth in paragraph (e).

(c) *Restrictions on processing.* On and after November 9, 1945, no finished goods supplier may put into process any rayon twill or serge, 88 to 140 sley, inclusive, to be finished in a manner which makes it unsuitable for use as linings for men's or boys' suits, overcoats, topcoats, separate jackets or trousers.

(d) *Restrictions on delivery of finished goods.* On and after November 9, 1945, no finished goods supplier may deliver on CC rated or unrated orders any finished rayon twill or serge, 88 to 140 sley, inclusive, suitable for use as lining in men's or boys' suits, overcoats, topcoats, separate jackets or trousers, except to persons who give the certificate set forth in paragraph (e).

(e) *Form of certificate to be used.* The following is the form of certificate to be used:

The undersigned certifies subject to the criminal penalties of section 35 (a) of the U. S. Criminal Code, that he will use the material covered by this purchase order as linings for men's or boys' suits, overcoats, topcoats, separate jackets or trousers, or will deliver it only to persons who give this certificate.

Persons giving this certificate may use or dispose of fabrics they get with the certificate only in accordance with its terms. The standard certificate in Priorities Regulation 7 may not be used instead of this certificate.

(f) *Restrictions on manufacturers.* As explained in paragraph (f) of Interpretation 1 to Order M-328B, manufacturers who have been granted priorities assistance under that order must purchase and use materials to make the quantities of the items for which they got priorities assistance before purchasing and using materials for other articles. Under this rule, manufacturers who were assigned CC ratings under Schedule K to Order M-328B for any men's or boys' items on that Schedule (Nos. 14 through 25) must purchase and use materials they get for linings under this direction to make the items for which they got priorities assistance before using them to make any other items of men's or boys' wear.

(g) *Exceptions.* This direction does not apply to orders rated AAA or MMM.

Issued this 8th day of November 1945.

CIVILIAN PRODUCTION
ADMINISTRATION,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-20568; Filed, Nov. 8, 1945; 4:49 p. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Order M-328B, Interpretation 1]

ACCEPTANCE AND FILLING OF RATED ORDERS, AND COMPLETION AND DELIVERIES OF APPAREL

The following interpretation is issued with respect to Order M-328B:

(a) *Purpose.* This interpretation calls particular attention to certain rules concerning the acceptance and filling of rated orders, and their application to orders for textiles assigned CC preference ratings under several schedules to Order M-328B; and also to certain rules requiring apparel manufacturers to complete their operations as rapidly as practicable.

To insure the success of the low price civilian apparel programs provided by the schedules, these rules must be observed. Any person who willfully violates them, or who, in connection with the rules, willfully conceals a material fact or furnishes false information to any department or agency of the United States, is subject to the penalties referred to in § 944.18 of Priorities Regulation 1 and paragraph (m) of Order M-328B.

Any supplier who has inadvertently failed to comply with these and other applicable Civilian Production Administration rules should immediately take any steps necessary to make his operations conform to them.

(b) *Compulsory acceptance of rated orders.* The rules concerning compulsory acceptance of rated orders (that is, orders carrying an AAA, MMM, or CC preference rating) are stated in § 944.2 of Priorities Regulation 1. It must be noted that a rated order which meets the supplier's regularly established prices and terms of sale or payment may not be rejected merely because he would prefer to hold back his goods from sale until a later date when he may hope that tax laws, his OPA ceiling prices, or other factors will change so as to enable him to make a larger profit.

(c) *Offering of goods.* A supplier may not evade the acceptance and filling of rated orders by withholding his production or offerings of low cost goods suitable for low cost apparel.

In addition, when a person who has a rating asks a supplier of textiles to quote his regularly established prices and terms of sale or payment, or the earliest date on which he could make delivery on that rating, the supplier must do so; he may refuse to quote only if he would have the right under the applicable rules, to reject the rated orders and also knows that he will do so if he receives it.

(d) *Rated orders must be given priority over unrated ones.* A rated order must be accepted and filled regardless of existing contracts and orders. In accordance with the rules in § 944.2 of Priorities Regulation 1. For example, if a supplier has accepted an unrated order for fabric and has a rated order served upon him, he may not reject the rated order merely because filling it would require him to use some or all of the fabric which he planned to use to fill the unrated order.

(e) *Customer's required delivery date must be met, if possible.* A supplier must schedule his operations, if possible, so as to fill each rated order by the required delivery or performance date, as explained in § 944.7 of Priorities Regulation 1. If he cannot fill all rated and unrated orders, he must give preference to the rated ones.

(f) *Operations of apparel manufacturers; inventories of manufacturers, mills, converters, and other suppliers.* The attention of apparel manufacturers using ratings under M-328B Schedules is particularly called to the production preference and inventory rules in

paragraphs (f) (2) and (f) (4) of M-325B, and in Priorities Regulation 32. A manufacturer of items within the programs provided for by these schedules must purchase materials for these programs for delivery before materials to be used for items not within the programs, to the full extent necessary to comply with the rule in (f) (2) of M-328B; and must complete the items within the programs in accordance with that rule, even if this results in postponing or delaying production of items not within the programs. A delay in processing material or in making deliveries of completed apparel may involve a violation of Priorities Regulation 32 prohibiting the receipt or accumulation of excessive inventories. This applies equally to suppliers of gray or finished fabrics and manufacturers of apparel not within these programs.

(g) *Other rules.* All of the rules concerning the acceptance and filling of rated orders and the accumulation of excessive inventories, are, of course, not referred to above, and reference must be made to the Priorities Regulations, orders in the M-328 series, and other orders such as L-99, and M-317. The rules specifically referred to are those to which attention is particularly called at this time, in view of their important current application to orders rated CC under the M-328B programs. Some of these rules are qualified to the extent that a special rule, such as that in Direction 7 or Schedule K of Order M-328B, may permit a supplier to reject rated orders in excess of a specified quantity of his receipts or production.

APPENDIX B

Following is the Primary Distributor's Reconciliation Statement OPA Form R-347:

OPA Form R-347 (10-45)

Budget Bureau No. 68-R1521
Approval Expires February 28, 1946

UNITED STATES OF AMERICA
OFFICE OF PRICE ADMINISTRATION

This form may be reproduced without charge

PRIMARY DISTRIBUTOR RECONCILIATION STATEMENT

(Pursuant to Second Revised Ration Order 3)

Name of Primary Distributor

Principal Business Address—Number and Street

City and State

Issued this 9th day of November 1945.

CIVILIAN PRODUCTION
ADMINISTRATION,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-20592; Filed, Nov. 9, 1945;
11:15 a. m.]

Chapter XI—Office of Price Administration
PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[2d Rev. RO 3, Amdt. 44]

SUGAR

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

Second Revised Ration Order 3 is amended in the following respects:

1. The last sentence of section 6.1 (d) is amended to read as follows: "In addition he shall fill out OPA Form No. R-347 (Primary Distributor's Reconciliation Statement) and send it with his check to the Washington Office."
2. A new Appendix B is added to read as follows:

This amendment shall become effective November 13, 1945.

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

Issued this 9th day of November 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20591; Filed, Nov. 9, 1945;
11:41 a. m.]

PART 1340—FUEL

[MPR 83, Corr. to Amdt. 35]

FUEL OIL, GASOLINE AND LIQUEFIED
PETROLEUM GAS

Amendment No. 35 to Maximum Price Regulation No. 88 is corrected in the following respect:

The headnote to section 3.4 (f) is corrected to read as follows:

(f) *Certain tanker maximum delivered prices by order for No. 5 Commercial Standard Specification fuel oil, other heavy fuel oils of lower viscosities than No. 6 Commercial Standard Specification fuel oil and heavy fuel oil when sold for use as gas enrichment oil.*

This correction shall become effective November 14, 1945.

Issued this 9th day of November 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20597; Filed, Nov. 9, 1945;
11:43 a. m.]

INSTRUCTIONS

Fill out this form and forward it with the ration check which you are required to submit to the Washington Office of the Office of Price Administration on or before the 10th day of each month. The information you report on this form will be used to reconcile the difference between the amount of the ration check accompanying this form and the amount of sugar you reported as delivered for the same period to the Department of Agriculture.

STATEMENT FOR MONTH OF _____, 1945

1. Amount of sugar delivered to growers of sugar cane or sugar beets without getting ration evidences..... lbs.
2. Damaged, or mingled damaged and undamaged sugar delivered without getting ration evidences .. lbs.
3. Amount of sugar delivered to other Primary distributors without getting ration evidences..... lbs.
Give names and addresses of recipients and amount of sugar delivered to each. (If necessary, attach a separate sheet listing this information. Identify sheet as Item 3.)
..... lbs.
(Name) (City and State)
..... lbs.
(Name) (City and State)
4. Amount of sugar delivered for use as ship's or plane's stores without getting ration evidences..... lbs.
5. Amount of sugar delivered to following agencies without receiving ration evidences: Panama Canal, Civil Aeronautics Authority, National Advisory Committee for Aeronautics, Office of Scientific Research and Development..... lbs.
6. Other deliveries of sugar for which ration evidences were not received during the month..... lbs.
Give names and addresses of recipients and amount of sugar delivered to each. (If necessary, attach a separate sheet listing this information. Identify sheet as Item 6.)
..... lbs.
(Name) (City and State)
..... lbs.
(Name) (City and State)
Reason for not getting evidences
7. Weight value of ration evidences surrendered with this report for which sugar was not delivered during the month..... lbs.
Reason for non-delivery

I certify that the information submitted herein is true and correct.

Sign here _____ Date _____
(Owner or authorized agent)

A false certification is a criminal offense

¹ 9 F.R. 13592, 14642, 15348; 10 F.R. 201, 412, 1143, 1537, 2144.

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Restriction Order 15, Revocation]

RICE RESTRICTION IN PUERTO RICO

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

Restriction Order 15 (§ 1407.306) is hereby revoked, except that any violation which occurred or rights or liabilities which arose before the effective date of this order of revocation shall be governed by the order in effect at the time the violation occurred or the rights or liabilities arose.

This order of revocation shall be effective as of October 29, 1945.

Issued this 9th day of November 1945.

SAM GILSTRAP,
Territorial Director
for Puerto Rico.

Approved:

JAMES P. DAVIS,
Regional Administrator,
Region IX.

[F. R. Doc. 45-20611; Filed, Nov. 9, 1945;
11:42 a. m.]

PART 1305—ADMINISTRATION
[SO 131¹, Amdt. 5]

REVISED MAXIMUM PRICES FOR CERTAIN
COTTON TEXTILES

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

Section 4 is amended by adding thereto paragraph (gg) to read as follows:

(gg) *Fine cotton goods.* (1) In Table I of § 1316.4 (d) of Maximum Price Regulation No. 11², the maximum prices for the constructions of fine cotton goods of the types and bearing the reference numbers set forth below are revised for the higher band to the following prices and for the lower band to 96.9% thereof:³

Types	Reference No. ¹	Cents per yard
Combed broadcloth.....	AA	
	1	23.95
	2	23.59
	3	23.49
	4	30.13
	5	34.14
	6	25.43
	7	28.75
	9	55.13
	11	77.82
	12	36.18
	13	27.07
	14	28.03
	15	41.05
	16	22.89
	Lawns.....	AB
1		11.65
2		14.15
3		11.70
4		13.72
5		18.50
6		13.23
7		14.37
8		14.40
9		14.32
10		16.86
11		19.39
12		28.62
13		21.73
14		22.43
15		25.71
16		28.79
17		14.98
18		17.49
19		16.29
20		17.03
21		18.26
22		18.64
23		19.07
24		24.91
25		17.41
26		19.65
27		18.37
28		18.51
29		25.21
30		21.76
31		22.81
32		25.58
33		23.76
35		21.46
36		20.27
37		26.55
38		23.15
39		22.00

¹The capital letters heading each series of reference numbers shall be read as preceding each number in the series.

²10 F.R. 11296, 11890, 12116, 13268.

³7 F.R. 6167, 11007; 8 F.R. 13242.

³Reference numbers appearing in Table I of MPR-11, but omitted from the revision, may be repriced at a later date. Pending any repricing, those prices remain unchanged and the provisions of Revised Supplementary Order 114 continue to be applicable to them.

Types	Reference No.	Cents per yard	Types	Reference No.	Cents per yard	
Lawns.....	AB		Poplins.....	AO		
	40	27.50		11	30.14	
	41	31.43		12	31.57	
	42	34.48		13	27.70	
	43	19.75		14	49.09	
	44	24.14		15	37.41	
	45	24.81		Beat-up marquisettes.....	AP	
46	25.94	1			8.73	
Dimittles.....	AO				2	13.77
	1	14.32			3	12.70
	2	16.77		4	10.70	
	3	15.30		Sateens.....	AQ	
	4	15.75			1	21.49
	5	15.92			2	22.41
6	18.20	3			23.45	
Dimity Check.....	AD		4		25.68	
	1	10.25	5		23.92	
	2	14.03	6	23.32		
	3	13.17	7	84.33		
	4	16.82	8	104.01		
	5	17.01	Tracing cloth.....	AR		
Pique.....	AE			1	15.68	
	1	39.57		2	18.33	
	2	53.99		3	20.41	
	3	58.44		4	20.94	
	4	18.43		5	23.87	
	5	20.05		6	22.76	
6	40.99	7		23.87		
Pongee.....	AF			8	31.33	
	1	19.05		9	31.44	
2	17.33	10	33.04			
Voiles.....	AG		11	19.70		
	1	9.66	12	32.16		
	2	10.22	13	32.00		
	3	12.71	14	20.12		
	4	12.51	15	22.98		
	5	12.27	16	31.41		
	6	11.10	Aeroplane fabrics (ply yarn).....	AS		
	7	20.99		1	47.31	
	Marquisettes.....	AH			2	49.18
		1		16.77	3	45.81
2		21.09		4	53.03	
3		18.69		5	41.82	
4		20.60	6	46.49		
5		8.42	Aeroplane fabrics (mercerized ply yarn).....	AT		
6		9.15		1	49.20	
7		9.30		2	50.67	
8		9.96	3	83.91		
9		10.29	Aeroplane fabrics (single yarn).....	AU		
10	11.11	1		30.86		
11	11.90	2	31.46			
12	12.78	Dotted swiss.....	AV			
13	13.78		1	23.30		
14	11.19		2	27.14		
15	12.89		3	23.60		
16	13.11	4	23.67			
17	12.93	Jacquard broadcloth.....	AW			
18	14.22		1	37.23		
19	20.17	2	39.49			
20	24.49	Decating apron cloth.....	AX			
21	9.28		1	223.17		
Scrim.....	AI			2	194.40	
	1		27.46	3	185.82	
2	33.95		4	209.63		
Fine combed plains.....	AJ			5	189.33	
	1		5.86	6	320.11	
	2	6.92	7	213.01		
	3	7.61	Decating cloth.....	AY		
	4	11.48		1	229.72	
	5	38.02		2	187.90	
	6	22.44		3	297.18	
Organdie.....	AK		4	183.31		
	3	20.35	5	168.89		
	6	22.44	6	272.71		
	9	23.46	Decating blanket.....	AZ		
	12	22.88		1	117.77	
	Typewriter cloth.....	AL		Aeroplane de-icer cloth.....	BA	
1		60.05	1		60.09	
2		59.07	Jacket cloth for rubber trade.....	BB		
3		37.98		1	20.45	
4		36.30		2	42.83	
5		56.69		3	68.69	
6	59.54	Carrier apron for rubber trade.....	BC			
Umbrella cloth.....	AM			1	68.66	
	1		24.55	2	67.69	
	2		24.97	3	89.29	
	3		22.57	4	92.09	
	5	24.55	5	94.80		
Collar cloth.....	AN		6	42.33		
	1	53.30	7	53.09		
	2	37.98	Printers blanket fabric.....	BD		
	3	27.44		1	93.60	
	4	31.55		2	117.49	
	5	119.51		3	64.27	
Poplins.....	AO			4	77.81	
	1	32.39		5	60.31	
	2	34.56		6	69.60	
	3	33.37		7	75.45	
	4	44.39		8	69.47	
	5	62.53		9	90.69	
	6	40.25	10	60.80		
	7	25.73	11	89.13		
	8	23.60	12	103.63		
	9	26.26				
10	29.63					

Types	Reference No.	Cents per yard	
		Higher band	Lower band
Printers blanket fabric	BD		
	13	114.06	
	14	130.14	
	15	79.14	
	16	71.55	
Tablecloth	BE		
	1	42.91	
	2	48.41	
Linon warp card clothing cloth	BF		
	1	310.82	
Lapping cloth	BG		
	1	63.65	
Special combed duck	BH		
	1	69.94	
	2	77.63	
	3	55.35	
Life vest (Air Corps special)	BI		
	1	117.67	
Insulating fabric	BJ		
	1	25.16	
Acid resistant glove cloth	BK		
	1	182.39	
Bedford Cord	BL		
	1	41.28	
Shade cloth	BM		
	1	104.38	
	2	129.87	
Jersey	BN		
	1	20.09	
Skip dent shirting	BO		
	1	21.22	
Filter cloth	BP		
	1	24.31	
	2	54.83	
Mechanical boat cloth (ply yarns)	BQ		
	1	66.65	
Insect netting	BR		
	1	17.53	
	2	20.52	
	3	21.59	
Oxford shirting	BS		
	1	28.40	
	2	24.16	
	3	25.49	
	4	26.98	
	5	31.56	
Madras (dobby weave)	BT		
	1	30.34	
	2	37.09	
Shoe lining	BU		
	1	43.60	
Brassiere fabric	BV		
	1	35.67	
	2	38.49	
	3	35.09	
	4	37.69	
	5	36.69	
	6	39.64	
	7	35.11	
	8	37.69	
	9	39.48	
	10	42.65	
	11	30.04	
	12	32.01	
	13	29.79	
	14	31.57	
	15	32.64	
Mechanical boat cloth	BW		
	1	72.32	
Warp clip fabric	BX		
	1	20.09	
	2	21.12	

(2) In Table I of § 1316.4 (d) of Maximum Price Regulation No. 11,¹ the maximum prices for the constructions of colored shirting and seersuckers of the types and bearing the reference numbers set forth below are increased for the higher and lower bands by the following amounts:

Types	Reference ¹ No.	Cents per yard increase	
		Higher band	Lower band
Madras	KA		
	1	2.43	1.60
	2	2.41	1.59
	3	2.57	1.69
	4	2.89	1.85
	5	2.82	1.89
	6	2.92	1.92
	7	2.59	1.71
	8	2.93	1.93

¹The capital letters heading each series of reference numbers shall read as preceding each number in the series.

⁴7 F.R. 6167, 11007; 8 F.R. 13242.

Types	Reference No.	Cents per yard increase	
		Higher band	Lower band
Madras	KA		
	9	2.95	1.94
	10	2.90	1.91
	11	3.03	2.02
	12	3.20	2.25
	13	3.03	2.09
	14	3.70	2.44
Seersucker	KB		
	1	3.42	2.29
	2	3.15	2.03
	3	3.34	2.20
	4	3.63	2.43
	5	3.29	2.31
	6	3.69	2.47
	7	4.22	2.73
	8	3.91	2.53
Broadcloth	KC		
	1	2.09	1.77
	2	2.62	1.73
	3	2.59	1.69
	4	2.81	1.78
	5	2.83	1.83
	6	2.94	1.91
	7	3.01	1.93
	8	3.04	2.00
	9	3.11	2.05
	10	3.13	2.03
	11	3.68	2.63
	12	3.13	2.03
	13	3.32	2.19
	14	3.25	2.14
	15	3.32	2.19
	16	3.21	2.12
	17	3.23	2.16
	18	3.47	2.29
	19	3.62	2.73
	20	3.52	1.63
	21	2.63	1.73
	22	2.71	1.78
	23	2.79	1.81
	24	2.75	1.81
Oxfords	KD		
	1	2.79	1.73
	2	2.78	1.83
	3	2.71	1.79
	4	2.87	1.89

(3) In § 1316.4 (d) of Maximum Price Regulation No. 11,¹ in the footnote to the Table of prices for colored shirting and seersuckers, the table of differentials

A. Width differentials:				
35-inch deduct				\$0.0073
45-inch add				.0109
48-inch add				.0224
B. Warp differentials—ground:				
40s or 40s combed:				
Where ground ends are more or less than 49 per inch:				
Grey, add or subtract for each two ends per inch	\$0.0017	\$0.0019	\$0.0022	\$0.0023
Pastel colors, add per end per inch	.00012	.00047	.00035	.00037
Empire colors, add per end per inch	.00023	.00062	.00072	.00070
40s or 40s carded: Subtract from combed for two ends per inch	.00017	.00019	.00022	.00023
C. Filling differentials:				
1. Ground:				
40s or 40s combed:				
Where ground picks are more or less than 18 per inch:				
Grey, add or subtract for two picks per inch	.0013	.0015	.0019	.0027
Pastel colors, add per pick per inch	.00018	.00034	.00023	.00022
Empire colors, add per pick per inch	.00032	.00070	.00031	.00035
40s or 40s carded: Subtract from combed for two picks per inch	.00009	.00007	.00013	.00018
2. Roving: Subtract	.0160	.0118	.0124	.0145
(And add per pick per inch)				
Grey:				
4 hank	.0039	.0050	.0050	.0063
6 hank	.0073	.0079	.0077	.0073
8 hank	.0044	.0043	.0073	.0070
10 hank	.0038	.0042	.0046	.0052
12 hank	.0035	.0039	.0043	.0043
Pastel:				
4 hank	.0109	.0121	.0123	.0147
6 hank	.0050	.0054	.0057	.0054
8 hank	.0062	.0077	.0077	.0053
10 hank	.0073	.0073	.0075	.0072
12 hank	.0047	.0052	.0057	.0054
D. Pattern differentials:				
Over 10 jumpers and/or 15 harness:				
Per yard per pick 2 shuttles	.000150	.000150	.000155	.000185
Per yard per pick 3 and 4 shuttles	.000195	.000195	.000232	.000232

for color or yarn changes is revised for the lower band to 98.9% of the figures set forth below and for the higher band the table is revised to read as follows:

	Grade per 100 ends	Color per 100 ends		
		Pastel 3%	Medium 4%	Dark 6%
421	\$0.00250	\$0.00242	\$0.00197	\$0.00477
501	.00223	.00201	.00233	.00467
601	.00204	.00203	.00203	.00234
422	.00700			
423	.00750			
424	.01000			
502	.00157			
602	.00173			

(4) In § 1316.4 (d) of Maximum Price Regulation No. 11,¹ Table II is revised to read as follows:

TABLE II

The following provisions shall apply to unfinished box-loom clip-spot marquisettes. As used herein, the term "standard" means having a width of 35", 39½", 46", or 48" and a total count per inch of 36 to 45 sley (including cords if used but exclusive of selvage ends) and 14 to 34 picks (including roving), inclusive. The term "base construction" means 39½"—40 x 18, 40s or 50s combed warp, 40s or 50s combed filling, 2 picks of 6.00 hank grey roving, 10 jumpers and/or 15 harnesses or less.

The lower band of maximum prices for unfinished box-loom clip-spot marquisettes shall be 98.9% of the prices (including all differentials) for the higher band.

The higher band base maximum price for standard unfinished box-loom clip-spot marquisettes shall be 11.20 cents per yard. The higher band maximum price for any standard construction other than the base construction shall be the base maximum price adjusted upward or downward by the following per yard differentials:

TABLE II—Continued

20/2 carded cords (other than selvage):	
Add per end (all widths):	
Grey.....	\$.000068
Pastel colors.....	.000109
Empire colors.....	.000124
E. Loop cutting:	
Add: All widths per yard.....	.0047
F. Production differentials:	
After applying all necessary differentials add or subtract for each pick over or under an over-all count of 20 picks (all widths).....	.0003

This amendment shall become effective November 9, 1945.

Issued this 8th day of November 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20529; Filed, Nov. 8, 1945; 4:39 p. m.]

PART 1499—COMMODITIES AND SERVICES

[MPR 188, Amdt. 71]

MANUFACTURER'S MAXIMUM PRICES FOR CONSUMER GOODS OTHER THAN APPAREL

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

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

Paragraph (b) (6) of Appendix A, § 1499.166, is amended by changing the article "fans (ceiling, desk and bracket, pedestal)" to read as follows:

Fans (except those covered by Revised Maximum Price Regulation No. 136) of the following types: portable, pedestal, ceiling, wall mounted and window fan sets.

This amendment shall become effective on the 14th day of November 1945.

Issued this 9th day of November 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20602; Filed, Nov. 9, 1945; 11:41 a. m.]

PART 1499—COMMODITIES AND SERVICES

[MPR 580, Amdt. 1 to Gen. Retail Order 3]

COTTON PRODUCTS

An opinion accompanying this Amendment 1 to General Retail Order No. 3 under section 23 of Maximum Price Regulation 580¹ issued simultaneously herewith has been filed with the Division of the Federal Register.

Section 2 of General Retail Order No. 3 under section 23 of Maximum Price Regulation 580 is amended to read as follows:

Sec. 2. *Ceiling prices for certain cotton products*—(a) *Items covered.* This section covers the pricing of the following articles²:

(1) Terry products, huck and crash towels and corded napkins.

(2) Bed linens of types 180, 140, 128 and 112 and the back filled type, and bleached pillow tubing of types 128 and 140.

(3) 100% American cotton bed and crib blankets and blanket-robe cloth.

¹ 10 F.R. 12603.

² The articles covered by paragraph (a) are those included in Supplementary Order 131, (10 F.R. 11206).

(b) *Pricing methods.* (1) Except as provided in subparagraph (2), you calculate your ceiling price for any article listed in paragraph (a) by adding the following markup to the net cost of the article you are pricing. ("Net cost" is defined in paragraph (c) (2)).

Article:	Markup on net cost (percent)
Terry Products, huck and crash towels and corded napkins.....	43
(ii) Bed linens of types 180, 140, 128 and 112 and the back filled type, and bleached pillow tubing of types 128 and 140.....	35
(iii) 100% American cotton bed and crib blankets and blanket-robe cloth....	45

(2) If you and all retail sellers which are under common ownership or control with you had in the year 1942 a total sales volume of \$100,000 or more for the items covered by a subparagraph of paragraph (a) which includes the article you are pricing, but your "1942 markup" on the article you are pricing and covered by this subparagraph was less than the markup stated for the article in paragraph (b) (1), you calculate your ceiling price for the article by adding to the net cost an amount derived by applying your 1942 markup to that net cost. "1942 markup" is defined in paragraph (c) (1).

(c) *Meaning of terms*—(1) "1942 markup." Your 1942 markup on an article is the markup you had in March 1942 for that article. To figure this markup, you (i) find the subparagraph of paragraph (a) in which the article you are pricing is listed; (ii) find the last invoice you received prior to March 31, 1942, for an article³ in that subparagraph which you delivered in March 1942; (iii) find the difference between the highest price at which you delivered that article in March 1942 and your last "net cost" for that article prior to March 31, 1942; (iv) divide the difference by that "net cost." The result is your "1942 markup."

(2) *Net cost.* The term "net cost" is the cost stated on your supplier's invoice less all available discounts. No freight or similar charge may be added. However, you may include as part of your net cost any "OPA adjustment charge" which is shown on or attached to your invoice.

This amendment shall become effective November 14, 1945.

Issued this 9th day of November 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20603; Filed, Nov. 9, 1945; 11:42 a. m.]

³ In the case of sheets and pillow tubing, an "article" means, for sheets, a sheet of the same type, and for pillow tubing, pillow tubing of the same type.

PART 1499—COMMODITIES AND SERVICES

[MPR 586, Supp. Storage Reg. 2,¹ Incl. Amdts. 1-3]

MODIFICATIONS OF MAXIMUM PRICES ESTABLISHED BY MAXIMUM PRICE REGULATION 586 FOR COTTON WAREHOUSING AND COTTON COMPRESSING

This compilation of Supplementary Storage Regulation 2 includes Amendment 3, effective November 14, 1945. The text amended by Amendment 3 is under-scored.

A statement of the considerations involved in the issuance of this regulation, issued simultaneously herewith, has been filed with the Division of the Federal Register.²

Sec.

1. General statement.
2. Definitions.
3. Government loan cotton.
4. Government pooled cotton.
5. Government owned cotton of crops prior to 1944.
6. Government owned cotton of the 1944-45 and later crops.
7. Shipper cotton.
8. Reweighing and resampling.
9. Recompression from standard density to high density.
10. Surcharge.
11. Determination of storage period—8-day rule.

AUTHORITY: § 1499.601 issued under 56 Stat. 23, 765; 57 Stat. 586; Pub. Law 383, 78th Cong.; Pub. Law 108, 79th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; E.O. 9599, 10 F.R. 10155.

SECTION 1. *General statement.* This regulation is issued for the purpose of preserving as modifications of maximum prices established by Maximum Price Regulation 586³ certain provisions originally issued as modifications of maximum prices established by the General Maximum Price Regulation⁴ covering cotton warehousing and cotton compressing services performed within the "cotton belt".

The provisions carried herein were formerly shown in Section 4 of Supplementary Regulation 14-1⁵ to the General Maximum Price Regulation. Other provisions of Supplementary Regulation 14-1 not relating to cotton are now shown in Supplementary Storage Regulation 1⁶ under Maximum Price Regulation 586 issued simultaneously herewith [May 21, 1945].

The provisions of this regulation supersede the general pricing provisions (section 5, 6, and 7) of Maximum Price Regulation 586. Storage and terminal services affected by this regulation are, however, subject to all other provisions of Maximum Price Regulation 586 unless provided to the contrary in particular sections herein.

This regulation covers all cotton warehousing and cotton compressing performed within the cotton belt except cotton warehousing performed in "non-

¹ 10 F.R. 5804.

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

³ 10 F.R. 5797.

⁴ 9 F.R. 1385, 5169, 6106, 8150, 10103, 11274.

⁵ Revoked: 10 F.R. 6232.

⁶ 10 F.R. 5802, 7855, 11117, 13692.

compress" facilities in the "Southeast", which services are covered by Supplementary Storage Regulation 3.¹ It does not cover gin-yard storage subject to Maximum Price Regulation 211. (See section 3 (c) (6) of MPR 586.)

[Above paragraph amended by Am. 1, 10 F.R. 9590, effective 8-1-45]

Sec. 2. Definitions. (a) The term "cotton belt" means the States of Alabama, Arizona, Arkansas, California, Florida, Georgia, Louisiana, Mississippi, Missouri, New Mexico, North Carolina, Oklahoma, South Carolina, Tennessee, Texas and Virginia, and the Counties of Alexander and Pulaski in the State of Illinois.

(b) The term "government loan cotton" means cotton which is subject to a loan made by the United States Government or any agency thereof and which is still subject to redemption of individual notes by individual producers.

[Paragraph (b) amended by Am. 1, 10 F.R. 9590, effective 8-1-45; and Am. 2, 10 F.R. 12689, effective 8-1-45]

(c) The term "government pooled cotton" means cotton which is subject to a loan made by the United States Government or any agency thereof, but which by the terms of the loan may no longer be released by redemption of individual notes, although the original producers may still have an equity in the final proceeds of the sale of such cotton.

(d) The term "government owned cotton" means cotton which is owned by the United States Government or any agency thereof.

(e) The term "shipper cotton" means all cotton not included under the definitions "government loan cotton," "government owned cotton," or "government pooled cotton."

(f) The term "handling in and out" includes services ordinarily incident to receiving cotton for and delivering it from storage, such as weighing, marking, tagging, and sampling, but does not include services for which the particular seller customarily made a separate or different charge during the season from August 1, 1941 to July 31, 1942, in addition to or apart from his charges for receiving and delivering, and does not include penalty charges assessed for the delivery of uncompressed cotton from a warehouse operating compress facilities.

(g) The term "warehouse operating compress facilities" means a warehouse containing machinery for compressing cotton except such warehouses as may be given specific authorization to be classed as "non-compress facilities".

[Paragraph (g) amended by Am. 3, effective 11-14-45]

(h) The term "non-compress facilities" refers to cotton storage and handling services of a warehouse which does not have machinery for compressing cotton or which is specifically authorized by the Office of Price Administration to be classed as a "non-compress facility". Such authorizations will be based upon

the customary practices at the particular plant with respect to "government-loan cotton" in the 1941-42 season, or may be made as adjustments under section 8 of Maximum Price Regulation 586.

[Paragraph (h) amended by Am. 1, 10 F.R. 9590, effective 8-1-45 and Am. 3, effective 11-14-45]

(i) The "Southeast" means the states of Alabama, Florida, Georgia, North Carolina, South Carolina, and Virginia.

[Paragraph (i) added by Am. 1, 10 F.R. 9590, effective 8-1-45]

Sec. 3. Government loan cotton. Maximum charges for storage and handling in and out of warehouse of "government loan cotton" shall be: (a) For handling of cotton in and out of warehouse, 35¢ per bale;

(b) For storage;

(1) Storage of cotton in warehouses operating compress facilities, 17½¢ per bale per month, or fraction thereof, for the first six months of storage and 15¢ per bale per month, or fraction thereof, thereafter;

(2) Storage of cotton in "non-compress" facilities, 21½¢ per bale per month, or fraction thereof, for first 6 months of storage and 20¢ per bale per month, or fraction thereof, thereafter.

[Subparagraph (2) amended by Am. 1, 10 F.R. 9590, effective 8-1-45]

(c) The storage charges provided above include fire insurance.

Sec. 4. Government pooled cotton. Maximum charges for the storage and handling of "government pooled cotton" shall be:

(a) For services of receiving, weighing, tagging, sampling, issuing warehouse receipts, and placing the cotton in storage; 25¢ per bale.

(b) For storage:

(1) Storage of cotton, whether compressed or uncompressed, in warehouses operating compress facilities or of compress cotton in warehouses not operating compress facilities, 15¢ per bale per month or fraction thereof.

(2) Storage of uncompressed cotton in "non-compress" facilities, 20¢ per bale per month or fraction thereof.

[Subparagraph (2) amended by Am. 1, 10 F.R. 9590, effective 8-1-45]

(c) Warehousemen are not required to provide fire insurance but from the foregoing storage rates shall be deducted one-half of the average fire insurance rate per \$100 per month paid under the warehouseman's insurance policy covering cotton on which the warehouseman has insured warehouse receipts outstanding, or under the standard form of fire insurance policy approved by the State in which the cotton is stored.

In computing insurance deductions average rates applying to a particular warehouseman and other means of facilitating computations mutually agreed upon by the warehouseman and government may be used.

Sec. 5. Government owned cotton of crops prior to 1944. Maximum charges for storage and handling in and out of

warehouse of government owned cotton harvested prior to August 1, 1944 shall be the charges established under paragraph (a) of this section or under paragraph (b) of this section whichever is lower:

(a) Maximum charges established for the individual warehouse for government owned cotton by Section 5 of Maximum Price Regulation 586.

(b) Specific maximum charges:

(1) For services of receiving, weighing, tagging, sampling, issuing warehouse receipts, and placing the cotton in storage; 25¢ per bale.

(2) For storage:

(i) Storage of cotton, whether compressed or uncompressed, in warehouses operating compress facilities or of compressed cotton in warehouses not operating compress facilities, 12½¢ per bale per month or fraction thereof.

(ii) Storage of uncompressed cotton in "non-compress" facilities, 17½¢ per bale per month, or fraction thereof.

[Subparagraph (ii) amended by Am. 1, 10 F.R. 9590, effective 8-1-45]

(3) Warehousemen are not required to provide fire insurance but from the foregoing storage rates shall be deducted one-half of the average fire insurance rate per \$100 per month paid under the warehouseman's insurance policy covering cotton on which the warehouseman has insured warehouse receipts outstanding, or under the standard form of fire insurance policy approved by the State in which the cotton is stored.

In computing insurance deductions average rates applying to a particular warehouseman and other means of facilitating computations mutually agreed upon by the warehouseman and the government may be used.

Sec. 6. Government owned cotton of the 1944-45 and later crops. Maximum prices for storage and handling services performed on government owned cotton harvested since August 1, 1944 shall be:

[Above paragraph and section heading amended by Am. 1, 10 F.R. 9590, effective 8-1-45]

(a) For transferring cotton from private to government ownership, no charge, unless the original receiving charge including the services of weighing, marking, tagging, and sampling was less than 41 cents per bale, in which case the person selling to the government may be charged the difference between such charge and 41 cents. If the receiving charge included some storage, the value of such storage at the rate prevailing for subsequent storage shall be deducted before comparing with 41 cents.

(b) For storage:

(1) Cotton, compressed or uncompressed, stored in warehouses operating compress facilities, 18¢ per bale per month or fraction thereof.

(2) Compressed cotton stored in "non-compress" facilities, 18¢ per bale per month or fraction thereof.

(3) Uncompressed cotton stored in "non-compress" facilities, 23¢ per bale per month or fraction thereof.

[Paragraph (b) amended by Am. 1, 10 F.R. 9590, effective 8-1-45]

¹ 10 F.R. 9589.

(c) Warehousemen are not required to provide fire insurance but from the foregoing storage rates shall be deducted one-half of the average fire insurance rate per \$100 per month paid under the warehouseman's insurance policy covering cotton on which the warehouseman has insured warehouse receipts outstanding, or under the standard form of fire insurance policy approved by the State in which the cotton is stored.

In computing insurance deductions average rates applying to a particular warehouseman and other means of facilitating computations mutually agreed upon by the warehouseman and the government may be used.

(d) The rates and charges in cents per bale for the services specified, as set out in this section, are not subject to the "emergency surcharge" permitted by section 10.

Sec. 7. Shipper cotton. Maximum charges for storage and handling in and out of warehouse of "shipper cotton" shall be either the charges determined under paragraph (a) below or the charge set forth in paragraph (b) below, depending upon the election made by each seller, on or before November 8, 1942 (and then required to be filed in District Offices), to observe as his maximum charges either the maximum charges specified in paragraph (a) below or the maximum prices specified in paragraph (b) below:

(a) Maximum charges for storage and handling in and out of warehouse computed under section 5 of Maximum Price Regulation 586.

(b) Specific maximum charges:

(1) For handling of cotton in and out of warehouse, 35¢ per bale;

(2) For storage:

(i) Cotton stored in warehouses operating compress facilities, 17½¢ per bale per month, or fraction thereof, for the first six months of storage and 15¢ per bale per month, or fraction thereof, thereafter;

(ii) Cotton stored in "non-compress" facilities, 21½¢ per bale per month or fraction thereof, for the first 6 months of storage and 20¢ per bale per month, or fraction thereof, thereafter.

[Subparagraph (ii) amended by Am. 1, 10 F.R. 9590, effective 8-1-45]

(3) The storage charges provided for in this paragraph (b) include fire insurance if the seller included fire insurance in the storage charge made to purchasers of the same class during the month of March 1942.

Sec. 8. Reweighing and resampling. Unless a warehouseman elected as hereinafter provided in paragraph (b) to retain his charges as established by section 5 of Maximum Price Regulation 586, maximum charges for reweighing and resampling including all necessary ranging, shall be as specified in paragraph (a).

(a) Reweighing (including furnishing weight sheets) or resampling (including furnishing one set of samples and delivering samples locally):

	Cents per bale	Base charge otherwise established	Maximum charge established by this sec. 11
(1) Reweighing at time of shipment or compression or reweighing at time of unloading if this service is not included in receiving charge.....	10	\$0.001.....	\$0.0013
(2) Resampling at time of shipment or compression or resampling at time of unloading if this service is not included in the receiving charge.....	10	\$0.002.....	.0023
(3) Reweighing, except at time of unloading, shipment, or compression....	20	\$0.003.....	.0035
(4) Resampling, except at time of unloading, shipment, or compression....	20	\$0.004.....	.0047
(5) Reweighing and resampling, except at time of unloading, shipment, or compression.....	30	\$0.005.....	.0059
(6) Drawing an extra or double sample at time of any sampling.....	10	\$0.006.....	.007
		\$0.007.....	.0082
		\$0.008.....	.0094
		\$0.009.....	.01
		\$0.01.....	.0125
		\$0.015.....	.0175
		\$0.02.....	.0225
		\$0.025.....	.03
		\$0.03.....	.035
		\$0.035.....	.04
		\$0.04.....	.0475
		\$0.045.....	.055
		\$0.05.....	.06
		\$0.055.....	.065
		\$0.06.....	.07
		\$0.065.....	.075
		\$0.07.....	.08
		\$0.075.....	.09
		\$0.08.....	.095
		\$0.085.....	.10
		\$0.09.....	.11
		\$0.095.....	.11
		\$0.10.....	.12

(b) Any warehouseman who desires to continue the use of the maximum prices for reweighing, resampling, and ranging incident thereto, established by section 5 of Maximum Price Regulation 586, may do so; *Provided*, Notice was furnished to the Director of the Transportation and Public Utilities Division, Office of Price Administration, Washington 25, D. C., on or before February 15, 1945.

Warehousemen may make separate elections for each warehouse operated by them, but may not make separate elections for particular charges, and may not elect to use these charges and continue to assess ranging in connection with reweighing and resampling, except ranging for reweighing and resampling to be performed by outside parties.

Sec. 9. Recompression from standard density to high density. Any compress operator whose maximum charges for recompressing cotton from standard density to high density are less than his maximum charges for compressing uncompressed cotton to high density may increase his charges for recompressing cotton from standard density to high density to the same as his charges for compressing uncompressed cotton to high density.

[Sec. 9 amended by Am. 1, 10 F.R. 9590, effective 8-1-45]

Sec. 10. Surcharge. (a) Cotton warehousemen may charge, for the services of storing, receiving, handling, and compressing cotton and for miscellaneous services in connection with the warehousing of cotton, their maximum charges established by this Supplementary Storage Regulation (or by Maximum Price Regulation 586 if this regulation does not establish a specific maximum charge), plus a surcharge of 17 per cent, unless the application of such surcharge is expressly barred or limited by particular provisions herein (See section 6 (d)).

[Paragraph (a) and section heading amended by Am. 1, 10 F.R. 9590, effective 8-1-45]

(b) *Disposition of fractions.* Fractions resulting from the application of the 17% increase shall be disposed of in the manner prescribed by the following table:

If a base charge is not specifically shown above, use the next higher charge that is shown.

For base rates exceeding ten cents, if after adding 17% a fraction results, the new maximum charge shall be rounded to the nearest cent by dropping all fractions less than one-half cent and raising all fractions of one-half cent or greater to the next full cent.

Sec. 11. Determination of storage period—8-day rule. (a) Maximum storage charges shall be computed at the applicable maximum rates through the eighth day after the first valid shipping date regardless of when the cotton actually is shipped.

(b) The first valid shipping date for a given lot shall be the latest of the following:

(1) The date on which shipping instructions accompanied by warehouse receipts are received by the warehouseman.

(2) A date specified in the shipping instructions as a shipping date.

(3) The first valid shipping date authorized in a permit from the Office of Defense Transportation or other government agency if such a permit is required.

(4) The date on which cotton ordered from other plants for consolidation is actually received.

(c) This section shall not be construed as authorizing increased charges against transit cotton when the shipper has complied with the free-time requirements of the transit rules.

(d) Notwithstanding provisions of this section, the United States Government or any agency thereof may pay for additional storage to the extent determined by it to be reasonable in view of extraordinary circumstances such as the furnishing of shipping instructions covering large numbers of bales.

[Sec. 11 added by Am. 1, 10 F.R. 9590, effective 8-1-45]

This regulation shall become effective June 1, 1945. [Supplementary Storage

Regulation 2 under Maximum Price Regulation 586 originally issued May 21, 1945]

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

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

Issued this 9th day of November 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20603; Filed, Nov. 9, 1945;
11:42 a. m.]

PART 1439—UNPROCESSED AGRICULTURAL
COMMODITIES

[RMFR 471, Incl. Amdts. 1-10]

LEGUME AND GRASS SEEDS

This compilation of Revised Maximum Price Regulation 471 includes Amendment 10, effective November 14, 1945. The text added or amended by Amendment 10 is underscored. Deletions, redesignations and changes in tables are indicated by notes.

In the judgment of the Price Administrator, the maximum prices established by this regulation are generally fair and equitable and comply with all the provisions and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and of Executive Orders 9250 and 9328.

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

A statement of the considerations involved in the issuance of this regulation, issued simultaneously herewith, has been filed with the Division of the Federal Register.²

Sec.

1. Applicability.
2. Sales at other than maximum prices.
3. Evasion.
4. Enforcement.
5. Licensing.
6. Records and reports.
7. Protests and petitions for amendment.
8. Definitions.
9. Certain maximum service charges.
10. Maximum prices for sales of thresher-run and rough cleaned seeds on a dockage basis.
11. Maximum prices for sales of thresher-run or rough cleaned seed on a quality cleaned basis.
12. Maximum prices for sales of quality cleaned and processed seeds.
13. Base prices applicable to quality cleaned and processed legume and grass seeds.

AUTHORITY: (Secs. 1 to 13, inclusive, § 1439.6) issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; Pub. Law 108, 79th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; E.O. 9599, 10 F.R. 10155.

SECTION 1. *Applicability.* (a) Except as provided in paragraph (b) of this section, this regulation shall apply to all

¹ 9 F.R. 8340.

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

sales within the 48 states and the District of Columbia of the following domestic and imported legume and grass seeds, viz: alfalfa, medium red and mammoth red clover, alsike clover, sweet-clover and timothy; and certain quality cleaned and processed seed mixtures.

[Paragraph (a) amended by Am. 7, 10 F.R. 8372, effective 7-10-45]

(b) *Sales excepted.* This regulation shall not apply to:

(1) State Certified seed of the following improved alfalfa varieties: Atlantic, Buffalo, Nemestan and Ranger;

(2) State Certified seed of the following improved red clover strains: Emerson, Kentucky 215, Kirsh, Letcher, Otten, Rahn, Sanford, Tennessee Anthracnose Resistant and Van Fossen;

(3) State Certified seed of the following improved timothy varieties: Cornell 1777, Cornell 4059, Lorain, Marietta and Milton;

(4) Any export sale of any legume and grass seeds. The maximum price for such sale shall be determined in accordance with the provisions of the Second Revised Maximum Export Price Regulation;³

(5) Sales of legume and grass seeds when sold to planters in quantities of 5 pounds or less;

(6) Any legume and grass seeds purchased by the United States or any of its agencies under such circumstances of emergency as to make delivery imperative and as to render it impossible to secure or unfair to require immediate delivery at the maximum price which would otherwise be applicable, if such purchases and deliveries are made pursuant to the provisions of section 4.3 (f) of Revised Supplementary Regulation No. 1 to the General Maximum Price Regulation, as amended: *Provided, however,* That the Administrator may, by order, waive the reporting of any part of the information required by section 4.3 (f) in connection with a particular purchase or group of purchases upon determining that such information may not reasonably be required under all the circumstances, and he may, in lieu thereof, require the reporting of other information more suited to the circumstances.

(7) State Certified Emerald sweet-clover seed of the 1945 crop.

[Subparagraph (7) added by Am. 9, 10 F.R. 10361, effective 8-22-45]

SEC. 2. *Sales at other than maximum prices.* (a) Regardless of any contract or obligation, no person shall sell or deliver, and no person shall, in the course of trade or business, buy or receive any of the commodities covered by this regulation at a price above the maximum price established by this regulation, nor shall any person agree, solicit, offer, or attempt to do any of the foregoing: *Provided, however,* That this prohibition is subject to the exception provided for in subparagraph (1) of this paragraph.

³ 8 F.R. 4132, 5987, 7662, 8939, 15193; 9 F.R. 1036, 5435, 5923, 7201, 9835, 11273, 12919, 14426; 10 F.R. 863, 923, 2432, 6599, 6746, 8611, 8763, 10029.

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

(b) Prices lower than the maximum prices established by this regulation may be charged or paid.

SEC. 3. *Evasion.* (a) Any method whereby a seller obtains greater consideration than the maximum price, or whereby he gives less than the consideration due the buyer for the maximum price, is an evasion of this regulation, and therefore prohibited, and any offer or agreement which accomplishes or attempts to accomplish such result is equally prohibited. Without limiting the general prohibitions of this section, the following practices are specifically prohibited.

(1) Requiring payment of any commission, service, transportation or other charge not specifically provided for in the regulation;

(2) Receiving any premium not provided for in the regulation;

(3) Changing a normal business practice for no other reason than to obtain a price higher than the maximum price;

(4) Requiring the purchase of any commodity or service as a condition of the sale of another commodity;

(5) Requiring the sale of one commodity as a condition of the sale of another commodity;

(6) Any other method which, in effect, gives the seller a higher price than he is entitled to.

SEC. 4. *Enforcement.* Persons violating any provision of this regulation are subject to the license revocation or suspension provisions, civil enforcement actions, suits for treble damages, and criminal penalties, as provided in the Emergency Price Control Act of 1942, as amended.

SEC. 5. *Licensing.* The provisions of Licensing Order No. 1,⁴ licensing persons who make sales under price control, are applicable to sellers subject to this regulation. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended. However,

⁴ 8 F.R. 13240.

no license is required of, or granted to, any producer selling legume and grass seeds produced by him.

[Sec. 5 amended by Am. 9, 10 F.R. 10361, effective 8-22-45]

SEC. 6. Records and reports. (a) Every person subject to this regulation making a bid on or an offer to purchase a lot of thresher-run or rough cleaned legume or grass seeds or making a sale or purchase of legume or grass seeds in the course of trade or business shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, complete and accurate records of such bids or offers to purchase or of such sales or purchases, including the date thereof, name of the person to whom such bid or offer was made or name of the seller and purchaser, price bid or offered or price received or paid, buyer's receiving point, and the quantity and quality of legume and grass seeds which was bid on or on which an offer to purchase was made or which was sold or purchased, and a representative sample of every lot of seed on which a bid or offer to purchase was made or which was actually purchased.

(b) Every person subject to this regulation keeping on file a representative sample of a lot of seed in accordance with the provisions of paragraph (a) must keep such representative samples on file for at least one year for the purpose of this regulation.

(c) Every person subject to this regulation making a bid on or an offer to purchase or a purchase of a lot of thresher-run or rough cleaned legume or grass seeds, after having drawn a representative sample and made an accurate dockage determination in accordance with the method set forth in section 8 (a) (12) of this regulation, shall make a report in duplicate whether he actually purchases such lot as the result of his bid or only makes an offer to purchase. Such a report, blank forms (OPA Form No. 634-2450) for which should be obtained from the Regional OPA Offices, District OPA Offices or the local War Price and Rationing Boards, must contain the following information:

- (1) Date of bid or purchase.
- (2) Name and address of seller or person to whom bid or offer was made.
- (3) Name and address of bidder or buyer.
- (4) Type of transaction on which report is made, whether bid or purchase.
- (5) Identification of lot of seed, giving lot number, kind of seed and gross quantity of seed.
- (6) Base price of seed.
- (7) Percentage of dockage determined from representative sample.
- (8) Net price per 100 pounds of seed.
- (9) Any additional considerations, such as sacks and transportation charges or any other charge.

The duplicate copy of this report on every bid or offer to purchase made or on every purchase completed for lots of thresher-run or rough cleaned legume and grass seeds subject to this regulation shall be forwarded to the Seeds and Rice Section, Office of Price Administration,

Washington, D. C. within 48 hours after the bid or purchase has been made.

The provisions of this paragraph (c) shall not apply to bids on or offers to purchase or purchases of thresher-run or rough cleaned red clover, sweetclover and timothy seeds.

[Above paragraph added by Am. 9, 10 F.R. 10361, effective 8-22-45]

(d) Every person subject to this regulation making a sale or offer for sale of processed legume and grass seeds as a commercial processor must declare on his records, such as bills, invoices, sales contracts and other documents relating to every sale, offer for sale or delivery of legume and grass seeds, that he qualifies as a commercial processor in accordance with the provisions of this regulation and that he has been approved as such in writing by his Regional OPA Office in accordance with the provisions of this section.

(e) Any person making sales of processed legume and grass seeds as a commercial processor under this regulation, who did not file with his District OPA Office a Statement of Qualifications for Commercial Processors (OPA Form 634-2049) on or before April 17, 1945, shall submit such statement to the Regional Office of the Office of Price Administration, having jurisdiction over the area in which his principal place of business is located, for permission to make sales of processed legume and grass seeds as a commercial processor and will receive a written notice whether or not he is permitted to make such sales as a commercial processor.

(f) Any Regional Administrator of the Office of Price Administration is hereby authorized to notify any seller of processed legume and grass seeds whose principal place of business is located in his region whether or not he is permitted to sell as a commercial processor, upon the receipt of and on the basis of a Statement of Qualifications for Commercial Processors (OPA Form No. 634-2049) filed with a District Office prior to April 17, 1945, or with a Regional Office on or subsequent to April 17, 1945. No person who has not filed a Statement of Qualifications for Commercial Processors (OPA Form No. 634-2049) and has not been authorized under this section, may take mark-ups as a qualified commercial processor of legume and grass seeds.

(g) Upon demand every seller of legume and grass seeds shall submit such records as are provided for in this section to the Office of Price Administration; and keep such further records as the Office of Price Administration may from time to time require subject to the approval of the Bureau of the Budget in accordance with the Reports Act of 1942.

[Sec. 6 amended by Am. 1, 9 F.R. 12812, effective 10-23-44; Am. 5, 10 F.R. 4208, effective 4-17-45; Am. 6, 10 F.R. 8135, effective 7-7-45; and as otherwise noted]

SEC. 7. Protests and petitions for amendment. Any person desiring to file a protest against or seeking an amendment of any provisions of this regulation may do so in accordance with Revised Procedural Regulation No. 1,³ is-

³ 9 F.R. 10476, 13715; 10 F.R. 11295.

sued by the Office of Price Administration.

SEC. 8. Definitions. (a) As used in this regulation the following terms shall have the following meanings:

(1) "Legume and grass seeds" means alfalfa, medium red clover, mammoth red clover, alsike clover, sweetclover and timothy seeds.

(2) "Northern alfalfa seed" means alfalfa seed produced in the following places: In the States of Washington, Oregon, Idaho, Montana, Wyoming, North Dakota, South Dakota, Nebraska, Iowa, Minnesota, Wisconsin and Michigan, and in the counties of any state east of Nebraska which are north of or intersected by the 40th parallel; and in Canada.

(3) "Central alfalfa seed" means alfalfa seed produced in the following places: In the counties of the State of California north of the 40th parallel, and in the counties of Tehama and Plumas; in the States of Nevada, Utah, Colorado, Kansas, and Oklahoma (and labelled "Oklahoma approved origin seed"); in the counties of Missouri, Illinois, Indiana, Ohio, and New Jersey which lie entirely south of the 40th parallel; and in the States of Kentucky, West Virginia, Virginia, Maryland, Delaware and the District of Columbia.

(4) "Southern alfalfa seed" is alfalfa seed produced in places in the United States south of the places where central alfalfa seed is produced; and in Central and South America.

(5) "Thresher-run seeds" means legume and grass seeds in the condition in which they come from a thresher or harvesting machine.

(6) "Rough cleaned seeds" means legume and grass seeds which have been cleaned by a cleaning machine separate from and not attached to a thresher or harvesting machine, and which do not contain in excess of 5 percent of weed seeds or inert matter.

[Subparagraph (6) amended by Am. 8, 10 F.R. 9800, effective 8-13-45]

(7) "Quality cleaned seeds" means legume and grass seeds which have been thoroughly cleaned, sacked, tested in a laboratory (on the basis of a representative sample) for purity, germination, weed seed content and rate of occurrence of noxious weed seeds, and labelled in compliance with the applicable seed laws.

(8) "Processed seeds" means seeds of uniform quality which a commercial processor has cleaned and purified (with or without blending), sacked, tested in a laboratory for purity, germination, weed seed content and rate of occurrence of noxious weed seeds and labelled pursuant to the applicable state and federal seed laws.

(9) "Quality cleaned or processed seed mixture" means any mixture of quality cleaned or processed seeds in which at least two kinds of seeds (exclusive of weed seeds and noxious weed seeds) are present each in excess of 5 percent of the whole.

[Subparagraph (9) amended by Am. 7, 10 F.R. 8372, effective 7-10-45]

(10) "Weed seeds" means weed seeds as defined in the Federal Seed Act or any applicable State Seed Law.

(11) "Noxious weed seeds" for which discounts must be made in this regulation are seeds of *Lepidium draba*, *Lepidium repens* (Schrenk) Boiss, *Hymenophyllum pubescens* C. A. Mey., white top; *Cirsium arvense* Scop., Canada thistle; *Cuscuta* spp., dodder; *Agropyron repens* Beauv., quackgrass; *Sorghum halepense* Pers., Johnson grass; *Convolvulus arvensis*, bindweed; *Centaurea pteris* Pall., Russian Knapweed; *Sonchus arvensis*, perennial sowthistle; *Euphorbia esula*, leafy spurge: *Provided*, That these weed seeds are considered noxious and their rate of occurrence is such that labelling to show their presence is required by the laws and regulations of the State in which the legume or grass seeds in question are delivered (or by the Federal Seed Act, if delivered in the District of Columbia).

(12) "Dockage" means inert matter, weed seeds, other crop seeds and, also, all seeds of the kind being tested for dockage which are found in the pan underneath the bottom screen, after a screen test for determination of dockage has been made from a representative sample of thresher-run or rough cleaned legume and grass seeds.

[Above paragraph amended by Am. 10, effective 11-14-45]

(i) The percentage of dockage shall be determined by taking a representative

sample of at least either two ounces or 50 grams (such representative sample being a composite of samples drawn from each bag or container of the lot of seed in question) and removing as much dockage as possible therefrom by the use of one of the following combinations of hand screens:

Kind of seed	Combination of screen sizes		
	Top	Middle	Bottom
Alfalfa.....	3/16" or 3/8" x 3/16".....	3/16".....	4 x 24
Medium and Mammoth red clover.....	3/16" or 3/8" x 3/16".....	3/16".....	6 x 24
Alsike clover.....	3/16".....		6 x 32
White blossom sweetclover.....	3/16" or 3/8" x 3/16".....	3/16".....	6 x 24
Yellow blossom sweetclover.....	3/16" or 3/8" x 3/16".....	3/16".....	4 x 24
Timothy.....	3/16".....		6 x 24

(ii) And, thereafter, separating the seeds of the kind being tested riding the screens from the remaining dockage riding said screens by the hand separation method as prescribed by the regulations issued under and for the enforcement of the Federal Seed Act;

(iii) And, in the case of the presence of sweetclover seed as other crop seed in a lot of thresher-run or rough cleaned alfalfa, red clover or alsike clover seeds, discount the actual percentage of such sweetclover seed that passes through the top screen but remains on the middle and bottom screens in addition to the discount made for other dockage per 100 pounds of the thresher-run or rough cleaned seed in question as follows:

Sweetclover seed content	Amount to be deducted per 100 pounds					
	Alfalfa				Red Clover	Alsike Clover
	Northern	Central	Arizona and California	Southern		
Less than 0.5%.....	None	None	None	None	None	None
0.5% to and including 1.00%.....	\$1.05	\$0.85	\$0.65	\$0.85	\$0.75	\$0.75
1.01% to and including 2.00%.....	2.10	1.90	1.60	1.70	1.50	1.50
2.01% to and including 3.00%.....	3.15	2.85	2.85	2.75	2.25	2.25
3.01% to and including 4.00%.....	4.20	3.60	3.60	3.40	3.00	3.00
4.01% to 5.00% and over.....	5.25	4.75	4.75	4.55	3.75	3.75

(iv) And, in the case of the presence of alsike clover seed as other crop seed in a lot of thresher-run or rough cleaned red clover seed, determine, by the use of the hand screens given for alsike clover in subparagraph (i) above, the actual percentage of such alsike clover seed which has passed through the screens and is in the dockage in the pan underneath the bottom screen. The percentage of alsike clover seed may then be added at its value as alsike clover to the value determined for the percentage of red clover seed of the lot in question.

[Subparagraph (12) amended by Am. 4, 10 F.R. 1269, effective 2-5-45; and Am. 8, 10 F.R. 9800, effective 8-13-45]

(13) "Your transportation cost" means:

(i) If you employ a common carrier, contract carrier, or other carrier for hire or compensation, the charge which you actually incur for the transportation service; or

(ii) If you do your own hauling by

truck, automobile or wagon, the following scale of charges:

If the total haul does not exceed 100 miles—3 cents per 100 pounds for the first five miles or fraction thereof plus 1 cent per 100 pounds for each additional five miles or fraction thereof.

If the haul exceeds 100 miles—the lowest carload rail rate from the rail point nearest the point of origin to the rail point nearest the point of destination, plus 8 cents per 100 pounds, or the common or contract carrier rate (where a rate is available), whichever is lowest, but not to exceed in either case 22 cents per 100 pounds plus 1/4 cent per 100 pounds for each five miles or fraction thereof over 100 miles.

In applying the above mileage scale all distances shall be determined via the shortest route between point of origin and point of destination reasonably suitable for truck movement.

Any regional office, or any district office authorized by the appropriate regional office, may adjust the delivery

charge provided in this subdivision (ii) insofar as it applies to deliveries to a specified locality from any named point or points, when it appears that the nature of the haul is such that the charges otherwise permitted are, in view of the unusual local conditions, inadequate and are likely to disrupt the movement of the commodity to that locality.

[Subparagraph (ii) amended by Am. 2, 9 F.R. 13254, effective 11-13-44]

(iii) When any movement involves a combination of the above types of transportation, the transportation cost for such movement shall be the sum of the amounts computed separately for each part of the movement.

(iv) If you bulk two or more lots of legume and grass seeds, on which you have paid varying transportation costs, into a single lot, you may use a weighted average of such transportation costs for the entire quantity.

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

(15) "Producer" means with respect to a particular lot of thresher-run or rough cleaned legume and grass seeds, a person who produced or harvested such lot.

(16) "Country dealer" means with respect to a particular lot of legume and grass seeds, a person other than a commercial processor who:

(i) Thoroughly cleans thresher-run seeds or rough cleaned seeds in a seed cleaning plant maintained and operated by him; and

(ii) Has a representative sample of such seeds tested in a laboratory for purity, germination, weed seed content and rate of occurrence of noxious weed seeds; and

(iii) Sells such seeds properly labelled in compliance with the applicable seed laws.

(17) "Commercial processor" means, with respect to a particular lot of legume and grass seeds, a person who performs the following functions, in a seed processing plant equipped with specialized seed processing machinery in addition to fanning and screening mills, which plant he maintains and operates:

(i) Blends and bulks thresher-run seeds and rough cleaned seeds;

(ii) Refines and purifies thresher-run seeds and rough cleaned seeds through the use of specialized processing machinery designed to remove weed seeds and noxious weed seeds;

(iii) Blends and bulks processed legume and grass seeds into lots of uniform quality;

(iv) Tests or has tested such seeds to determine uniformity of quality and to determine purity, germination, weed seed content and rate of occurrence of noxious weed seeds; and

(v) Sells such seeds properly labelled in compliance with the applicable seed laws.

[Subparagraph (17) amended by Am. 5, 10 F.R. 4203, effective 4-17-45]

(18) "Wholesaler" means, with respect to a particular lot of legume and grass seeds, a person who buys such lot of legume and grass seeds as quality cleaned or processed legume and grass seeds, uploads such lot into a warehouse and resells such lot to retailers.

[Subparagraph (18) amended by Am. 8, 10 F.R. 9800, effective 8-13-45]

(19) "Retailer" is any person who sells quality cleaned or processed legume and grass seeds to planters.

(20) "His supplier" or "your supplier" means, as to any seller, the person from whom he or you purchased the seeds involved.

(21) "His customer" or "your customer" means, as to any seller, the person to whom he sells or you sell the lot of seeds involved.

(22) "Base price" means the price computed in accordance with section 13 hereof. These are merely basic prices from which the maximum price for every sale by every seller is calculated under the provisions of section 13 hereof. These base prices shall not be used independently as a maximum price for any sale.

(b) The foregoing definitions have like meaning in this regulation whether referring to the class as a whole (e. g. legume and grass seeds) or to a specific kind or variety comprised therein (e. g. alfalfa, Northern, Central or Southern).

Sec. 9. Certain maximum service charges. The maximum service charges which may be made per 100 pounds for the services of assembling, rough cleaning and quality cleaning legume and grass seeds are set forth below. These are maximum service charges regardless of whether the legume and grass seeds are sold at their maximum price.

[Above paragraph amended by Am. 10, effective 11-14-45]

(a) *Assembling.* Anything in this regulation to the contrary notwithstanding, if you are any person other than a producer and you assemble thresher-run or rough cleaned legume and grass seeds for the account of any other person, you may make the following maximum service charges per 100 pounds of seeds:

Kind of seed	Maximum service charge (to be reduced by the percentage of dockage in the lot)
Alfalfa: Northern, Central, and Southern	\$1.00
Clover:	
Medium Red, Mammoth Red, and Alsike	1.00
Sweet	.85
Timothy	.30

(b) *Rough cleaning.* If you are any person including a producer and you rough cleaned thresher-run legume and grass seeds in accordance with the definition for rough cleaned seeds under section 8 (a) paragraph (6), you may

make the following maximum service charges per 100 pounds of seeds:

Kind of seed	Maximum service charge (to be reduced by the percentage of dockage in the lot)
Alfalfa: Northern, Central, and Southern	\$1.00
Clover:	
Medium Red, Mammoth Red and Alsike	1.00
Sweet	.50
Timothy	.40

(c) *Quality cleaning.* If you are any person including a producer and you quality clean thresher-run or rough cleaned legume and grass seeds in accordance with the definition for quality cleaned seeds under section 8 (a) (7), you may make the following maximum service charges per 100 pounds of seeds:

Kind of seed	Maximum service charge
Alfalfa:	
Northern and Central	\$3.50
Southern	3.00
Clover:	
Medium Red, Mammoth Red and Alsike	3.10
Sweet	2.00
Timothy	1.30

[Paragraph (c) added by Am. 10, effective 11-14-45]

[Sec. 9 amended by Am. 3, 9 F.R. 14853, effective 12-26-44; and Am. 8, 10 F.R. 9800, effective 8-13-45]

Sec. 10. Maximum prices for sales of thresher-run and rough cleaned seeds on a dockage basis. (a) If you are a producer your maximum price per 100 pounds for the sale or delivery of thresher-run seeds on a dockage basis shall be as follows:

Kind of seed	Maximum price (to be reduced by the percentage of dockage in the lot)
Alfalfa:	
Northern	\$35.00
Central	32.00
Southern (except when grown, sold and delivered for planting in the State of Arizona or in the State of California south of the 40th parallel)	28.00
Southern (when grown, sold and delivered for planting in the State of Arizona or in the State of California south of the 40th parallel)	32.00
Clover:	
Medium Red and Mammoth Red	20.00
Alsike	27.00
Sweet	10.00
Hubam (annual white blossom sweet-clover variety)	15.00
Timothy	7.30

plus transportation cost from your farm to your customer's receiving point.

(b) If you are any person other than a producer, and purchased from a producer for your own account, your maximum price per 100 pounds for the sale or delivery of thresher-run seeds shall be the maximum price of the producer who

grew the lot of seed in question plus your transportation cost from your place of business to your customer's receiving point, and plus the applicable mark-up shown below:

Kind of seed	Maximum mark-up (to be reduced by the percentage of dockage in the lot)
Alfalfa: Northern, Central, and Southern	\$1.70
Clover:	
Medium Red, Mammoth Red, and Alsike	1.70
Sweet	.75
Timothy	.35

(c) If you purchased thresher-run seeds from a person other than a producer, your maximum price per 100 pounds shall be your supplier's maximum price, plus your transportation cost.

(d) If you are a seller of rough cleaned seeds on a dockage basis, your maximum price per 100 pounds for the sale or delivery of such seeds shall be the maximum price at which you could have sold or delivered such seeds as thresher-run seeds, plus your transportation cost, and plus the applicable mark-up shown below:

Kind of seed	Maximum mark-up (to be reduced by the percentage of dockage in the lot)
Alfalfa: Northern, Central, and Southern	\$1.00
Clover:	
Medium Red, Mammoth Red, and Alsike	1.00
Sweet	.60
Timothy	.40

(e) (i) If you are a seller under paragraph (a), (b), (c), or (d) you may increase your maximum price by the reasonable value (not exceeding any maximum price thereof) of the sacks actually furnished by you.

(ii) If you are a seller under paragraph (a), (b), (c), or (d) located in the State of Idaho or Malheur County in the State of Oregon, you may sell your thresher-run or rough cleaned seed either under provision (e) (i) above or on a gross weight basis provided you furnish the sacks included.

[Sec. 10 amended by Am. 3, 9 F.R. 14863, effective 12-26-44; Am. 4, 10 F.R. 1269, effective 2-5-45; and Am. 8, 10 F.R. 9800, effective 8-13-45]

Sec. 11. Maximum prices for sales of thresher-run or rough cleaned seed on a quality cleaned basis. (a) If you are a producer, you may sell your thresher-run or rough cleaned seeds to a country dealer or a commercial processor at the maximum prices established by Section 12 (a) (1) of this regulation for the kind and quality of seed sold as determined after such seed has been quality cleaned, tested and labeled: *Provided*, That the following deductions for certain cleaning services performed must be made from such maximum prices.

(i) For quality cleaning over screen and air separation mills only.

Kind of seed	Per 100 pounds of seed	
	On quality cleaned basis	On in-weight basis
Alfalfa, red clover and alsike clover.....	\$1.00	\$0.75
Sweetclover.....	.70	.59
Timothy.....	.50	.40

(ii) And also for additional quality cleaning over specialized seed cleaning machinery such as dodder, buckhorn, or gravity mills.

[Subparagraph (ii) amended by Am. 10, effective 11-14-45]

Kind of seed	Per 100 pounds of seed	
	On quality cleaned basis	On in-weight basis
Alfalfa, red clover and alsike clover.....	\$1.00	\$0.75
Sweetclover.....	.65	.59
Timothy.....	.50	.40

(b) If your thresher-run or rough cleaned seeds are commingled with thresher-run or rough cleaned seeds owned by others in the process of quality cleaning, the kind and quality of seeds sold by you shall be deemed to be the kind and quality of the commingled seeds as finally determined.

[Sec. 11 amended by Am. 4, 10 F.R. 1269, effective 2-5-45; and Am. 8, 10 F.R. 9800, effective 8-13-45]

SEC. 12. *Maximum prices for sales of quality cleaned and processed seeds.* Maximum prices for all sales of quality cleaned and processed seeds are found in this section. Maximum prices of such seeds vary according to quality, type of seller and according to whether they are sold by a seller who has customarily sold seeds on a basis of uniform quality. Differences in degree of purity and germination are adjusted in the tables of base prices which are found in section 13. You may take the applicable premiums provided in section 13, but you must give the applicable discounts provided therein. Whenever reference is made to a base price, refer to that section. In section 13 you will find that the particular quality of the seed you are selling has its own base price, without reference to the type of seller you may happen to be.

Once a base price has been determined, this section will explain how you determine your own maximum price. You must consult the definitions to determine your class of seller on the particular sale, as we have defined your status according to the particular sale you are making. You may be one class of seller on one sale and another class of seller on a different sale.

If you are a producer selling seeds which have been quality cleaned from seeds produced by you, your maximum price will be found in paragraph (a),

If you meet the requirements of the definition of a Commercial Processor, as we have defined him, your maximum price is provided in paragraph (b). If you are a wholesaler, as we define him, your maximum price is found in paragraph (c), if a retailer in paragraph (d), or if a country dealer in paragraph (e). All other sellers find their maximum prices in paragraph (f).

[Above paragraph amended by Am. 10, effective 11-14-45]

(a) *Maximum prices for a producer.* If you are a producer selling seeds which have been quality cleaned from seeds produced by you, your maximum price will depend on the party to whom you sell the seed. In all cases your maximum price will be the appropriate base price for the kind and quality of seed you are selling, plus your transportation cost, and plus the applicable mark-up shown in subparagraphs (1) and (2) below.

(1) If your customer is any person other than a planter your maximum mark-up shall be:

Kind of seed:	<i>Maximum mark-up</i>
Alfalfa:	<i>per 100 pounds</i>
Northern and Central.....	\$3.50
Southern.....	3.00
Clover:	
Medium Red, Mammoth Red and Alsike.....	3.10
Sweet.....	2.00
Timothy.....	1.30

(2) If your customer is a planter your maximum mark-up shall be:

Kind of seed:	<i>Maximum mark-up</i>
Alfalfa:	<i>per 100 pounds</i>
Northern and Central.....	\$8.00
Southern (except when grown, cold and delivered for planting in the State of Arizona or in the State of California south of the 40th parallel).....	8.00
Southern (when grown, cold and delivered for planting in the State of Arizona or in the State of California south of the 40th parallel).....	6.50
Clover:	
Medium Red, Mammoth Red and Alsike.....	6.95
Sweet.....	5.00
Timothy.....	3.50

(b) *Maximum prices for a commercial processor.* If you are a commercial processor, your maximum price will depend on the party to whom you sell the seed. In all cases your maximum price will be the appropriate base price for the kind and quality of seed you are selling, plus your transportation cost, and plus the applicable mark-up shown in subparagraphs (1), (2) or (3) below.

(1) If your customer is a commercial processor, wholesaler or any other person (except a retailer or planter) your maximum mark-up shall be:

Kind of seed:	<i>Maximum mark-up</i>
Alfalfa:	<i>per 100 pounds</i>
Northern and Central.....	\$6.50
Southern (except when grown, cold and delivered for planting in the State of Arizona or in the State of California south of the 40th parallel).....	6.00
Southern (when grown, cold and delivered for planting in the State of Arizona or in the State of California south of the 40th parallel).....	4.00

Kind of seed: *Maximum mark-up per 100 pounds*

Alfalfa:	
Southern (when grown in the State of Arizona or in the State of California south of the 40th parallel and when cold and delivered for planting outside the State of Arizona or the State of California south of the 40th parallel with base price for Southern Alfalfa seed set forth under section 13 Appendix (a) (3)).....	\$8.00
<i>Example: 63% pure, 90% germination seed</i>	
base price.....	\$23.00
mark-up.....	8.00
maximum price.....	35.00

Clover:	
Medium Red, Mammoth Red and Alsike.....	5.85
Sweet.....	3.75
Timothy.....	2.15

[Subparagraph (1) amended by Am. 4, 10 F.R. 1263, effective 2-5-45]

(2) If your customer is a retailer your maximum mark-up shall be:

Kind of seed:	<i>Maximum mark-up</i>
Alfalfa:	<i>per 100 pounds</i>
Northern and Central.....	\$10.40
Southern (except when grown, cold and delivered for planting in the State of Arizona or in the State of California south of the 40th parallel).....	9.80
Southern (when grown, cold and delivered for planting in the State of Arizona or in the State of California south of the 40th parallel).....	7.40
Clover:	
Medium Red, Mammoth Red and Alsike.....	9.65
Sweet.....	6.00
Timothy.....	3.55

(3) (i) If your customer is a planter and you are selling from your processing plant your maximum mark-up shall be:

Kind of seed:	<i>Maximum mark-up</i>
Alfalfa:	<i>per 100 pounds</i>
Northern and Central.....	\$11.00
Southern (except when grown, cold and delivered for planting in the State of Arizona or in the State of California south of the 40th parallel).....	11.00
Southern (when grown, cold and delivered for planting in the State of Arizona or in the State of California south of the 40th parallel).....	7.50
Clover:	
Medium Red, Mammoth Red and Alsike.....	9.70
Sweet.....	6.75
Timothy.....	4.35

(ii) If your customer is a planter and you are selling from a retail store or from a retail mail order house in connection with which you publish a retail mail order seed catalogue and said store or mail order house is owned or leased by you and located on premises not adjacent to your processing plant your maximum markup shall be:

Kind of seed:	<i>Maximum mark-up</i>
Alfalfa:	<i>per 100 pounds</i>
Northern and Central.....	\$14.50
Southern (except when grown, cold and delivered for planting in the State of Arizona or in the State of California south of the 40th parallel).....	14.20

Kind of seed:	<i>Maximum mark-up</i>	
Alfalfa:	<i>per 100 pounds</i>	
Southern (when grown, sold and delivered for planting in the State of Arizona or in the State of California south of the 40th parallel)-----		\$10.90
Clover:		
Medium Red, Mammoth Red and Alsike-----		13.50
Sweet-----		9.00
Timothy-----		5.75

(c) *Maximum prices for a wholesaler.*

(1) Except as provided in subparagraph (2) of this section, your maximum price shall be your supplier's maximum price on the sale and delivery to you, plus your transportation cost, and plus the applicable mark-up shown below:

Kind of seed:	<i>Maximum mark-up</i>	
Alfalfa:	<i>per 100 pounds</i>	
Northern and Central-----		\$3.90
Southern (except when grown, sold and delivered for planting in the State of Arizona or in the State of California south of the 40th parallel)-----		3.90
Southern (when grown, sold and delivered for planting in the State of Arizona or in the State of California south of the 40th parallel)-----		3.40
Southern (when grown in the State of Arizona or in the State of California south of the 40th parallel and when sold and delivered for planting outside the State of Arizona or the State of California south of the 40th parallel with base price for Southern Alfalfa seed set forth under section 13 Appendix (a) (3))----		1.90
Clover:		
Medium Red, Mammoth Red and Alsike-----		3.80
Sweet-----		2.25
Timothy-----		1.40

(2) If you are a wholesaler, who maintains and operates a retail store or a retail mail order house in connection with which you publish a seed catalogue, and if you sell to planters, your maximum price to planters shall be your supplier's maximum price on the sale and delivery to you, plus your transportation cost, and plus the applicable mark-up shown below:

Kind of seed:	<i>Maximum mark-up</i>	
Alfalfa:	<i>per 100 pounds</i>	
Northern and Central-----		\$8.40
Southern (except when grown, sold and delivered for planting in the State of Arizona or in the State of California south of the 40th parallel)-----		8.90
Southern (when grown, sold and delivered for planting in the State of Arizona or in the State of California south of the 40th parallel)-----		6.90
Southern (when grown in the State of Arizona or in the State of California south of the 40th parallel and when sold and delivered for planting outside the State of Arizona or the State of California south of the 40th parallel with base price for Southern Alfalfa seed set forth under section 13 Appendix (a) (3))----		6.90
Clover:		
Medium Red, Mammoth Red and Alsike-----		7.65
Sweet-----		5.25
Timothy-----		3.60

[Subparagraphs (1) and (2) amended by Am. 4, 10 F.R. 1269, effective 2-5-45; and Am. 9, 10 F.R. 10361, effective 8-22-45]

(d) *Maximum prices for a retailer.*

(1) If you are a retailer, other than a country dealer selling seeds which have been quality cleaned by you, your maximum price shall be your supplier's maximum price on the sale and delivery to you; provided for southern alfalfa seed, however, that when such seed is grown in the State of Arizona or in the State of California south of the 40th parallel and sold and delivered for planting outside the State of Arizona or the State of California south of the 40th parallel your maximum price shall be your supplier's maximum price on the sale and delivery to you which would have been in effect had your supplier sold and delivered to you southern alfalfa seed grown outside the State of Arizona and the State of California south of the 40th parallel, plus your transportation costs, and plus the applicable mark-up shown below:

Kind of seed:	<i>Maximum mark-up</i>	
Alfalfa:	<i>per 100 pounds</i>	
Northern and Central-----		\$4.50
Southern (except when grown, sold and delivered for planting in the State of Arizona or in the State of California south of the 40th parallel)-----		5.00
Southern (when grown, sold and delivered for planting in the State of Arizona or in the State of California south of the 40th parallel)-----		3.50
Clover:		
Medium Red, Mammoth Red and Alsike-----		3.85
Sweet-----		3.00
Timothy-----		2.20

[Subparagraph (1) amended by Am. 4, 10 F.R. 1269, effective 2-5-45]

(2) If you are a retailer under subparagraphs (1) or (2) of this paragraph and make sales to planters in quantities of more than 5 pounds and less than 60 pounds, the maximum prices established in subparagraphs (1) and (2) may be increased by the reasonable value (not exceeding any maximum price thereon) of the sacks actually used, plus the applicable mark-up per pound shown below:

(i) In the States of Alabama, Connecticut, Delaware, Florida, Georgia, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia and in the District of Columbia:

Kind of seed:	<i>Maximum mark-up</i>	
Alfalfa:	<i>per pound</i>	
Northern, Central and Southern-----		\$0.03
Clover:		
Medium Red, Mammoth Red and Alsike-----		.03
Sweet-----		.02
Timothy-----		.02

(ii) In any state not mentioned in subdivision (i):

Kind of seed:	<i>Maximum mark-up</i>	
Alfalfa:	<i>per pound</i>	
Any legume and grass seeds-----		\$0.01½

[Subparagraph (2), formerly (3), redesignated by Am. 10; former subparagraph (2), corrected, 9 F.R. 1042, and revoked by Am. 10, effective 11-14-45]

(e) *Maximum prices for a country dealer.*

(1) If you are a country dealer, your maximum price shall be the appropriate base price in section 13, plus your transportation cost, and plus the applicable mark-up shown below:

transportation cost, and plus the applicable mark-up shown below:

Kind of seed:	<i>Maximum mark-up per</i>	
Alfalfa:	<i>100 pounds</i>	
Northern and Central-----		\$3.50
Southern-----		3.00
Clover:		
Medium Red, Mammoth Red and Alsike-----		3.10
Sweet-----		2.00
Timothy-----		1.90

The above mark-ups are applicable to your sales of quality cleaned seeds as follows:

(i) If you are selling seeds, which you have bought as thresher-run or rough cleaned seeds, and which have been quality cleaned by you, to any person other than a planter; and,

(ii) If you are selling seeds, which you have bought as quality cleaned seeds, to any person other than a retailer or a planter.

(2) If you are a country dealer selling seeds which you have bought on a quality cleaned basis to a retailer, your maximum price shall be the appropriate base price in section 13, plus your transportation cost, and plus the applicable mark-up shown below:

Kind of seed:	<i>Maximum mark-up per</i>	
Alfalfa:	<i>100 pounds</i>	
Northern and Central-----		\$7.40
Southern (except when grown, sold and delivered for planting in the State of Arizona or in the State of California south of the 40th parallel)-----		6.00
Southern (when grown, sold and delivered for planting in the State of Arizona or in the State of California south of the 40th parallel)-----		6.40
Clover:		
Medium Red, Mammoth Red and Alsike-----		6.00
Sweet-----		4.25
Timothy-----		2.70

(3) If you are a country dealer selling quality cleaned seeds to a planter, your maximum price shall be the appropriate base price in section 13, plus your transportation cost, and plus the applicable mark-up shown below:

Kind of seed:	<i>Maximum mark-up per</i>	
Alfalfa:	<i>100 pounds</i>	
Northern and Central-----		\$8.00
Southern (except when grown, sold and delivered for planting in the State of Arizona or in the State of California south of the 40th parallel)-----		8.00
Southern (when grown, sold and delivered for planting in the State of Arizona or in the State of California south of the 40th parallel)-----		6.50

Kind of seed:	Maximum mark-up per 100 pounds
Clover:	
Medium Red, Mammoth Red and Alsike.....	\$6.95
Sweet.....	5.00
Timothy.....	3.50

(f) Maximum prices for any person other than a producer, commercial processor, wholesaler, retailer or country dealer. If you are any person other than a producer, commercial processor, wholesaler, retailer or country dealer, your maximum price for the sale or delivery of any lot of quality cleaned or processed legume and grass seeds shall be the appropriate base price, plus your transportation cost, and plus the applicable mark-up shown below:

Kind of seed:	Maximum mark-up per 100 pounds
Alfalfa:	
Northern and Central.....	\$3.50
Southern.....	3.00
Clover:	
Medium Red, Mammoth Red and Alsike.....	3.10
Sweet.....	2.00
Timothy.....	1.30

(g) If you belong to one of the classes of sellers provided for in this section, your maximum mark-up for the sale or delivery of a quality cleaned or processed seed mixture of seeds provided for in section 13 shall be the weighted average of your maximum mark-ups for the respective seeds in the mixture which are subject to this regulation.

[Paragraph (e) added and former (e) and (f) redesignated and amended (f) and (g), by Am. 10, effective 11-14-45. Former (f) corrected 9 F.R. 10427]

SEC. 13. Base prices applicable to quality cleaned and processed legume and grass seeds. You have found in the maximum pricing provisions that base prices are provided in this section. These base prices are on a dollars and cents basis per 100 pounds, net weight, sacks free, and are so worked out that you can find a base price on the particular kind and quality of quality cleaned or processed seed or quality cleaned or processed seed mixture on which you are determining a maximum price. Base prices are not maximum prices and are to be used only as indicated in other provisions of the regulation. This section refers you to tables in the appendix where the base prices, discounts, and premiums are set forth in dollars and cents.

The base prices in dollars per 100 pounds, net weight, sacks free, on Alfalfa, Red Clover, Alsike Clover, Sweetclover and Timothy seeds are those set forth in the appendix which also shows discounts for weed seed content, noxious weed seed content, and sweetclover seed content; premiums for extra high quality seed; and base prices for quality cleaned or processed seed mixtures. All the applicable discounts must be taken, and the premiums may be taken with respect to each lot in which they appear.

You shall first determine the appropriate figure for the particular lot in question according to its pure seed percentage and its percentage of total germination and hard seed. Then you determine the weed seed content, noxious weed seed content and sweetclover seed content, and subtract the appropriate amounts to be deducted for these factors from the amount obtained in the previous sentence. If you have extra high quality seed you may add the applicable premiums. The amount which you obtain as a result of these calculations will be your pure seed base price. "Pure seed" means with respect to any kind of seed being considered, seed of that kind which meets the qualifications of purity and germination as set forth in the tables in the appendix.

Whenever quality cleaned or processed legume and grass seeds or quality cleaned or processed seed mixtures are sold in bulk or buyer's sacks, the maximum prices set forth in this section shall be decreased by the reasonable market value of the sacks used (not exceeding any maximum price established thereon).

[Above text amended by Amdt. 10, effective 11-14-45]

APPENDIX—TABLES ON BASE PRICES

(a) Alfalfa—(1) Base prices for Northern Alfalfa Seed:

Pure seed percentage	Percentage of total germination and hard seed					
	65% or more	85% to 85%	84% to 85%	75% to 75%	74% to 75%	Below 70%
85% or more.....	\$35.00	\$33.25	\$31.50	\$29.75	\$28.00	\$26.25
83-83.5%.....	33.00	32.25	30.50	28.75	27.00	25.25
81-81.5%.....	31.00	30.25	28.50	26.75	25.00	23.25
79-79.5%.....	29.00	28.25	26.50	24.75	23.00	21.25
77-77.5%.....	27.00	26.25	24.50	22.75	21.00	19.25
75-75.5%.....	25.00	24.25	22.50	20.75	19.00	17.25
73-73.5%.....	23.00	22.25	20.50	18.75	17.00	15.25
71-71.5%.....	21.00	20.25	18.50	16.75	15.00	13.25
69-69.5%.....	19.00	18.25	16.50	14.75	13.00	11.25
Below 65%.....	17.00	16.00	15.00	14.00	13.00	12.00

(2) Base prices for Central Alfalfa Seed and for Alfalfa Seed grown in Arizona and California when sold and delivered for planting in Arizona and California:

Pure seed percentage	Percentage of total germination and hard seed					
	65% or more	85% to 85%	84% to 85%	75% to 75%	74% to 75%	Below 70%
85% or more.....	\$32.00	\$30.40	\$28.80	\$27.20	\$25.60	\$24.00
83-83.5%.....	31.00	29.40	27.80	26.20	24.60	23.00
81-81.5%.....	30.00	28.40	26.80	25.20	23.60	22.00
79-79.5%.....	29.00	27.40	25.80	24.20	22.60	21.00
77-77.5%.....	28.00	26.40	24.80	23.20	21.60	20.00
75-75.5%.....	27.00	25.40	23.80	22.20	20.60	19.00
73-73.5%.....	26.00	24.40	22.80	21.20	19.60	18.00
71-71.5%.....	25.00	23.40	21.80	20.20	18.60	17.00
69-69.5%.....	24.00	22.40	20.80	19.20	17.60	16.00
Below 65%.....	23.00	21.40	19.80	18.20	16.60	15.00

(3) Base prices for Southern Alfalfa Seed (includes Alfalfa Seed grown in California south of the 40th parallel and in Arizona when sold and delivered for planting outside Arizona and California south of the 40th parallel):

Pure seed percentage	Percentage of total germination and hard seed					
	65% or more	85% to 85%	84% to 85%	75% to 75%	74% to 75%	Below 70%
85% or more.....	\$23.00	\$22.00	\$21.00	\$20.00	\$19.00	\$18.00
83-83.5%.....	21.15	20.15	19.15	18.15	17.15	16.15
81-81.5%.....	19.30	18.30	17.30	16.30	15.30	14.30
79-79.5%.....	17.45	16.45	15.45	14.45	13.45	12.45
77-77.5%.....	15.60	14.60	13.60	12.60	11.60	10.60
75-75.5%.....	13.75	12.75	11.75	10.75	9.75	8.75
73-73.5%.....	11.90	10.90	9.90	8.90	7.90	6.90
71-71.5%.....	10.05	9.05	8.05	7.05	6.05	5.05
69-69.5%.....	8.20	7.20	6.20	5.20	4.20	3.20
Below 65%.....	6.35	5.35	4.35	3.35	2.35	1.35

(b) Discounts. The prices in the foregoing tables shall be reduced per 100 pounds of seed as follows:

(1) For weed seed content:

Weed seed content	Amount to be deducted per 100 pounds of seed			
	Northern	Central	Arizona and California	Southern
Less than 0.50%.....	None	None	None	None
0.50-1.00%.....	\$0.50	\$0.45	\$0.45	\$0.40
1.01-1.50%.....	1.00	.90	.90	.80
1.51-2.00%.....	1.50	1.35	1.35	1.20
Above 2.00%.....	1.50	1.45	1.45	1.40

* For each additional one-half of one percent or fraction thereof above 2%.

(2) For noxious weed seed content:

Number of noxious weed seeds per pound of seed	Amount to be deducted per 100 pounds of seed			
	Northern	Central	Arizona and California	Southern
Less than 9 per pound.....	None	None	None	None
9-59 per pound.....	\$0.50	\$0.50	\$0.50	\$0.50
60-99 per pound.....	1.00	1.00	1.00	1.00
100-199 per pound.....	1.50	1.50	1.50	1.50
200-299 per pound.....	2.00	2.00	2.00	2.00
300-399 per pound.....	2.50	2.50	2.50	2.50
400-499 per pound.....	3.00	3.00	3.00	3.00
For each additional 60 or fraction thereof per pound.....	.50	.50	.50	.50

[Subparagraph (2) amended by Am. 7, 10 F.R. 8372, effective 7-10-45]

(3) For sweetclover seed content:

Sweetclover seed content	Amount to be deducted per 100 pounds of seed			
	Northern	Central	Arizona and California	Southern
Less than 0.50%.....	None	None	None	None
0.50-1.00%.....	\$1.00	\$0.95	\$0.95	\$0.90
1.01-2.00%.....	2.00	1.90	1.90	1.80
2.01-3.00%.....	3.00	2.85	2.85	2.70
3.01-4.00%.....	4.00	3.80	3.80	3.60
4.01-5.00%.....	5.00	4.75	4.75	4.50

[*Item amended by Am. 10, effective 11-14-45]

(c) Premiums. The prices in the foregoing tables may be increased per 100 pounds of seed as follows:

(1) \$1.00 for premium grade, meeting all the following specifications:

More than 99.25% pure seed.
 More than 90.00% germination and hard seed.
 Less than 0.25% weed seed content.
 Less than 9 noxious weed seeds per pound.
 Less than 0.25% sweetclover seed content.

(2) (i) \$7.00 for the following State Certified and Canadian Registered and Canadian Government Certified Improved Varieties: Baltic, Cossack, Grimm, Hardigan, Hardistan, Ladak, and Orestan.

[Subparagraph (1) amended by Am. 2, 9 F.R. 13264, effective 11-13-44]

(ii) You may add this premium to the base price of the alfalfa seed in the region in which your seed was produced, and you may add this premium to the base price for Northern Alfalfa Seed, when:

(a) You are selling the State Certified Improved variety of Baltic produced in the State of Colorado; or

(b) You are selling alfalfa seed produced in regions other than the Northern region from northern grown State Certified Alfalfa Seed of one of the above-named improved varieties and such seed is labelled "Northern adapted first generation increase" by the State Certifying Agency.

(3) \$3.00 for the following State Certified Improved Varieties of:

(i) Central Alfalfa Seed: Kansas Common and Utah Pioneer;

(ii) Southern Alfalfa Seed: Hairy Peruvian, Arizona Chilean, Cimarron, New Mexico Common and Texas Southwestern Common.

(d) Clover—(i) Base prices for medium red and mammoth red clover seeds:

Pure seed percentage	Percentage of total germination and hard seed					
	90% or more	89% to 85%	84% to 80%	79% to 75%	74% to 70%	Below 70%
99% or more.....	\$30.00	\$28.50	\$27.00	\$25.50	\$24.00	\$21.00
98-98.9%.....	29.10	27.60	26.10	24.60	23.10	20.00
97-97.9%.....	28.20	26.70	25.20	23.70	22.20	19.00
96-96.9%.....	27.30	25.80	24.30	22.80	21.30	18.00
95-95.9%.....	26.40	24.90	23.40	21.90	20.40	17.00
94-94.9%.....	25.50	24.00	22.50	21.00	19.50	16.00
93-93.9%.....	24.60	23.10	21.60	20.10	18.60	15.00
92-92.9%.....	23.70	22.20	20.70	19.20	17.70	14.00
91-91.9%.....	22.80	21.30	19.80	18.30	16.80	13.00
90-90.9%.....	21.90	20.40	18.90	17.40	15.90	12.00
Below 90%.....	20.00	18.00	16.00	14.00	12.00	10.00

(2) Base prices for alsike clover seed:

Pure seed percentage	Percentage of total germination and hard seed					
	90% or more	89% to 85%	84% to 80%	79% to 75%	74% to 70%	Below 70%
98% or more.....	\$27.00	\$25.65	\$24.30	\$22.95	\$21.60	\$19.00
97-97.9%.....	26.20	24.85	23.50	22.15	20.80	18.00
96-96.9%.....	25.40	24.05	22.70	21.35	20.00	17.00
95-95.9%.....	24.60	23.25	21.90	20.55	19.20	16.00
94-94.9%.....	23.80	22.45	21.10	19.75	18.40	15.00
93-93.9%.....	23.00	21.65	20.30	18.95	17.60	14.00
92-92.9%.....	22.20	20.85	19.50	18.15	16.80	13.00
91-91.9%.....	21.40	20.05	18.70	17.35	16.00	12.00
90-90.9%.....	20.60	19.25	17.90	16.55	15.20	11.00
Below 90%.....	19.00	17.00	15.00	13.00	11.00	9.00

(3) Base prices for sweetclover seed:

Pure seed percentage	Percentage of total germination and hard seed				
	90% to 85%	84% to 80%	79% to 75%	74% to 70%	Below 70%
99% or more.....	\$10.00	\$9.50	\$9.00	\$8.50	\$8.00
98-98.9%.....	9.50	9.00	8.50	8.00	7.50
97-97.9%.....	9.00	8.50	8.00	7.50	7.00
96-96.9%.....	8.50	8.00	7.50	7.00	6.50
95-95.9%.....	8.00	7.50	7.00	6.50	6.00
94-94.9%.....	7.50	7.00	6.50	6.00	5.50
93-93.9%.....	7.00	6.50	6.00	5.50	5.00
92-92.9%.....	6.50	6.00	5.50	5.00	4.50
91-91.9%.....	6.00	5.50	5.00	4.50	4.00
90-90.9%.....	5.50	5.00	4.50	4.00	3.50
Below 90%.....	5.00	4.50	4.00	3.50	3.00

(e) Base prices for timothy seed:

Pure seed percentage	Percentage of total germination and hard seed				
	90% or more	89% to 85%	84% to 80%	79% to 75%	Below 75%
99.5% or more.....	\$7.30	\$7.05	\$6.80	\$6.55	\$6.05
99-99.4%.....	7.05	6.80	6.55	6.30	5.80
98-98.9%.....	6.80	6.55	6.30	6.05	5.55
97-97.9%.....	6.55	6.30	6.05	5.80	5.30
96-96.9%.....	6.30	6.05	5.80	5.55	5.05
95-95.9%.....	6.05	5.80	5.55	5.30	4.80
94-94.9%.....	5.80	5.55	5.30	5.05	4.55
93-93.9%.....	5.55	5.30	5.05	4.80	4.30
92-92.9%.....	5.30	5.05	4.80	4.55	4.05
91-91.9%.....	5.05	4.80	4.55	4.30	3.80
90-90.9%.....	4.80	4.55	4.30	4.05	3.55
Below 90%.....	4.30	4.05	3.80	3.55	3.00

(f) Discounts. The prices in the tables in paragraphs (d) and (e) shall be reduced per 100 pounds of seed as follows:

(1) For weed seed content:

Weed seed content	Amount to be deducted per 100 pounds of seed			
	Red clover	Alsike clover	Sweet-clover	Timothy
Less than 0.5%.....	None	None	None	None
0.50-1.00%.....	\$0.45	\$0.40	\$0.20	\$0.15
1.01-1.50%.....	.60	.50	.40	.30
1.51-2.00%.....	1.35	1.20	.60	.45
Above 2.00%.....	1.45	1.40	1.20	1.15

1 For each additional one-half of one percent or fraction thereof above 2%.

(2) For noxious weed seed content:

Number of noxious weed seeds per pound of seed	Amount to be deducted per 100 pounds of seed			
	Red clover	Alsike clover	Sweet-clover	Timothy
Less than 9 per pound.....	None	None	None	None
9-36 per pound.....	\$0.50	\$0.50	\$0.25	\$0.20
37-63 per pound.....	1.00	1.00	.50	.40
64-100 per pound.....	1.50	1.50	.75	.60
101-150 per pound.....	2.00	2.00	1.00	.80
151-500 per pound.....	2.50	2.50	1.25	1.00
501-1,000 per pound.....	3.00	3.00	1.50	1.20
For each additional 500 or fraction thereof per pound.....	.50	.50	.25	.20

[Subparagraph (2) amended by Am. 7, 10 F.R. 8372, effective 7-10-45]

(3) For sweetclover seed content:

Sweetclover seed content:	Amount to be deducted per 100 pounds of seed, Red Clover and Alsike Clover only	
	None	Nono
Less than 0.5%.....	None	None
0.50-1.00%.....	\$0.75	\$0.75
1.01-2.00%.....	1.50	1.50
2.01-3.00%.....	2.25	2.25
3.01-4.00%.....	3.00	3.00
*4.01-5.00%.....	3.75	3.75

[* Item amended by Am. 10, effective 11-14-45]

[Subparagraph (3) amended by Am. 4, 10 F.R. 1269, effective 2-5-45]

(g) Premiums. The prices in the tables in paragraphs (d) and (e) may be increased per 100 pounds of seed as follows:

(1) \$1.00 for premium grade red clover seed and alsike clover seed, and \$0.50 for premium grade sweetclover seed, meeting all the following specifications:

[Above paragraph corrected, 9 F.R. 10427]

(i) For Red Clover Seed:

More than 99.25% pure seed.
 More than 90.00% germination and hard seed.
 Less than 0.25% weed seed content.
 Less than 9 noxious weed seeds per pound.
 Less than 0.25% sweetclover seed content.

(ii) For Alsike Clover Seed:

More than 99.50% pure seed.
 More than 90.00% germination and hard seed.
 Less than 0.25% weed seed content.
 Less than 9 noxious weed seeds per pound.

(iii) For Sweetclover Seed:

More than 99.25% pure seed.
 More than 90.00% germination and hard seed.
 Less than 0.25% weed seed content.
 Less than 9 noxious weed seeds per pound.

(2) \$6.00 for the following State Certified Improved Varieties of:

(i) Red Clover Seed: Cumberland and Midland.

(ii) Sweetclover seed: Evergreen, Madrid, Spanish, Willamette, and, beginning with seed of the 1946 crop, Emerald.

[Subparagraph (ii) amended by Am. 9, 10 F.R. 10361, effective 8-22-45]

(3) \$5.00 for the Hubam Variety of Sweetclover Seed.

(4) \$3.00 for the Common Biennial White State Certified Improved Variety of Sweetclover Seed.

(h) Quality cleaned and processed seed mixtures. (1) This paragraph establishes base prices for quality cleaned and processed seed mixtures composed of alsike clover and white Dutch clover seeds or white Dutch clover and any of the other seeds covered by this regulation. Subparagraphs (2) and (3) below shall have no application to these mixtures. The base price per 100 pounds for the sale of a

quality cleaned or processed seed mixture composed of alsike clover and white Dutch clover seeds or white Dutch clover and any of the other seeds covered by this regulation shall be the base price per 100 pounds of alsike clover seed, figuring the purity according to the combined purities of the two or more kinds of seeds in the mixture, and the germination and hard seed according to the weighted average of the percentages of germination and hard seed in said two or more kinds of seeds, plus an addition at the rate of 35 cents per pound for each one pound or fraction thereof over 5 pounds of white Dutch clover seed per 100 pounds of the lot. This base price shall be reduced per 100 pounds of seed as follows:

(i) For weed seed content, by the same discount provided for alsike clover seed under paragraph (f) (1) of this section;

(ii) For noxious weed seed content, by the same discounts provided for alsike clover seed under paragraph (f) (2) of this section.

(2) This paragraph establishes base prices for two classes of mixtures: quality cleaned and processed seed mixtures in which all of the seeds are subject to the regulation, and quality cleaned and processed seed mixtures composed of two or more seeds subject to the regulation when present in excess of 75% of the whole and one or more seeds not subject to the regulation.

Except for mixtures of alsike clover and sweetclover seeds or red clover and sweetclover seeds, the base prices for such mixtures shall be determined by multiplying the percentage of each seed subject to the regulation in 100 pounds of the mixtures by its base price per 100 pounds as shown in paragraphs (a), (d) and (e) of this section, whichever is applicable, taking the purity of the mixture less 5 percent and the particular percentage of germination and hard seed for each kind of seed subject to the regulation in the mixture, and adding the results.

For mixtures of alsike clover and sweetclover seeds or red clover and sweetclover seeds, the prices shall be determined by multiplying the percentage of each seed in 100 pounds of such mixtures by its base price per 100 pounds as shown in paragraphs (d) (1) and (2) of this section, whichever is applicable, taking the highest possible purity and the particular percentage of germination and hard seed for each kind of seed in such mixture, and adding the results.

These base prices shall be reduced per 100 pounds of seed as follows:

(i) For weed seed content:

Weed seed content:	Amount to be deducted per 100 pounds of seed
Less than 0.50 percent.....	None
0.50-1.00 percent.....	01.50
1.01-1.50 percent.....	1.00
1.51-2.00 percent.....	1.75
Above 2.00 percent.....	2.50

* For each additional one-half of one percent or fraction thereof above 2%.

(ii) For noxious weed seed content:

Number of noxious weed seeds per pound of seed:	Amount to be deducted per 100 pounds of seed
Less than 9 per pound.....	None
9-36 per pound.....	01.50
37-63 per pound.....	1.00
64-100 per pound.....	1.50
101-150 per pound.....	2.00
151-500 per pound.....	2.50
501-1000 per pound.....	3.00
For each additional 100 or fraction thereof per pound.....	.50

(iii) For sweetclover seed content: In any quality cleaned or processed seed mixtures of any combination of alfalfa, red clover, alsike clover and sweetclover, the base price for such mixture shall be reduced for sweetclover seed content as follows:

Sweetclover seed content:	Amount to be deducted per 100 pounds of seed
5.00% and over.....	55.00

[Subparagraphs (1) and (2) amended by Am. 10, effective 11-14-45]

(3) This paragraph establishes base prices for quality cleaned or processed seed mixtures composed of one seed subject to the regulation and seeds not subject to the regulation, when the former is in excess of 75% of the whole.

The base price for the sale of any quality cleaned or processed seed mixture, in which one of the seeds subject to the regulation is mixed with seeds not subject to the regulation and the former is present in excess of 75% of the whole, shall be determined by multiplying the percentage of the principal component in 100 pounds of the mixture by its base price per 100 pounds, figured on the basis of its highest possible purity and its actual percentage of germination and hard seeds in the mixture, and the result shall be the base price for such mixture. This base price shall be reduced per 100 pounds of seed as follows:

(i) For weed seed content, by the same discounts for weed seeds that are provided for the principal component under paragraphs (b) (1) and (f) (1) of this section;

(ii) For noxious weed seed content, by the same discounts for noxious weed seeds that are provided for the principal component under paragraphs (b) (2) and (f) (2) of this section;

(iii) For sweetclover seed content, by the same discounts that are provided for the principal component under paragraphs (b) (3) and (f) (3) of this section.

[Paragraph (h) amended by Am. 2, 9 F.R. 13264, effective 11-13-44, and Am. 7, 10 F.R. 8372, effective 7-10-45]

This regulation shall become effective July 26, 1944.

[Revised Maximum Price Regulation 471 originally issued July 21, 1944]
[Effective dates of amendments are shown in notes following parts affected]

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

Issued this 9th day of November 1945.

CHESTER BOWLES,
Administrator.

[Amendment 10 approved by Clinton P. Anderson, Secretary of the Dept. of Agriculture, on October 23, 1945]

[F. R. Doc. 45-20310; Filed, Nov. 9, 1945; 11:43 a. m.]

PART 1493—COMMODITIES AND SERVICES
[MPR 536, Amdt. 1 to Supp. Storage Reg. 3']

MODIFICATIONS OF MAXIMUM PRICES FOR COTTON WAREHOUSING IN THE SOUTHEAST

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

Section 2 (g) is amended to read as follows:

(g) The term "non-compress" refers to cotton storage and handling services of a warehouse which does not have machinery for compressing cotton or which is specifically authorized by the Office of Price Administration to be classed as a "non-compress facility". Such authorizations will be based upon the customary practices at the particular plant with respect to "government-loan cotton" in the 1941-42 season, or may be made as adjustments under section 3 of Maximum Price Regulation 536.

This amendment shall become effective November 14, 1945.

Issued this 9th day of November 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20634; Filed, Nov. 9, 1945; 11:41 a. m.]

PART 1493—COMMODITIES AND SERVICES
[REV. SR 1, Amdt. 110]

TOOL KITS

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

Revised Supplementary Regulation No. 1 to the General Maximum Price Regulation is amended in the following respects:

1. Section 4.3 (p) is added to read as follows:

(p) No. 2650 Complete Chassis and Motor Repair Tool Kit and No. 2682 Complete Chas-

* 9 F. R. 1323, 5163, 6103, 8150, 10153, 11274; 10 F. R. 2435, 2473, 2757, 3238, 3247, 4167, 4434, 5459, 7186, 7497, 8241, 8363, 9717.

els Repair Tool Kit (Special), manufactured or assembled for the armed forces by Randolph Tool Equipment Corp., of 1759 Haddon Avenue, Camden, New Jersey.

This amendment shall become effective on November 14, 1945.

Issued this 9th day of November 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20608; Filed, Nov. 9, 1945;
11:43 a. m.]

PART 1499—COMMODITIES AND SERVICES
[SR 14E, Amdt. 15]

SALES AT WHOLESALE OF CERTAIN COTTON
PRODUCTS

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

Section 2.7 of Supplementary Regulation 14E is amended in the following respects:

1. Section 2.7 (a) (5) is amended to read as follows:

(5) "Net cost" is the cost stated on your supplier's invoice less all available discounts and plus your freight charges, if any, from the producer's mill to your place of storage.

2. Section 2.7 (b) (6) is amended by deleting the last undesignated paragraph beginning, "This subparagraph (6) shall not apply * * *" and by substituting therefor the following paragraph:

(6) This subparagraph (6) shall not apply to the sales of the following articles for which maximum prices have been revised by Supplementary Order 131, as amended:

- (i) Bed linens, including bleached pillow tubing.
- (ii) Terry products, huck and crash towels and corded napkins.
- (iii) 100% American cotton bed and crib blankets and blanket-robe cloth.

3. Section 2.7 (f) is amended to read as follows:

(f) Sales of certain cotton products for which producers' prices have been revised by Supplementary Order 131—

(1) *Articles priced under this paragraph.* Under the succeeding subparagraphs, modified ceiling prices are established for articles, the producers' maximum prices of which have been revised pursuant to Supplementary Order 131, as amended. In pricing under this paragraph, it is important to know the meaning of the terms "net cost," "institutional wholesaler" and "1942 markup." The first two terms are defined respectively in paragraphs (a) (5) and (a) (4). The term "1942 markup" means the markup you had in March 1942 for the article you are pricing. To figure this markup—(i) find the subparagraph of paragraph (f) in which the article you are pricing is listed; (ii) find the last invoice you received prior to March 31,

1942, for an article² in that subparagraph which you delivered in March 1942 in the type of sale (out-of-stock or drop shipment) involved in the sale of the article you are pricing; (iii) determine your net cost of that article you delivered in March 1942; (iv) find the difference between this net cost and the highest price at which you delivered that article in March 1942 for the type of sale involved in the sale of the article you are pricing; (v) divide this difference by the net cost determined in (iii). The result is your "1942 markup."

(2) *Bed linens.* The maximum prices for sales at wholesale of bed linens of types 112, 128,³ 140,³ and 180, and the back filled type⁴ for which the manufacturer's maximum price is established by Revised Price Schedule No. 89—Bed Linens⁵ and for sales at wholesale of "Mohawk" bed linens manufactured by Utica and Mohawk Cotton Mills, Inc., for which the manufacturer's maximum price as established by Revised Price Schedule No. 89 was adjusted by Order No. 15 under Supplementary Order No. 86, dated July 3, 1944, are as follows:

(i) For a sale at wholesale (other than a sale by an "institutional wholesaler" to an institutional, commercial or industrial user), the lower of:

(a) The sum of the net cost of the article being priced and 13.6% of that net cost for out-of-stock shipments; but in the case of "drop shipments", the sum of the net cost of the article being priced and 7.5% of that net cost, or

(b) The sum of the net cost of the article being priced and an amount derived by applying the seller's "1942 markup" to that net cost.

(ii) For a sale at wholesale by an "institutional wholesaler" (as defined in paragraph (a)) to an institutional, commercial or industrial user, the sum of:

(a) The seller's maximum price determined in accordance with the General Maximum Price Regulation.

(b) 7.4% of the manufacturer's price established by Revised Price Schedule No. 89 prior to August 31, 1945, and

(c) The amount by which the manufacturer's maximum price in effect on August 30, 1945, under Revised Price Schedule No. 89, was increased after that date.

(3) *Towels.* The maximum prices for sales at wholesale of terry products, huck and crash towels and corded napkins are as follows:

² In the case of sheets and pillow tubing, an "article" means, for sheets, a sheet of the same type, and for pillow tubing, pillow tubing of the same type.

³ Bed linens of types 128 and 140 include types 128 and 140 of bleached pillow tubing.

⁴ Types 112, 128, 140 and 180 and the back filled type are defined in Table 1, § 1316.111 of Revised Price Schedule No. 89. That Schedule requires bed linens, when sold by the manufacturer, to bear a label stating the type.

⁵ "Bed linens" means finished sheets, finished pillow cases, finished bolster cases, bleached pillow tubing, domestic-type grey wide sheeting, brown sheeting and bleached sheeting. However, it refers only to goods made of cotton and does not include goods made wholly of combed yarn.

(i) For a sale at wholesale (other than a sale by an "institutional wholesaler" to an institutional, commercial or industrial user), the lower of:

(a) The sum of the net cost of the article being priced and 17.6% of that net cost for out-of-stock shipments; but in the case of drop shipments, the sum of the net cost of the article being priced and 10.3% of that net cost; or

(b) The sum of the net cost of the article being priced and an amount derived by applying the seller's "1942 markup" to that net cost.

(ii) For a sale at wholesale by an "institutional wholesaler" (defined in paragraph (a)) to an institutional, commercial or industrial user, the sum of:

(a) The seller's maximum price determined under paragraph (g) or (h) of section 2.7 of this regulation as in effect on August 30, 1945, and

(b) The amount by which the producer's maximum price in effect on August 30, 1945, under Maximum Price Regulation No. 118, was increased after that date.

(4) *Cotton blankets.* The maximum prices for sales at wholesale of 100% American cotton bed and crib blankets and blanket-robe cloth are as follows:

(i) For a sale at wholesale (other than a sale by an "institutional wholesaler" to an institutional, commercial or industrial user), the lower of:

(a) The sum of the net cost of the article being priced and 16.6% of that net cost for out-of-stock shipments; but in the case of drop shipments, the sum of the net cost of the article being priced and 9.7% of that net cost; or

(b) The sum of the net cost of the article being priced and an amount derived by applying the seller's "1942 markup" to that net cost.

(ii) For a sale at wholesale by an "institutional wholesaler" (defined in paragraph (a)) to an institutional, commercial or industrial user, the sum of:

(a) The seller's maximum price on August 30, 1945, and

(b) The amount by which the producer's maximum price in effect on August 30, 1945, under Maximum Price Regulation No. 118, was increased after that date.

4. Paragraphs (g), (h), and (j) of section 2.7 are revoked.

5. Paragraph (p) is added to section 2.7 to read as follows:

(p) *"Cross stream" sales.* The maximum prices for "cross stream" sales shall be established as follows: The maximum price for the first sale of an article covered by this section when made by a wholesaler to a wholesaler, is the seller's net cost of that article (not exceeding his supplier's ceiling price). For subsequent sales of the same article by wholesaler to wholesaler, the maximum price is the net purchase price paid by the wholesaler who made the first "cross stream" sale.

Example: X, a wholesaler, buys sheets at \$12 per dozen, net. He liquidates his business and sells the sheets to Y, another wholesaler. X's maximum price to Y is \$12 per dozen although he sells the sheets to Y for \$11 per dozen, net. Y wants to sell to Z,

¹ 10 F.R. 1183, 2014, 4156, 7117, 7497, 7667, 9337, 9540, 9963, 10021, 11401, 12601.

another wholesaler. Y's maximum price is \$12 per dozen, net, which is the price paid by X who made the first "cross stream" sale.

This amendment shall become effective November 14, 1945.

Issued this 9th day of November 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20605; Filed, Nov. 9, 1945;
11:42 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[Rev. S. O. 340]

PART 95—CAR SERVICE

MINIMUM LOADING OF CARLOAD TRANSFER FREIGHT REQUIRED

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 7th day of November, A. D. 1945.

It appearing, that the railroads are engaging in the practice of lightly loading refrigerator and other freight cars with through carload freight at transfer points in Western States; that such practice is wasteful and aggravates the car shortage, depleting and diminishing the use, control, supply, distribution and interchange of such cars which are urgently needed for the movement of essential military freight; the Commission is of the opinion an emergency requiring immediate action exists in the western section of the country. It is ordered, that:

(a) *Minimum loading at transfer points*—(1) *Individual cars*. No common carrier by railroad, subject to the Interstate Commerce Act, at Waynoka, Oklahoma, Cheyenne, Wyoming, Billings, Harlowton and Havre, Montana, or at any other transfer point west of the Mississippi River, shall transfer westbound carload freight to an outbound car in quantities less than 7,500 pounds for each refrigerator car and 20,000 pounds for each box car or any other type of freight car. In the event such car or cars are loaded with less than the minima herein provided, they shall not be transported.

(2) *Average plan*. Paragraph (a) (1) shall not apply when carrier elects to transfer westbound carload freight into box cars or refrigerator cars, or both classes of such cars, on the basis of the average loading of all cars in each separate class (box or refrigerator car) loaded with transfer freight at any one transfer point: *Provided*, That for each 30-day period the average loading for all refrigerator cars so loaded with transfer freight in each period equals or exceeds 12,500 pounds per refrigerator car, and the average loading for all box cars so loaded with transfer freight in each period equals or exceeds 27,500 pounds per box car. Each carrier shall notify the Director, Bureau of Service, Washington, D. C., of the day selected to commence each 30-day period under this average plan.

(b) *Application*. The provisions of this order shall apply to interstate and foreign traffic transferred on and after the effective date hereof.

(c) *Effective date*. This order shall become effective at 12:01 a. m., November 8, 1945.

(d) *Expiration date*. This order shall expire at 11:59 p. m., January 10, 1946, unless otherwise modified, changed, suspended, or annulled by order of the Commission. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

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

By the Commission, Division 3.

[SEAL] W. P. BARTTEL,
Secretary.

[F. R. Doc. 45-20525; Filed, Nov. 8, 1945;
2:42 p. m.]

Notices

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration.

[Docket No. AO 170]

CLEVELAND OHIO, MARKETING AREA

NOTICE OF HEARING ON PROPOSED MARKETING AGREEMENT AND ORDER REGULATING HANDLING OF MILK

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 *et seq.*), and in accordance with the applicable rules of practice and procedure, as amended (7 CFR Cum. Supp. 900.1 *et seq.*, 10 F.R. 11791), notice is hereby given of a public hearing to be held in South Hall A, Cleveland Public Auditorium, 1300 East Sixth Street, Cleveland, Ohio, beginning at 10:00 a. m., e. s. t., on November 29, 1945, with respect to a proposed marketing agreement and order regulating the handling of milk in the Cleveland, Ohio, marketing area.

This public hearing is for the purpose of receiving evidence with respect to a proposed marketing agreement and order, the provisions of which are hereinafter set forth, and any modifications thereof. The proposed marketing agreement and order have not received the approval of the Secretary of Agriculture, and at the hearing evidence will be received relative to all aspects of the marketing conditions which are dealt with by the proposed marketing agreement and order and any modifications thereof. The provisions of the proposed marketing agreement and order, and of certain proposed modifications thereof, heretofore filed with the undersigned, are as follows:

Marketing agreement and order proposed by the Milk Producers Federation of Cleveland:

SECTION 1. Definitions. The following terms shall have the following meanings:

(a) "Act" means Public Act No. 10, 73rd Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937 (50 Stat. 246 (1937) U.S.C. 601 *et seq.*), as amended.

(b) "Secretary" means the Secretary of Agriculture of the United States or any officer or employee of the United States authorized to exercise the powers or to perform the duties, pursuant to the act, of the Secretary of Agriculture.

(c) "Cleveland, Ohio, marketing area," hereinafter called the "marketing area" means the city of Cleveland; Cuyahoga County, the villages of Avon and Avon Lake, and the townships of Ridgeville and Columbia, in Lorain County, the townships of Northfield Center and Twinsburg, in Summit County; the township of Aurora in Portage County; the townships of Bainbridge, Russell and Chester, in Gauga County; and the townships of Kirtland, Willoughby, and Mentor, in Lake County; all in the State of Ohio.

(d) "Person" means any individual, partnership, corporation, association, or any other business unit.

(e) "Producer" means any person with respect to any milk produced by him which is (1) delivered to or received at a plant where milk is processed or packaged and disposed of in the marketing area in the form of milk on wholesale or retail routes or through stores, (2) delivered to or received at a plant from which more than 50 percent of its receipts is shipped to or sold in the marketing area in the form of milk, or (3) produced on a farm holding a "regular dairy permit" issued by the Division of Health, City of Cleveland, Ohio, to ship milk for pasteurization purposes and delivered to or received at a plant for the account of a cooperative association.

(f) "Handler" means (1) any person who engages in the handling of milk, with respect to the milk at each plant from which milk is shipped to, or disposed of in, the marketing area as Class I milk, and (2) any cooperative association with respect to the milk, produced on a farm holding a "regular dairy permit" issued by the Division of Health, City of Cleveland, Ohio, to ship milk for pasteurization purposes, which is delivered to or received at a plant for the account of such cooperative association.

(g) "Milk from other sources" means the butterfat and skim milk contained in milk, skim milk, cream, or other milk products received by a handler from (1) producer-handlers, and (2) sources other than from producers or other handlers who purchased or received milk from producers.

(h) "Delivery period" means any calendar month, except that the first delivery period shall mean the period from the effective date hereof and until the end of the calendar month in which such effective date occurs.

(i) "Market administrator" means the agency described in Section 2 for the administration hereof.

(j) "Cooperative association" means any agricultural cooperative association incorporated under section 10186-1 to 10186-30 of the General Code of Ohio or under similar statutes of another state and which the Secretary determines, (1) to have its entire activities under control of its members, and (2) to have full authority in the sale of milk of its members.

Sec. 2. Market Administrator—(a) Designation. The agency for the administration hereof shall be a market administrator, who shall be a person selected by the Secretary. Such person shall be entitled to such compensation as may be determined by, and shall be subject to removal at the discretion of, the Secretary.

(b) **Powers.** The market administrator shall have the power to:

(1) Administer such order in accordance with its terms and provisions;

(2) Make rules and regulations to effectuate the terms and provisions of the order;

(3) Receive, investigate, and report to the Secretary complaints of violations of the order; and

(4) Recommend to the Secretary of Agriculture amendments to the order.

(c) **Duties.** The market administrator, in addition to the duties hereinafter prescribed, shall:

(1) Within 45 days following the date upon which he enters upon his duties, execute and deliver to the Secretary a bond, conditioned upon the faithful performance of his duties, in an amount and with surety thereon satisfactory to the Secretary;

(2) Employ and fix the compensation of such persons as may be necessary to enable him to administer the terms and provisions hereof;

(3) Pay, out of the funds provided by section 8, the cost of his bond and of the bonds of those of his employees who handle funds entrusted to the market administrator, his own compensation, and all other expenses except those pursuant to section 9, which will necessarily be incurred by him in the maintenance and functioning of his office and in the performance of his duties;

(4) Keep such books and records as will clearly reflect the transactions provided for herein, and surrender the same to his successor or to such other person as the Secretary may designate;

(5) Certify to all handlers and producer associations, unless otherwise directed by the Secretary, the name of any person who, within 10 days after the day upon which he is required to perform such acts, has not made reports pursuant to section 3 or has not made payments pursuant to sections 7, 8, or 9;

(6) Promptly audit the information contained in the reports submitted by handlers; and

(7) Furnish such information and reports as the Secretary may request, and submit his books and records to examination by the Secretary at any and all times.

(d) **Announcement of prices.** The market administrator shall compute and publicly announce prices as follows:

(1) Not later than the 6th day after the end of each delivery period, the prices for all classes of milk pursuant to section 5; and

(2) Not later than the 12th day after the end of each delivery period, the uniform price computed pursuant to section 6 (c), and the butterfat differential pursuant to section 7 (d).

Sec. 3. Reports and audits—(a) Reports of handlers. Each handler shall report to the market administrator, in the manner and on forms prescribed by the market administrator, with respect to receipts at each plant during the preceding delivery period, as follows:

(1) On or before the 5th day after the end of each delivery period, the total receipts of skim milk, milk, cream, and dairy products, the butterfat content, and the utilization thereof.

(2) On or before the 20th day after the end of each delivery period, his producer pay roll for the delivery period.

(3) At such times as the market administrator may request, such other information as may be necessary for the administration of this order.

(b) **Audits of reports and payments.** The market administrator shall audit all reports and payments of each handler by inspection, by weighing, sampling, and testing, or by audit of such handler's records and of the records of any other handler, or person upon whose disposition of milk such handler claims classification, and each such handler shall, during the usual hours of business, make available to the market administrator or to his representative such records and facilities, of his own or of other persons, as will enable the market administrator to:

(1) Verify the receipts and disposition of all milk, butterfat, skim milk, and milk products required to be reported pursuant to this section, and, in any case of errors or omission, ascertain the correct figures;

(2) Weigh, sample, and test for butterfat content the milk received from producers and from other sources, and any product of milk upon which classification depends; and

(3) Verify all payments to producers.

(c) **Reports of market administrator to cooperative association.** On or before the 30th day after the end of each delivery period the market administrator shall report to each cooperative association, which so requests, for each producer member the amount of milk delivered during the delivery period, the butterfat test, the gross value and all deductions made by such handler. The market administrator shall also report to each cooperative association the class utilization of milk by each handler who received during the delivery period milk from such association or from producers who are members of such association. For the purpose of this report milk so received shall be prorated to the several classes in the same proportion as the total receipts of producers' milk were used by such handler in such classes.

Sec. 4. Classification—(a) Basis of classification. All skim milk or butterfat contained in milk, skim milk, cream, and other milk products received by a handler or caused to be delivered to a plant in the manner described in section 1 (f) (2) shall be reported in the classes set forth in (b) of this section, subject to the conditions set forth in (c) and (d) of this section.

(b) **Classes of utilization.** The classes of utilization shall be:

(1) Class I milk shall be all skim milk and butterfat disposed of in fluid form as milk, skim milk, cultured buttermilk, flavored milk, sweet or sour cream; any mixture of cream and milk (or skim milk) which contains 6 percent or more of butterfat, eggnog; and all skim milk or butterfat not specifically accounted for.

(2) Class II milk shall be all skim milk and butterfat disposed of as bulk condensed skim milk, bulk condensed whole milk, cottage cheese, ice cream, and ice cream mix.

(3) Class III milk shall be all skim milk and butterfat specifically accounted for as used to produce, or disposed of as, any other milk product not specified in Class I milk and Class II milk.

(c) **Interhandler and nonhandler sales.** Skim milk or butterfat disposed of in the form of milk, skim milk, or cream by a handler to another handler or to a person, not a handler, who distributes milk or manufactures milk products shall be presumed to be Class I milk, unless the selling handler proves to the satisfaction of the market administrator that any such skim milk or butterfat was used in a different class: *Provided*, That any such classification shall not be in conflict with the provisions of section 4 (e) (10). The burden of proof shall be on the selling handler and proof shall be made at such time and in such manner as the market administrator may by general rule direct.

(d) **Responsibility of handlers and reclassification of milk.** (1) Skim milk or butterfat classified in one class shall be reclassified if later used or disposed of by a handler in another class, in accordance with such later use or disposition.

(2) In establishing the classification of any skim milk or butterfat received by a handler in milk from producers, the burden rests upon the handler who receives the skim milk or butterfat from producers to account for the skim milk or butterfat and to prove to the market administrator that such skim milk or butterfat should not be classified as Class I milk.

(3) With respect to skim milk or butterfat disposed of to another handler, the burden rests upon the handler who purchased the skim milk or butterfat from producers to account for the skim milk or butterfat and to prove to the market administrator that such skim milk or butterfat, should not be classified as Class I milk: *Provided*, That if verification by the market administrator discloses a higher utilization than that reported pursuant to section 4 (c) for skim milk or butterfat purchased by a handler from an association of producers or from other handlers who receive milk

from producers, the market administrator shall notify the receiving handler and such handler shall, within 5 days after notification by the market administrator, make adjustment to such association or other handler who receives milk from producers, on the basis of such higher utilization as verified by the market administrator.

(e) *Computation of the skim milk and butterfat in each class.* For each month the market administrator shall correct for mathematical and for other obvious errors the delivery period report submitted by each handler and compute the respective amounts of skim milk and butterfat from milk of producers received at handler's plants and utilized in Class I milk, Class II milk, or Class III milk, as follows:

(1) Determine the handler's total receipts by adding together the total pounds of milk, skim milk, and cream received, and the pounds of butterfat and skim milk used to produce all other milk products received, except milk products disposed of in the form in which received, without further processing in his plant;

(2) Determine the total pounds of butterfat contained in the receipts computed pursuant to (1) of this paragraph;

(3) Determine the total pounds of skim milk contained in the receipts computed pursuant to (1) of this paragraph;

(4) Determine the total pounds of butterfat in Class I milk by: (i) Computing the sum of the pounds of butterfat disposed of in each of the several items of Class I milk; and (ii) adding all other butterfat not specifically accounted for;

(5) Determine the total pounds of skim milk in Class I milk by: (i) Computing the sum of the pounds (not including flavoring materials) disposed of as each of the several items of Class I milk; (ii) subtracting the result obtained in (4) (i) of this paragraph; and (iii) adding all other skim milk not specifically accounted for;

(6) Determine the total pounds of butterfat in Class II milk by: Computing the sum of the pounds of butterfat disposed of in each of the several items of Class II milk;

(7) Determine the total pounds of skim milk in Class II milk by: (i) Computing the sum of the pounds of milk, skim milk, and cream disposed of in each of the several items of Class II milk; and (ii) subtracting the result obtained in (6) of this paragraph;

(8) Determine the total pounds of butterfat in Class III milk by: Computing the sum of the pounds of butterfat used to produce each of the several items of Class III milk;

(9) Determine the total pounds of skim milk in Class III milk by: (i) Computing the sum of the pounds of milk, skim milk, cream and other milk products which were used to produce each of the several items of Class III milk and; (ii) subtracting the result obtained in (8) of this paragraph;

(10) Determine the classification of milk received from producers by: (i) Subtracting, respectively, from the total pounds of skim milk and butterfat in each class, in series beginning with Class

III milk, the pounds of skim milk and butterfat in milk from other sources; (ii) subtracting, respectively, from the remaining pounds of skim milk and butterfat in each class, the pounds of skim milk and butterfat, received from handlers who receive milk from producers, and used in each class; and (iii) subtracting, respectively, from the remaining pounds of skim milk and butterfat in each class, in series beginning with Class III milk, the pounds of skim milk and butterfat by which the total pounds, respectively, in all classes exceed the pounds received from producers.

Sec. 5. *Minimum prices*—(a) *Basic formula price to be used in determining Class I milk and Class II milk prices.* The basic formula price per hundredweight of milk to be used in determining the Class I milk and Class II milk prices provided by this section, shall be the highest of the prices per hundredweight of milk of 3.5 percent butterfat content determined pursuant to (1), (2), or (3) of this paragraph.

(1) The average of the basic (or field) prices ascertained to have been paid for milk of 3.5 percent butterfat content received during the delivery period at the following places for which prices are reported to the market administrator by the companies listed below or by the Department of Agriculture:

COMPANIES AND LOCATION:

- Borden Co., Black Creek, Wis.
- Borden Co., Greenville, Wis.
- Borden Co., Mt. Pleasant, Mich.
- Borden Co., New London, Wis.
- Borden Co., Orfordville, Wis.
- Carnation Co., Berlin, Wis.
- Carnation Co., Jefferson, Wis.

- Carnation Co., Calton, Wis.
- Carnation Co., Oconomowoc, Wis.
- Carnation Co., Richland Center, Wis.
- Carnation Co., Sprata, Mich.
- Fet Milk Co., Belleville, Wis.
- Fet Milk Co., Cosperville, Mich.
- Fet Milk Co., Hudson, Mich.
- Fet Milk Co., New Glarus, Wis.
- Fet Milk Co., Wayland, Mich.
- White House Milk Co., Manitowoc, Wis.
- White House Milk Co., West Bend, Wis.

(2) (i) Multiply the average wholesale price per pound of 92-score butter at Chicago for the delivery period as reported by the Department of Agriculture by six (6).

(ii) Add 2.4 times the average weekly prevailing price per pound of "Twins" during the delivery period on the Wisconsin Cheese Exchange at Plymouth, Wisconsin; *Provided*, That if the price of "Twins" is not quoted on the Wisconsin Cheese Exchange the weekly prevailing price of "Cheddars" shall be deemed to be the prevailing price for "Twins" and shall be used in determining the price pursuant to this subparagraph.

(iii) Divide by seven (7) and add 30 percent to the resulting figure;

(iv) Multiply the resulting figure computed in subparagraph (iii) above by 3.5.

(3) The combination of the Class III price for skim milk and the Class III price for butterfat computed as a price for 3.5 percent milk, as provided by (d) (1) and prior to the application of the proviso in (d) (2) of this section.

(b) *Class I milk prices.* The prices f. o. b. the marketing area, for each delivery period, for skim milk and butterfat in milk received from producers which is classified as Class I milk, shall be determined from the following schedule:

PRICE TABLE CLASS I

During a month when the highest of the prices pursuant to (a) (1), (a) (2), or (a) (3) of this section is—	The prices per hundredweight for skim milk and butterfat in class I milk, shall be—								
	May and June			Oct.-Nov.-Dec.			All other months		
	Skim milk	Butterfat	3.5 percent milk	Skim milk	Butterfat	3.5 percent milk	Skim milk	Butterfat	3.5 percent milk
Less than \$2.75.....	\$1.324	\$3	\$3.55	\$1.429	\$7	\$3.75	\$1.425	\$5	\$3.55
\$2.75 or over but not more than \$3.00.....	1.471	63	3.89	1.524	72	4.09	1.520	70	3.80
\$3.00 or over but not more than \$3.25.....	1.519	73	4.03	1.611	77	4.25	1.550	75	4.15
Over \$3.25.....	1.627	78	4.39	1.639	82	4.50	1.638	80	4.40

(c) *Class II milk prices.* The prices, f. o. b. the marketing area, for each delivery period, for skim milk and butterfat in milk received from producers which is classified as Class II milk, shall be determined from the following schedule:

PRICE TABLE CLASS II

During a month when the highest of the prices pursuant to (a) (1), (a) (2), or (a) (3) of this section is—	The prices per hundredweight for skim milk and butterfat in class II milk, shall be—								
	May and June			Oct.-Nov.-Dec.			All other months		
	Skim milk	Butterfat	3.5 percent milk	Skim milk	Butterfat	3.5 percent milk	Skim milk	Butterfat	3.5 percent milk
Less than \$1.75.....	\$3.523	\$3	\$1.85	\$2.091	\$2	\$2.05	\$2.570	\$40	\$1.55
\$1.75 or over but not more than \$2.00.....	.617	43	2.19	.679	47	2.27	.645	45	2.20
\$2.00 or over but not more than \$2.25.....	.634	48	2.35	.703	52	2.55	.727	50	2.45
\$2.25 or over but not more than \$2.50.....	.772	53	2.69	.834	57	2.89	.803	55	2.70
\$2.50 or over but not more than \$2.75.....	.829	53	2.85	.912	62	3.05	.891	60	2.85
\$2.75 or over but not more than \$3.00.....	.927	63	3.10	.999	67	3.29	.939	65	3.20
\$3.00 or over but not more than \$3.25.....	1.055	63	3.35	1.153	72	3.55	1.050	70	3.45
Over \$3.25.....	1.093	73	3.69	1.245	77	3.89	1.114	75	3.70

(d) *Class III milk prices.* The prices, f. o. b. the marketing area, for each delivery period, for skim milk or butterfat in milk received from producers which is classified as Class III milk, shall be determined from the following computations:

(1) The price per hundredweight of such skim milk shall be computed by the market administrator by: subtracting 4 cents from the average price per pound of nonfat dry milk solids and multiplying the result by 8.5. The price per pound of nonfat dry milk solids to be used shall be the average price for nonfat dry milk solids, spray and roller process, for human consumption, f. o. b. manufacturing plants in the Chicago area, as reported by the Department of Agriculture for the delivery period in which the milk from producers was received, including in such average the price published for any fractional part of the previous delivery period which was not available at the time of such price determination for the previous delivery period.

(2) The price per hundredweight of such butterfat shall be computed by the market administrator by: Adding 20 percent to the average wholesale price per pound of 92-score butter in the Chicago market, as reported by the Department of Agriculture during the delivery period in which the milk from producers was received, and multiplying the resulting sum by 100: *Provided*, That the price per hundredweight of butterfat made into butter shall be such price per hundredweight less \$3.60.

(e) *Location adjustment to handlers.* (1) With respect to milk which is classified as Class I milk received from producers at a handler's plant located outside the marketing area, the handler shall be allowed to deduct from the total value of his milk f. o. b. the marketing area, the amount per hundredweight of actual product pounds thereof shipped to the marketing area.

Mileage zone (by shortest highway distance from Public Square in Cleveland)	Cents per hundredweight
Not more than 30 miles.....	0
More than 30 miles but not more than 45 miles.....	5
More than 45 miles but not more than 60 miles.....	7
More than 60 miles but not more than 75 miles.....	9
More than 75 miles but not more than 90 miles.....	11
Within each 15 mile zone thereafter— an additional 1 cent.	

Provided, That no such deduction shall apply to unaccounted for milk classified as Class I milk pursuant to section 4 (b) hereof.

(2) For the purpose of the computations provided for in (1) of this paragraph Class I milk shall be presumed to have come first from plants located in the marketing area and then from other plants in the order of their increasing distance from the Public Square in Cleveland.

SEC. 6. Handler's obligation and uniform price to producers—(a) *Total value of milk.* The total value of milk of each handler for each delivery period shall

be a sum of money computed by the market administrator by multiplying by the respective class prices the amounts of skim milk and butterfat in each class which were received in milk from producers during the delivery period, and adding together such amounts: *Provided*, That if a handler, after the subtraction of outside milk and receipts from other handlers has disposed of skim milk or butterfat in excess of the skim milk or butterfat which, on the basis of his reports, has been credited to his producers as having been received from them, the market administrator shall add an amount equal to the value of such excess at the applicable price for the class from which such excess was subtracted pursuant to section 4 (e) (10) (iii): *Provided, further*, That if a handler has received milk, skim milk or cream from a handler who receives no milk from producers other than his own farm production which milk, skim milk, or cream has been disposed of as Class I milk or Class II milk by the receiving handler, there shall be added an amount computed by multiplying the respective quantities of skim milk and butterfat so received by the difference between the Class III value and the value of the class of disposition: *And provided further*, That if a handler has received his entire supply of skim milk and butterfat in the form of milk from other handlers who receive no milk from producers, which skim milk and butterfat received has been disposed of as Class I milk or Class II milk, the total obligation under this paragraph for the former handler shall be an amount computed by multiplying the quantities of skim milk and butterfat so received by the difference between their respective values at the Class III price and their respective values according to the class of disposition.

(b) *Price adjustment to 3.5 percent butterfat basis.* (1) Determine the amount by which the weighted average butterfat test of a handler's pooled milk is greater or less than 3.5 percent;

(2) Multiply such variance by the total hundredweight of such pooled milk.

(3) Multiply the resulting amount by the Class III price for butterfat as computed prior to the application of the proviso in section 5 (d) (2); and

(4) Add to the value computed under (a) of this section, if the butterfat test is less than 3.5 percent, or subtract from such value, if such test is higher than 3.5 percent, the value computed in (3) of this paragraph.

(c) *Computation of the uniform price.* For each delivery period the market administrator shall compute with respect to milk received by handlers from producers and associations of producers a uniform price per hundredweight by:

(1) Combining into one total the net values computed under (b) of this section for all handlers who made payments pursuant to section 7 (e) for the preceding delivery period;

(2) Adding the aggregate of the values of all location adjustments allowed with respect to pooled class I milk and class II milk, pursuant to section 5 (e).

(3) Adding an amount representing not less than half the unobligated balance in the producer-settlement fund;

(4) Dividing by the hundredweight of pooled milk; and

(5) Subtracting not less than 4 cents nor more than 5 cents. The result shall be known as the "uniform price" per hundredweight for milk of 3.5 percent butterfat content received from producers, f. o. b. the marketing area.

(d) *Notification to handler of his total value of milk and relation to producer-settlement fund.* On or before the 12th day after the end of each delivery period the market administrator shall notify each handler of the value of his milk for the delivery period as computed in accordance with (a) of this section and of the amount by which such value is greater or less than the total amount required to be paid to producers by such handler pursuant to section 7 (a), (b) and (c).

SEC. 7. Payment for milk—(a) *Time and method of payment.* On or before the last day of each delivery period, each handler shall pay to each producer with respect to all milk received during the first 15 days of such delivery period, a price per hundredweight not less than the uniform producer price for milk testing 3.5 percent of butterfat as announced by the market administrator for the preceding delivery period, or at the handler's option, he may pay each producer not less than 40 percent of the net price for milk delivered during the preceding delivery period.

(b) On or before the 20th day after the end of each delivery period, each handler shall pay each producer for milk purchased or received during the delivery period, an amount of money not less than the total value of such milk at the uniform price computed pursuant to section 6, subject to the location adjustment in (c) of this section and butterfat differential set forth in (d) of this section and less the partial payment made pursuant to (a) of this section.

(c) *Location adjustment to producers.* In making payments to producers pursuant to (b) of this section, handlers may deduct, with respect to all milk received from producers at a plant located outside the marketing area, the applicable amounts set forth in the following schedule:

Mileage Zone (by shortest highway distance from Public Square in Cleveland)	Cents per hundredweight
Not more than 30 miles.....	0
More than 30 miles but not more than 45 miles.....	5
More than 45 miles but not more than 60 miles.....	7
More than 60 miles but not more than 75 miles.....	9
More than 75 miles but not more than 90 miles.....	11
Within each 15 mile zone thereafter— an additional 1 cent.	

(d) *Butterfat differential.* For each delivery period the market administrator shall compute, to the nearest one-tenth cent, a butterfat differential by dividing

the price per hundredweight of butterfat in Class III milk, set forth in section 5 (d) (2) prior to the application of the proviso therein, by 1,000.

(e) *Producer-settlement fund.* The market administrator shall establish and maintain a separate fund known as the "producer-settlement fund" into which he shall deposit all payments made by handlers pursuant to paragraphs (f) and (h) and out of which he shall make all payments to handlers pursuant to paragraph (g) and (h) of this section: *Provided*, That the market administrator shall offset any such payment due to any handler against payments due from such handler. Immediately after computing the uniform price for each delivery period, the market administrator shall compute the amount by which each handler's net pool obligation is greater or less than the sum obtained by multiplying such handler's net pooled milk by the uniform price and shall enter such amount on each handler's account as such handler's pool debit or pool credit, as the case may be, and render such handler a transcript of his account.

(f) *Payments to the producer-settlement fund.* On or before the 15th day after the end of each delivery period each handler shall make full payment to the market administrator of any pool debit balance shown on the account rendered, pursuant to paragraph (e) of this section, for the preceding delivery period.

(g) *Payment out of the producer-settlement fund.* On or before the 17th day after the end of each delivery period, the market administrator shall pay to each handler the pool credit balance shown on the account rendered, pursuant to paragraph (e) of this section, if any, for the preceding delivery period, less any unpaid obligations of the handler, if at such time the balance in the producer-settlement fund is insufficient to make all payments pursuant to this paragraph, the market administrator shall reduce such payments pro rata and shall complete such payments as soon as the necessary funds are available. No handler, who, on the 18th day after the end of each delivery period, has not received the balance of the payment due him from the market administrator shall be deemed to be in violation of paragraph (a) of this section if he reduces his total payments to all producers by the amount of such balance and prorates such reduction among his producers on the basis of weight of the milk received from each.

(h) *Adjustments of errors in payments.* Whenever verification by the market administrator of reports or payments of any handler discloses errors in amounts due, or in payments to, the producer-settlement fund, the market administrator shall promptly bill such handler, for any unpaid amount and such handler shall, within 5 days, make payment to the market administrator of the amount so billed. Whenever verification discloses that payment is due from the market administrator to any handler pursuant to paragraph (g) of this section, the market administrator shall, within 5 days, make such payment to such handler, whenever verification by the market administrator of the payment by a han-

dlar to any producer for milk received by such handler, discloses payment to such producer of less than is required by this section, the handler shall make up such payment to the producer not later than the time of making payment to producers next following such disclosure.

SEC. 8. *Expense of administration—*
(a) *Payment by handlers.* As a pro rata share of the expense of administration hereof, each handler, with respect to all milk received from producers, association of producers, and from such handler's own production during the delivery period shall pay to the market administrator on or before the 15th day after the end of the delivery period an amount per hundredweight not to exceed 2 cents, the exact rate to be determined by the market administrator, subject to review by the Secretary.

SEC. 9. *Marketing services—*(a) *Deduction for marketing services.* Except as set forth in paragraph (b) of this section, each handler shall deduct an amount not exceeding 4 cents per hundredweight (the exact amount to be determined by the market administrator, subject to review by the Secretary) from payments made direct to producers, pursuant to section 7, with respect to all milk received by such handler during the delivery period from producers, and shall pay such deductions to the market administrator on or before the 15th day after the end of such delivery period. Such moneys shall be used by the market administrator to verify weights, samples, and tests of milk of said producers and to provide them with market information; such services to be performed in whole or in part by the market administrator, or by an agent engaged by and responsible to him.

(b) *Payment to an association.* In the case of producers, delivering to plants for whom a cooperative association, which the Secretary determines to be qualified under the provisions of the act of Congress on February 18, 1922, as amended, known as the "Capper-Volstead Act," and to be actually performing the services set forth in paragraph (a) of this section, each handler shall make, in lieu of the deductions specified in paragraph (a) of this section such deductions from the payments to be made pursuant to section 7 as may be authorized by such producers, and pay over, on or before the 15th day after the end of each delivery period, such deductions to the association rendering such services.

SEC. 10. *Effective time, suspension, or termination—*(a) *Effective time.* The provisions hereof, or any amendment hereto, shall become effective at such time as the Secretary may declare and shall continue in force until suspended or terminated.

(b) *Suspension or termination.* Any or all provisions hereof, or amendments hereto, shall be suspended or terminated as to any or all handlers after such reasonable notice as the Secretary may give, and shall terminate in any event, whenever the provisions of the act authorizing it cease to be in effect.

(c) *Continuing power and duty of the market administrator.* If upon the suspension or termination of any or all provisions hereof, there are any obligations arising hereunder, the final accrual or ascertainment of which requires further acts by any handler, by the market administrator, or by any other person, the power and duty to perform such further acts shall continue notwithstanding such suspension or termination: *Provided*, That any such acts required to be performed by the market administrator shall, if the Secretary so directs, be performed by such persons, or agency as the Secretary may designate.

(1) The market administrator, or such person as the Secretary may designate, shall (i) continue in such capacity until removed by the Secretary; (ii) account from time to time for all receipts and disbursements and, when so directed by the Secretary, deliver all funds on hand, together with the books and records of the market administrator or such other person to such person as the Secretary shall direct; and (iii) execute, if so directed by the Secretary, such assignments or other instruments necessary or appropriate to vest in such person full title to all funds, property, and claims vested in the market administrator or such person pursuant thereto.

(d) *Liquidation after suspension or termination.* Upon the suspension or termination of any or all provisions hereof the market administrator, or such person as the Secretary may designate, shall, if so directed by the Secretary, liquidate the business of the market administrator's office and dispose of all funds and property then in his possession or under his control, together with claims for any funds which are unpaid or owing at the time of such suspension or termination. Any funds collected pursuant to the provisions hereof, over and above the amount necessary to meet outstanding obligations and the expenses necessarily incurred by the market administrator or such person in liquidating and distributing such funds, shall be distributed to the contributing handlers and producers in an equitable manner.

SEC. 11. *Agents.* The Secretary may, by designation in writing, name any officer or employee of the United States to act as his agent or representative in connection with any of the provisions hereof.

SEC. 12. *Emergency price provision.* Whenever the provisions hereof require the market administrator to use a specific price (or prices) for milk or any milk product for the purpose of determining class prices or for any other purpose, the market administrator shall add to the specified price the amount of any subsidy, or other similar payment, being made by any Federal agency in connection with the milk, or product, associated with the price specified: *Provided*, That if for any reason the price specified is not reported or published as indicated, the market administrator shall use the applicable maximum uniform price established by regulations of any Federal agency plus the amount of any such subsidy or other similar payment: *Provided further*, That if the specified

price is not reported or published and there is no applicable maximum uniform price, or if the specified price is not reported or published and the Secretary determines that the market price is below the applicable maximum uniform price, the market administrator shall use a price determined by the Secretary to be equivalent to or comparable with the price specified.

Proposal of the Lorain Creamery, Lorain, Ohio:

1. Exclude the communities Avon and Avon Lake, Lorain County, Ohio, from the definition of Cleveland, Ohio, marketing area, as proposed by the Milk Producers Federation of Cleveland.

Proposals of the Wooster Farm Dairies Company, Wooster, Ohio:

1. Delete subparagraphs 1, 2, and 3 from section 4 (b) of the marketing agreement and order proposed by the Milk Producers Federation of Cleveland and substitute therefor the following:

(1) Class I milk shall be all skim milk and butterfat disposed of in fluid form (except that which has been dumped or disposed of for livestock feeding) as (i) milk, including reconstituted milk; (ii) skim milk; (iii) buttermilk; (iv) flavored milk or flavored milk drinks; and (v) all skim milk or butterfat not specifically accounted for as Class II or Class III milk.

(2) Class II milk shall be all skim milk and butterfat disposed of (i) in fluid form as sweet or sour cream; (ii) in fluid form as any mixture of cream and milk (or skim milk) which contains 8 percent or more but less than 18 percent of butterfat; or (iii) as cottage cheese.

(3) Class III milk shall be all skim milk and butterfat specifically accounted for as (i) used to produce, or disposed of as, ice cream, ice cream mix, frozen cream, condensed milk, condensed skim milk, or any other milk product not specified in Class I and Class II milk; (ii) having been dumped or disposed of for livestock feeding; or (iii) plant shrinkage but not in excess of 3 percent, respectively, of the total receipts of skim milk or butterfat, not including skim milk or butterfat received from other handlers.

2. Add to sections 5 (e) and 7 (c) of the marketing agreement and order proposed by the Milk Producers Federation of Cleveland the following proviso:

Provided however, That any handler located outside the marketing area who tests milk, standardizes delivery, renders bacterial or sanitation service or pasteurizes by-products in addition to the ordinary service of receiving, weighing and cooling milk shall be allowed to deduct in addition to the amount hereinabove provided, a sum per hundredweight which when added to the amount hereinabove provided will be sufficient to cover the actual plant cost of handling said milk but such additional deduction shall not exceed in any event 10 cents per hundredweight.

3. Amend section 8 (a) of the marketing agreement and order proposed by the Milk Producers Federation of Cleve-

land to clarify the assessment obligation thereunder with respect to milk received by a handler from another handler, by providing that no such assessment shall be required with respect to milk received by a handler from another handler.

Proposal of the United Milk Products Company, Cleveland, Ohio:

Give consideration to the adoption of the general and applicable provisions, definitions, and classifications of Order No. 41, as amended, regulating the handling of milk in the Chicago, Illinois, marketing area, effective July 1, 1941 (6 F.R. 3130), including amendment No. 1, effective September 6, 1941 (6 F.R. 4552), and amendment No. 2, effective February 1, 1943 (8 F.R. 1258), and as further amended, effective June 21, 1943 (8 F.R. 8294).

Proposals of the Dairy Branch, Production and Marketing Administration:

1. Give consideration to the following provision in connection with the establishment of prices: "Whenever the Secretary finds and announces that the Class I price computed for any delivery period is not in the public interest, the Class I price for such delivery period shall be the same as the Class I price for the preceding delivery period."

2. Give consideration to the adoption of an individual-handler pool in place of the market-wide type of pool provided in the marketing agreement and order proposed by the Milk Producers Federation of Cleveland. (Under an individual-handler pool the uniform price to each producer is determined on the basis of the use of milk by the individual handler to whom the producer delivers. Under a market-wide pool such price to each producer is determined on the basis of the over-all use of milk in the market, irrespective of the use made of milk by the individual handler to whom the producer delivers).

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

Dated: November 8, 1945.

[SEAL] G. T. PEYTON,
Acting Assistant Administrator for
Regulatory and Marketing Service
Matters, Production and Marketing
Administration.

[F. R. Doc. 45-20576; Filed, Nov. 9, 1945;
11:12 a. m.]

FEDERAL POWER COMMISSION.

[Docket No. G-675]

SOUTHERN CALIFORNIA GAS CO. AND SOUTHERN COUNTIES GAS CO. OF CALIFORNIA

NOTICE OF APPLICATION

NOVEMBER 8, 1945.

Notice is hereby given that on October 26, 1945, a joint application was filed with the Federal Power Commission by Southern California Gas Company and Southern Counties Gas Company of Cal-

ifornia, both California corporations with their principal place of business at 810 Flower Street, Los Angeles, California, for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, to authorize the construction and operation of certain facilities hereinafter described.

The proposed project will consist of a 26-inch O. D. natural-gas transmission pipeline approximately 214 miles in length, extending in an easterly direction from a point near Santa Fe Springs in the vicinity of Los Angeles, California, to a point on the Arizona-California boundary line near Blythe, Riverside County, California, where it will connect with a proposed pipeline for which El Paso Natural Gas Company has filed a certificate of public convenience and necessity.¹

The project also includes a compressor station which will provide initial capacity of 175,000 Mcf of natural gas per 24 hours during the first 5 years following completion of the pipeline, with additional compressor capacity being installed during the succeeding 25 years which will increase the total line capacity up to 305,000 Mcf of gas per day.

The Applicants propose to obtain their gas supply for the project from the El Paso Natural Gas Company, which company in turn will obtain its supply of gas for Applicants from the Permian Basin, from Panhandle gas field and from the Hugoton field, all of which are located in West Texas.

Applicants submit that the estimated over-all cost of the initial pipe-line facilities will be approximately \$12,140,000. The estimated cost of additional facilities to bring the proposed pipeline up to its ultimate maximum capacity will entail an additional expenditure of \$3,000,000. It appears from the application that the proposed project will be financed out of funds currently available from their respective treasuries.

The application recites that the proposed project is necessary due to an accelerated depletion of gas reserves in the State of California, due to war conditions and other causes, and that the pipeline as above described has been expressly designed for the purpose of affording the greatest possible relief, due to such natural-gas shortage as will prevail in the future in the southern California area, as well as to provide a continued adequate natural-gas service for the communities in California served by or dependent upon Applicant's supplies of natural gas.

Applicants are presently supplying the following principal California towns and communities:

¹The line referred to is a 26-inch transmission pipeline commencing at El Paso Natural Gas Company Jal No. 1 Plant, which is located approximately 4 miles south of the town of Jal in Lea County, New Mexico, and extending in a westerly direction approximately 720 miles to a point on the east bank of the Colorado River east of the town of Blythe, California. The aforementioned pipe-line project is embraced in the application filed by the El Paso Natural Gas Company, Docket No. G-655.

Southern California Gas Company

Alhambra	Maywood
Bell	Pasadena
Beverly Hills	Redlands
Burbank	Redondo Beach
Compton	Riverside
Glendale	San Bernardino
Huntington Park	San Gabriel
Inglewood	South Gate
Los Angeles	South Pasadena
Lynwood	

Southern Counties Gas Company of California

Anaheim	Pomona
Arcadia	San Luis Obispo
Azusa	Santa Ana
Culver City	Santa Barbara
Fullerton	Santa Maria
Los Angeles	Santa Monica
Monrovia	Santa Paula
Montebello	Upland
Ontario	Ventura
Orange	Whittier
Oxnard	

The making of the application is conditioned upon the granting by the Commission of the application of El Paso Natural Gas Company, Docket No. G-655.

Any person desiring to be heard or to make any protest with reference to said application should, on or before the 26th day of November, 1945, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's provisional rules of practice and regulations under the Natural Gas Act.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 45-20572; Filed, Nov. 9, 1945;
10:01 a. m.]

[Docket No. G-580]

NATURAL GAS INVESTIGATION

ORDER POSTPONING HEARING

NOVEMBER 6, 1945.

It appearing to the Commission that: The Railroad Commission of Texas and the Steering Committee of the Governor of Texas have made a further request that the hearing heretofore ordered to be held in Dallas, Texas, commencing at 10 a. m., December 10, 1945, be again postponed.

The Commission orders that: The hearing heretofore scheduled to be held in the Baker Hotel, Dallas, Texas, commencing at 10 a. m., December 10, 1945, is hereby postponed to 10 a. m., January 28, 1946, in Houston, Texas, at a specific place in Houston to be set by further order.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 45-20573; Filed, Nov. 9, 1945;
10:01 a. m.]

No. 222—5

OFFICE OF PRICE ADMINISTRATION.

[MPR 591, Amdt. 1 to Order 48]

SPECIFIED MECHANICAL BUILDING EQUIPMENT

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register Order No. 43 under section 22 of Maximum Price Regulation No. 591 is amended in the following respects:

1. Section 1.2 is amended to read as follows:

SEC. 1.2 *Relationship of this order to SO 118, SO 119 and Section 16 of Maximum Price Regulation No. 591*—(a) *SO 118*. A small volume manufacturer, as defined below, may use as his new maximum prices those which he calculates under Supplementary Order No. 118, and general orders issued pursuant thereto, if the maximum prices so calculated are higher than the maximum prices established under the provisions of this Order No. 48.

A small volume manufacturer for the purpose of this paragraph is any manufacturer

(1) Whose total net sales of products made by him in 1941 (not including sales on contracts or sub-contracts of any United States war procurement agency of any Allied Government) did not exceed \$200,000, or

(2) Who cannot reasonably expect that his sales (not including sales on contracts or sub-contracts of any United States war procurement agency or of any Allied Government) after giving consideration to all relevant factors, including the volume of his continuing war orders and the facilities, manpower and materials available for his civilian business, will not be more than \$200,000 in the twelve months following the date of his report under Supplementary Order No. 118.

(b) *SO 119*. Any other manufacturer may apply for an individual adjustment under Supplementary Order 119 if, after the increase authorized for his commodity, by this Order No. 48, his maximum price still continues eligible for adjustment in accordance with the provisions of Supplementary Order 119.

(c) *Section 16 of Maximum Price Regulation No. 591*. Any manufacturer of any commodity listed under Article II of this Order shall not be eligible for an adjustment of his maximum prices for such commodities under the provisions of section 16 of Maximum Price Regulation No. 591.

2. Section 2.1 (b) is amended to read as follows:

(b) *Resellers increase*. Any reseller may increase his maximum prices for the types of electrical controls listed in section 2.1 (a) above, as established under the General Maximum Price Regulation, each class of purchaser, by 5 percent.

A seller shall not be considered a "reseller" within the meaning of this paragraph when he uses the types of electrical controls covered by this section on or

in connection with the sale of another article (such as an oil burner, furnace, stoker, etc.) and his maximum price for the electrical controls and such other article is established on the basis of a lump sum.

3. A new section 2.2 is added to read as follows:

Sec. 2.2 *Stokers*—(a) *Manufacturers increase*. The maximum price for sales by any manufacturer of the types of stokers set forth below and repair and service parts therefor shall be his price to each class of purchaser in effect on October 1, 1941, increased by the amount indicated:

Stokers with a capacity of 50 pounds or less—
10 percent

Stokers with a capacity of 51 pounds up to and including 1129 pounds—5 percent

Repair parts and service parts for all sizes—
5 percent

(b) *Optional use of this section*. Since the provisions of this section are not intended to reduce properly established maximum prices, any manufacturer whose price in effect to each class of purchaser on October 1, 1941, plus the increase provided for under (a) is less than his maximum price as established under Maximum Price Regulation No. 591, may continue to use as his maximum price, the maximum price properly established under that regulation.

(c) *Notification by manufacturers*. Any manufacturer who applies the increase permitted under (a) shall notify each purchaser, in writing, at or before the issuance of the first invoice after November 8, 1945, of the actual dollar-and-cents increase for each type of stoker over his March 1942 maximum price to that class of purchaser.

(d) *Resellers increase*. The maximum price for sale by any reseller of the types of stokers or repair and service parts therefor set forth in paragraph (a) shall be his March 1942 maximum price to each class of purchaser plus the actual dollar-and-cents increase in present cost resulting from the increase granted the manufacturer under paragraph (a), and of which he is notified by the manufacturer.

A seller shall not be considered a "reseller" within the meaning of this paragraph when he uses the types of stokers covered by this section on or in connection with the sale of another article (such as furnace, etc.) and his maximum price for the stoker and the other article is established on the basis of a lump sum.

(e) *Profit factor for use in connection with adjustments under section 1.2 (a) or (b)*. Any manufacturer of the types of stokers or repair and service parts therefor set forth in section 2.2 (a) filing an application for adjustment in accordance with section 1.2 (a) or (b) may use in connection with such an application the industry profit factor of 5.5 percent.

This amendment shall become effective November 8, 1945.

Issued this 8th day of November 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20555; Filed, Nov. 8, 1945;
4:45 p. m.]

[MPR 120, Amdt. 1 to Order 1290]

BITUMINOUS COAL IN DISTRICT 3

ORDER CONSOLIDATING ADJUSTMENTS FOR INDIVIDUAL MINES

For the reasons set forth in the opinion accompanying this amendment and pursuant to § 1340.207 (a) of Maximum Price Regulation No. 120; *It is ordered:* Order No. 1290 under Maximum Price Regulation No. 120 is amended in the following respect:

In the table of maximum prices in paragraph (a), the mine index number "97"; the mine name "McCandlish"; and the maximum prices thereafter are deleted.

This Amendment No. 1 to Order No. 1290 under Maximum Price Regulation No. 120 shall become effective November 9, 1945.

Issued this 8th day of November 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20501; Filed, Nov. 8, 1945; 11:34 a. m.]

[MPR 120, Order 1512]

GEORGE'S CREEK COAL CO., INC.

ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and in accordance with §§ 1340.207 and 1340.210 (a) (6) of Maximum Price Regulation No. 120; *It is ordered:*

(a) The Franklin No. 1 Mine of George's Creek Coal Company, Incorporated, is hereby assigned Mine Index No. 5404.

(b) Coals produced by George's Creek Coal Company, Incorporated, from its Franklin No. 1 Mine, Mine Index No. 5404, in Subdistrict No. 43 of District No. 1, may be purchased and sold for the indicated uses and movements at per net ton maximum prices not exceeding the following:

	Size group Nos.		
	1, 2	3	4, 5
Price classifications.....	D	D	D
All methods of transportation and for all uses.....	\$4.75	\$4.50	\$4.10

(c) The maximum prices established hereby are f. o. b. the mine or preparation plant for truck or wagon shipment, f. o. b. the rail or river shipping point for rail or river shipments, and f. o. b. the rail shipping point for railroad fuel for all uses. The schedule of maximum prices set forth in § 1340.212 (b) of Maximum Price Regulation No. 120 shall apply to all size groups not listed herein.

(d) The maximum prices established herein include an adjustment granted under the provisions of § 1340.207 (a) of Maximum Price Regulation No. 120, which adjustment shall expire at midnight April 30, 1946. On and after May 1, 1946, the maximum prices for the coals of the Franklin No. 1 Mine shall revert to the maximum prices set forth in

§ 1340.212 (b) of Maximum Price Regulation No. 120.

(e) The price classifications and the mine index number assigned herein are permanent, but the maximum prices established hereby may be changed by order or amendment.

(f) Permission to charge the adjusted maximum prices established herein is subject to the condition that the applicant file with the Solid Fuels Price Branch of the Office of Price Administration at Washington 25, D. C., within twenty-five days after the last day of each month, a detailed monthly report of his operating data on Form 653-499 issued by the Office of Price Administration.

(g) The applicant shall include a statement on all invoices in connection with the sales of coals priced under this order that the price includes an adjustment granted by Order No. 1512 under Maximum Price Regulation No. 120 of the Office of Price Administration.

(h) All prayers of the applicant not granted herein are hereby denied.

(i) Except as is specifically provided in this order, the provisions governing the sales of bituminous coals shall remain in effect.

(j) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective November 9, 1945.

Issued this 8th day of November 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20502; Filed, Nov. 8, 1945; 11:35 a. m.]

[MPR 188, Order 4655]

AL VERB

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 Al Verb, 809 Locust Street, Philadelphia 7, Pa.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
Silver plated commode type lamp, 19" high.....	543, 546	\$2.85	\$3.35	\$6.05
Silver plated commode type lamp, 22" high.....	547	3.05	3.58	6.45
Crystal table lamp with silver plated cap and base, 19" high.....	545	3.60	4.23	7.60
Crystal table lamp with silver plated base and cap, 29" high.....	535	4.69	5.50	9.00
Crystal table lamp with silver plated base and cap, 25" high.....	540	4.25	5.00	9.00

These maximum prices are for the articles described in the manufacturer's application dated July 25, 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 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 9th day of November 1945.

Issued this 8th day of November 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20503; Filed, Nov. 8, 1945; 11:35 a. m.]

[MPR 260, Amdt. 1 to Order 1603]

SHEARER AND CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this amendment and pursuant to § 1358.102 (b) of Maximum Price Regulation 260; *It is ordered, That:*

The maximum prices for the "Peace Eagle-Peace Eagle" cigar set forth in paragraph (a) of Order No. 1603 under Maximum Price Regulation No. 260, are amended to read as follows:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Peace Eagle.....	Peace Eagle ¹	50	Per M \$80	Cents 2 for 15

¹ These prices apply to this brand and frontmark using only Type 62 Florida Shade light wrappers.

This amendment shall become effective November 9, 1945.

Issued this 8th day of November 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20512; Filed, Nov. 8, 1945; 11:38 a. m.]

[MPR 260, Amdt. 1 to Ordef 1735]

B AND B CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this amendment and pursuant to § 1358.102 (b) of Maximum Price Regulation 260; *It is ordered*, That:

The maximum prices for the "Croydon Hall-Diplomats" cigar set forth in paragraph (a) of Order No. 1735 under Maximum Price Regulation No. 260, are amended to read as follows:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Croydon Hall.....	Diplomats.....	50	Per M \$75	Cents 10

This amendment shall become effective November 9, 1945.

Issued this 8th day of November 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20513; Filed, Nov. 8, 1945; 11:37 a. m.]

[MPR 260, Order 1907, Revocation]

LA BEBA CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reason set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation 260, *It is ordered*, That:

Order No. 1907 under Maximum Price Regulation No. 260, issued on October 17, 1945 to La Beba Cigar Factory, 2102 Columbus Drive, Tampa 5, Florida, establishing maximum list and maximum retail prices for "La Beba-Brevas", "La Beba-Panetelas", "La Beba-Babies", "La Beba-Beinas-D", "La Beba-Londres", "La Beba-Londre Grande", "La Beba-Blunts", "La Beba-Fancitales", "La Beba-Bostons", and "La Beba-Conchas" cigars, is revoked.

This order shall become effective on November 9, 1945.

Issued this 8th day of November 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20514; Filed, Nov. 8, 1945; 11:38 a. m.]

[MPR 260, Order 1940]

TAMPA-VANA CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Tampa-Vana Cigar Company, 2007 1/4 11th Street, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Leonidas.....	Panatch Especial.....	50	Per M \$115	Cents 15

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maxi-

imum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective November 9, 1945.

Issued this 8th day of November 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20504; Filed, Nov. 8, 1945; 11:35 a. m.]

[MPR 260, Order 1947]

ALBERT F. STICHTENOTH

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Albert F. Stichtenothe, 362 Chestnut Street, New Britain, Conn. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Albert's Special.....	Londres.....	50	Per M \$75	Cents 10

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the

same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective November 9, 1945.

Issued this 8th day of November 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20505; Filed, Nov. 8, 1945; 11:36 a. m.]

[MPR 260, Order 1948]

F. S. BAER CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) F. S. Baer Company, 158 West Adams Boulevard, Los Angeles 7, Calif. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Baco.....	Esquire.....	50	Per M \$30.00	Cents 12

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales

of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective November 9, 1945.

Issued this 8th day of November 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20506; Filed, Nov. 8, 1945; 11:36 a. m.]

[MPR 260, Order 1949]

PEDRO DOMENA

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Pedro Domena, 431 W. 125th Street, New York, N. Y. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
El Cio.....	Panarella.....	50	Per M \$75.00	Cents 10
The Preacher.....	Corona.....	50	64.00	8
Gloria Mundi.....	do.....	50	90.00	12
Domena.....	do.....	50	93.75	2 for 25

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective November 9, 1945.

Issued this 8th day of November 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20507; Filed, Nov. 8, 1945; 11:36 a. m.]

[MPR 260, Order 1950]

EL FABER CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Harry Faber, d/b/a El Faber Cigar Company, 2561 30th Street, Sacramento, Calif. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
El Faber	Empires	50	\$101.25	2 for 27
	Palmer's	50	134.00	2 for 35
	Biltmore's	50	134.00	2 for 35

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective November 9, 1945.

Issued this 8th day of November 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20503; Filed, Nov. 8, 1945; 11:36 a. m.]

[MPR 260, Order 1951]

UNCLE SAM CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Uncle Sam Cigar Factory, 422 Forest Avenue, Tampa 3, Fla. (hereinafter called "manufacturer"), and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Uncle Sam	King	50	\$72.00	9
	Blunt	50	82.00	11
	Brevas	50	75.00	10

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March

1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective November 9, 1945.

Issued this 8th day of November 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20503; Filed, Nov. 8, 1945; 11:37 a. m.]

[MPR 260, Order 1952]

HENRY BARJON

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Henry Barjon, 1103 Collins Street, Tampa 7, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Henry Barjon	Perfection	50	\$74	8
	Crown	50	64	8
	Crown	50	64	8

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order,

but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class, on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260 shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective November 9, 1945.

Issued this 8th day of November 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20510; Filed, Nov. 8, 1945; 11:37 a. m.]

[MPR 260, Order 1953]

PEDRO PEREZ CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Pedro Perez Cigar Company, 3426 15th Street, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Rosa Moro.....	Cleeks.....	50	Per M \$141.00	3 for 55
Casa Leon.....	Creemas.....	50	93.75	2 for 25
	Camelias.....	50	93.75	2 for 25

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective November 9, 1945.

Issued this 8th day of November 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20511; Filed, Nov. 8, 1945; 11:37 a. m.]

[MPR 580, Order 239]

WALTER M. GOTSCH CO.

ESTABLISHMENT OF CEILING PRICES

Maximum Price Regulation No. 580, Order 239. Establishing ceiling prices at retail for certain articles. Docket No. 6063-580-13-361.

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 Walter M. Gotsch Company, 223 W. Jackson Blvd., Chicago 6, Illinois, having the brand name "Adrian Evans" and described in the manufacturer's application dated September 28, 1945:

Article	Style No.	Manufacturer's selling price	Retail ceiling price
Ohenillo housecoat....	6485.....	Per dozen \$37	Per unit \$7.05

(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, Walter M. Gotsch Company 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 9, 1945:

Issued this 8th day of November 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20515; Filed, Nov. 8, 1945; 11:38 a. m.]

[MPR 591, Order 103]

ROBERT'S TUBE WORKS

ESTABLISHMENT OF MAXIMUM PRICES

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

and pursuant to section 16 (b) (1) of Maximum Price Regulation No. 591, it is ordered:

(a) *Adjustment of maximum prices for the Roberts Tube Works, of Detroit, Michigan.* (1) This order permits the Roberts Tube Works of Detroit, Michigan, to increase its presently established maximum net prices to each class of customer by 6½ percent for its brass and copper boiler dip and circulator tubes and fittings.

(2) The maximum net prices set forth in (a) (1) above are subject to cash discounts and transportation allowances at least as favorable as those granted as a deduction from net prices to each class of customer during March 1942 on comparable sales of similar commodities.

(b) *Maximum prices for resellers.* All resellers of the commodities for which adjustment is granted the Roberts Tube Works in (a) above may add the same percentage mark-up over their new cost, resulting from the increase granted the Roberts Tube Works by this order, that such sellers enjoyed on these items during March 1942.

(c) *Notification to all purchasers.* The Robert Tube Works shall send the following notice to every purchaser of the commodities covered by this order at or before the time of the first billing after the adjustment is put into effect:

Order No. 103 under section 16 (b) (1) of Maximum Price Regulation No. 591 provides for a 6½ percent increase in net prices for sales of brass and copper boiler dip and circulator tubes and fittings manufactured by the Roberts Tube Works. Resellers may add the same percentage mark-up to their new cost that they had in effect on these items during March 1942.

(d) All prayers of the application of the Roberts Tube Works not granted in this order are denied.

(e) This order may be amended or revoked by the Price Administrator at any time.

This order shall become effective November 9, 1945.

Issued this 8th day of November 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20516; Filed, Nov. 8, 1945; 11:39 a. m.]

[RPS 40, Order 27]

PIONEER HARDWARE 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 § 1346.1 (b) (3) of Revised Price Schedule No. 40, *It is ordered:*

(a) The maximum list price f. o. b. point of shipment, for sales by the Pioneer Hardware Company of the screen door latch manufactured by it and as described in the application dated September 28, 1945, which is on file with the Building Materials Price Branch, Office of Price Administration, Washington 25, D. C., shall be: \$1.80 each.

(b) The maximum list price established in (a) above shall be subject to the following functional discounts:

On sales to jobbers: 50-10 percent.
On sales to retailers: 40 percent.

(c) The maximum net price for sales by jobbers of the screen door latch manufactured by the Pioneer Hardware Company shall be:

On sales to retailers: \$1.08 each.
On sales to consumers: \$1.80 each.

(d) The maximum net price for sales by retailers of the screen door latch manufactured by the Pioneer Hardware Company shall be:

On sales to consumers: \$1.80 each.

(e) The maximum 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 the manufacturer and jobber extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of similar commodities during October 1-15, 1941. Retailers shall extend the same price differentials extended on sales of comparable items during March 1942.

(f) Each seller covered by this order, except a retailer, 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, except retailers, upon resale.

(g) The Pioneer Hardware Company shall print on the box containing the latch or attach a tag to the latch covered by this order, the following:

OPA Maximum Retail Price, \$1.80

(h) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective November 9, 1945.

Issued this 8th day of November 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20531; Filed, Nov. 8, 1945; 4:40 p. m.]

[Order 85 Under 3 (e)]

DIAPERWITE Co.

AUTHORIZATION OF MAXIMUM PRICES

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

(a) Maximum prices for sales in 1 lb. packages of "Diaperwite," a soapless cleanser, manufactured by Diaperwite Co., 89 Hudson Street, New York 13, N. Y., are established as follows:

	Per dozen	Per carton of 24
For sales by manufacturers:		
To wholesalers.....	\$1.69	\$3.29
To department stores and chain stores.....	1.89	3.69
For sales by wholesalers.....	2.09	4.09
For sales by retailer.....	2.25	-----

The above prices are subject to the same discounts, allowances, and trade practices as prevailed on each seller's sales of soapless cleanser.

(b) No extra charge may be made for containers.

(c) With or prior to the first delivery of the aforesaid commodity to a wholesaler, department store or chain store, the manufacturer shall furnish such purchaser with a written notice containing the schedule of maximum prices set out in paragraph (a) above and a statement that they have been established by the Office of Price Administration.

(d) Prior to making any delivery of such commodity after the effective date of this order, the manufacturer shall mark or cause to be marked thereon the following legend:

Maximum Retail Price: 25 cents.

This order shall become effective November 9, 1945.

Issued this 8th day of November 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20539; Filed, Nov. 8, 1945; 4:45 p. m.]

[MFR 63, Order 8]

ZENITH MACHINE COMPANY

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 14 of Maximum Price Regulation No. 86, *It is ordered:*

(a) This order establishes ceiling prices for sales of the seven models listed below of wringer-type washing machines manufactured by the Zenith Machine Company, 259 South First Avenue, East, Duluth, Minnesota.

(1) Distributors shall determine their ceiling prices for sales to dealers of each of the models listed in subparagraph (2) below in accordance with the provisions of section 15 of Maximum Price Regulation No. 86.

(2) The ceiling price for sales by dealers in the 48 states and District of Columbia for the models listed below are as follows:

Model:	Dealers' ceiling prices to consumers
300.....	\$119.95
200.....	109.95
75.....	84.95
65.....	84.95
35.....	74.95
115.....	64.95
5.....	54.95

If the washing machine is equipped with a water pump, \$10.00 may be added to the ceiling price for the machine shown in the above table.

If the washing machine is equipped with a gasoline motor, instead of an electric motor, \$25.00 may be added to the ceiling price for the machine shown in the above table.

In all other respects those ceiling prices are subject to each retail seller's customary terms, discounts, allowances and other price differentials in effect on sales of similar articles.

(b) At the time of, or prior to, the first invoice to each distributor, the manufacturer shall notify him of the ceiling prices established by this order for resales by the distributor. This notice may be given in any convenient form.

(c) All the provisions of Maximum Price Regulation No. 86 continue to apply to all sales and deliveries of machines covered by this order, except to the extent that those provisions are modified by this order.

(d) Unless the context requires otherwise, the definitions set forth in the various sections of Maximum Price Regulation No. 86 shall apply to the terms used herein.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 9th day of November 1945.

Issued this 8th day of November 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20532; Filed, Nov. 8, 1945; 4:39 p. m.]

[MPR 86, Order 9]

BLACKSTONE CORPORATION

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to Section 14 of Maximum Price Regulation No. 86; *It is ordered:*

(a) This order establishes ceiling prices for sales of ten models of washing machines, and one model of an ironer listed below, and manufactured by the Blackstone Corporation, Jamestown, New York.

(1) Distributors shall determine their ceiling prices for sales to dealers of each of the models listed in subparagraph (2) below in accordance with the provisions of section 15 of Maximum Price Regulation No. 86.

(2) The ceiling price for sales by dealers to each zone for the models listed below are as follows:

Article	Models	Dealers' ceiling prices to consumers		
		Zone 1	Zone 2	Zone 3
Electric wringer washing machine.....	130	\$89.95	\$94.95	\$99.95
	130-P	99.95	104.95	109.95
	130-X	109.95	114.95	119.95
	132	69.95	74.95	79.95
	132-P	79.95	84.95	89.95
	132-X	89.95	94.95	99.95
	134	59.95	64.95	69.95
	134-P	69.95	74.95	79.95
	135	49.95	54.95	59.95
	135-P	59.95	64.95	69.95
Automatic model ironer.....	50-A	199.95	204.95	209.95
	3-N	99.95	104.95	109.95

These ceiling prices are subject to each retailer seller's customary terms, discounts, allowances and other price differentials in effect on sales of similar articles.

(b) For purposes of this order Zones 1, 2 and 3 comprise the following states:

Zone 1—Connecticut, Delaware, District of Columbia, Illinois, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, Missouri, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, Wisconsin.

Zone 2—Alabama, Arkansas, Florida, Georgia, Iowa, Kansas, Minnesota, Mississippi, Nebraska, South Carolina, North Dakota, Tennessee.

Zone 3—Arizona, California, Colorado, Idaho, Louisiana, Montana, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, Texas, Utah, Washington, Wyoming.

(c) At the time of, or prior to, the first invoice to each distributor, the manufacturer shall notify him of the ceiling prices established by this order for resales by the distributor. This notice may be given in any convenient form.

(d) All the provisions of Maximum Price Regulation No. 86 continue to apply to all sales and deliveries of machines covered by this order, except to the extent that those provisions are modified by this order.

(e) Unless the context requires otherwise, the definitions set forth in the various sections of Maximum Price Regulation No. 86 shall apply to the terms used herein.

(f) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 9th day of November, 1945.

Issued this 8th day of November 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20533; Filed, Nov. 8, 1945; 4:40 p. m.]

[RMPR 136, Order 532]

HELWIG MANUFACTURING CO.

DETERMINATION OF MAXIMUM PRICES

Order No. 532 under Revised Maximum Price Regulation 136, machines, parts and industrial equipment. Helwig Manufacturing Company Docket No. 6083-136.21-548.

For the reasons set forth in an opinion, issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 21 of Revised Maximum Price Regulation 136, *It is ordered:*

(a) The maximum prices for sales of strap shears by Helwig Manufacturing Company, St. Paul, Minnesota, shall be determined as follows:

Maximum net price
No. 4 Strap Shear..... \$8.60

(b) The maximum prices for sales of strap shears 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.

(c) Helwig Manufacturing Company shall notify each person who buys strap shears 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.

(d) All requests not granted herein are denied.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective November 9, 1945.

Issued this 8th day of November 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20534; Filed, Nov. 8, 1945; 4:40 p. m.]

[RMPR 136, Order 533]

FELKER BROS. MFG. CO.

DETERMINATION OF MAXIMUM PRICES

Order No. 533 Under Revised Maximum Price Regulation 136. Machines, parts and industrial equipment. Felker Bros. Manufacturing Company. Docket No. 6083-136.21-499.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 21 of Revised Maximum Price Regulation 136; *It is ordered:*

(a) The maximum prices for sales by Felker Bros. Manufacturing Company, Marshfield, Wisconsin, of its oil equipment, metal steel products, truck tanks, welded steel tanks and dairy machinery equipment excepting steel culverts, shall be as follows: The manufacturer shall multiply the maximum prices he had in effect on Oct. 1, 1941, by 100.4%, and shall deduct from the resultant list prices all discounts, allowances and other deductions that he had to a purchaser of the same class on Oct. 1, 1941.

(b) The maximum prices for sales by resellers of the items listed in paragraph (a) except for steel culverts 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 same percentage increase granted to his supplier, Felker Bros. Manufacturing Company.

(c) Felker Bros. Manufacturing Company shall notify each person who buys the items listed in paragraph (a) except for steel culverts, of the percentage increase which this order permits the reseller to increase his maximum net prices. A copy of each such notice shall be filed with the Machinery Branch, Office of Price Administration, Washington 25, D. C.

(d) All requests not granted herein are denied.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective November 9, 1945.

Issued this 8th day of November 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20535; Filed, Nov. 8, 1945; 4:40 p. m.]

[RMPR 136, Order 534]

SCHWEITZER AND CONRAD, INC.

DETERMINATION OF MAXIMUM PRICES

Order No. 534 under Revised Maximum Price Regulation 136. Machines, parts and industrial equipment. Schweitzer and Conrad, Inc. Docket No. 6083-136.21-473.

For the reasons set forth in an opinion, issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 21 of Revised Maximum Price Regulation 136; *It is ordered:*

(a) The maximum prices for sales of fuse cutouts by Schweitzer and Conrad, Inc., Chicago, Illinois, shall be determined as follows:

Quantity	Maximum list prices	
	No. 63011	No. 60509
1-24.....	\$12.65	\$9.81
25-49.....	11.95	9.44
50 and more.....	11.25	9.09

These maximum prices shall be subject to all discounts, allowances and other deductions in effect to a purchaser of the same class just prior to the issuance of this order.

(b) The maximum prices for sales of fuse cutouts 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.

(c) Schweitzer and Conrad, Inc., shall notify each person who buys fuse cutouts 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.

(d) All requests not granted herein are denied.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective November 9, 1945.

Issued this 8th day of November 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20536; Filed, Nov. 8, 1945; 4:41 p. m.]

[RMPR 136, Order 535]

INTERNATIONAL DERRICK AND EQUIPMENT Co.

DETERMINATION OF MAXIMUM PRICES

Order No. 535 under Revised Maximum Price Regulation 136. Machines, parts and industrial equipment. International Derrick and Equipment Company. Docket No. 6083-136.21-566.

No. 222-6

For 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 No. 136; *It is ordered:*

(a) The maximum prices to purchasers of the same class just prior to the issuance of this order for sales of Type "B" Portable Drilling Rigs by the International Derrick and Equipment Company, Columbus, Ohio, shall be increased by the following dollar amounts:

	Maximum dollar amount
No. 1 rig less calf wheel.....	\$230.95
Calf wheel, rig No. 1.....	33.21
Calf wheel, rig No. 2.....	33.06

(b) The maximum prices for sales of Type "B" Portable Drilling Rigs by resellers shall be determined as follows: The reseller shall add to the maximum 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.

(c) The International Derrick and Equipment Company shall notify each person who buys Type "B" Portable Drilling Rigs 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.

(d) All requests not granted herein are denied.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective November 9, 1945.

Issued this 8th day of November 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20537; Filed, Nov. 8, 1945; 4:41 p. m.]

[RMPR 136, Order 536]

H. P. RANDALL MANUFACTURING 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 sections 9, 10 and 11 (c) of Revised Maximum Price Regulation 136; *It is ordered:*

(a) H. P. Randall Manufacturing Company, Demopolis, Alabama, may sell, f. o. b. plant, each Randall trailer, described in subparagraph (1) below, at a price not to exceed \$119.00 plus federal excise tax, and state and local taxes on its sale or delivery of the trailer and the cost of transporting the trailer to the purchaser, if any.

(1) *Description.* One-ton capacity, two-wheel utility trailer, 48" wide x 72" long; all steel body, all steel welded chassis; stake pockets; equipped with 6.00 x 16 tires.

(b) H. P. Randall Manufacturing Company is authorized to suggest to resellers a resale price for the trailer described in paragraph (a) (1) consisting of the following:

(1) *Suggested resale price.* \$170.00.

(2) *Charges.* (i) A charge for transportation, if any, not to exceed the actual rail freight charge from the factory at Demopolis, Alabama, to the railroad freight receiving station nearest to the place of business of the reseller.

(ii) A charge equal to the charge made by H. P. Randall Manufacturing Company to cover federal excise taxes.

(iii) A charge equal to reseller's expense for payments of state and local taxes on the purchase, sale or delivery of the trailers.

(c) A reseller of Randall trailers in any of the territories or possessions of the United States is authorized to sell each of the trailers described in paragraph (a), at a price not to exceed the applicable price established in paragraph (b), 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 trailer; export premiums; boxing and crating for export purposes; marine and war risk insurance; and landing, wharfage and terminal operations.

(d) All requests not granted herein are denied.

(e) This order may be amended or revoked by the Administrator at time.

Note: Where the manufacturer's invoice charge to the reseller is increased or decreased from the previous invoice charge because the manufacturer has a newly established price under section 8 of Revised Maximum Price Regulation 136, due to substantial changes in design, specifications or equipment of the trailer, the reseller may add to its price under paragraph (b) the increase in price, plus its customary markup on such a cost increase, but in the case of a decrease in the price, the reseller must reduce its price under paragraph (b) by the amount of the decrease and its customary markup on such an amount.

This order shall become effective November 9, 1945.

Issued this 8th day of November 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20538; Filed, Nov. 8, 1945; 4:41 p. m.]

[MPR 183, Amdt. 1 to Order 113 Under 2d Rev. Order A-3]

GLOBE-WERNICKE 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 No. A-3 under § 1499.159b of Maximum Price Regulation No. 188; *It is ordered,* That Order No. 113 under Second Revised Order A-3 under Maximum Price Regulation No. 188 be amended in the following respects:

Group II of paragraph (a) is amended to read as follows:

Group II Wood Stationer's Items

#5 Wood desk stationery cabinet oak.....	\$1.83
Imt. wal.....	1.79
7310 Peerless tray oak.....	.30
Imt. wal.....	.14
7310-c Peerless tray imt. mahogany...	.14
7410 Peerless tray oak.....	.34
Imt. wal.....	.27
7410-c Imt. mahogany.....	.27
7510 Peerless tray oak.....	.34
Imt. wal.....	1.25
7510-c Peerless tray imt. mahogany...	.25
35 CI Cabinet oak.....	1.24
Imt. wal.....	.99
33 ACI Cabinet imt. mahogany.....	.99
46 CI Cabinet oak.....	1.24
Imt. wal.....	1.02
46 ACI Cabinet imt. mahogany.....	1.02
58 CI Cabinet oak.....	1.29
Imt. wal.....	1.07
58 ACI Cabinet imt. mahogany.....	1.07

This amendment shall become effective on the 9th day of November 1945.

Issued this 8th day of November 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20540; Filed, Nov. 8, 1945; 4:43 p.m.]

[MPR 188, Rev. Order 4317]

PREFERRED LIGHTING CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188: *It is ordered*, That Order No. 4317 under Maximum Price Regulation No. 188 is revised and amended to read as set forth herein.

(a) This revised order establishes maximum prices for sales and deliveries of certain articles manufactured by Preferred Lighting Company, 688 De Kalb Avenue, Brooklyn, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
Fluorescent bed lamp, flocced in various colors.....	102	Each \$2.98	Each \$3.50	Each \$6.30
Fluorescent bed lamp, flocced in various colors and equipped with reactor.....	103	4.25	5.00	9.00
Fluorescent bed lamp, enameled and painted in various colors.....	202	2.98	3.50	6.30
Fluorescent bed lamp, enameled and painted in various colors and equipped with reactor.....	203	4.25	5.00	9.00

These maximum prices are for the articles described in the manufacturer's application dated April 25, 1945.

(2) For sales by all persons 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.

(3) 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 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 revised 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—\$_____

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 revised order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobber's maximum prices for sales of the articles covered by this revised order shall be established under the provisions of Section 4.5 of SR 14J.

(e) This revised order may be revoked or amended by the Price Administrator at any time.

(f) This revised order shall become effective on the 9th day of November 1945.

Issued this 8th day of November 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20541; Filed, Nov. 8, 1945; 4:41 p.m.]

[MPR 188, Order 4650]

GUY MULLINS

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 Guy Mullins, 690 Bell Avenue, Dyersburg.

(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—			
		Wholesale mill electric motor restaurant hotel and store equipment	Commercial industrial or institutional users (3 units or more)	Commercial industrial or institutional users (less than 3 units)	Users other than industrial commercial or institutional
Window fan.	A30 A24	Each \$32.50 30.00	Each \$48.75 45.00	Each \$55.25 51.00	Each \$65.00 60.00

These maximum prices are for the articles described in the manufacturer's application dated August 24, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and are net 30 days. To each of the above prices only the exact amount of the Federal Excise Tax which the particular seller is required to pay may be added.

(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 to users other than industrial, commercial or institutional \$_____

Do Not Detach or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale at wholesale, 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) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 9th day of November, 1945.

Issued this 8th day of November 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20542; Filed, Nov. 8, 1945; 4:43 p.m.]

[MPR 188, Order 4651]

FENDRING MANUFACTURING CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188: *It is ordered*:

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the Fendring Manufacturing Company of 1644 West 54th Street, Los Angeles 37, Calif.

(1) For all sales and deliveries to the following classes of purchasers by the

sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by any seller to—		
		Wholesale (Jobbers)	Retailers	Consumers
Super hacksaw and file holder	1	Each \$0.47½	Each \$0.63	Each \$0.95

These maximum prices are for the articles described in the manufacturer's application.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 183 became applicable to those sales and deliveries. These prices are f. o. b. factory with free delivery allowed within 25 miles of Los Angeles City Hall, and are subject to a cash discount of 2% for payment at end of month.

(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, § 1499.153 of Maximum Price Regulation No. 183, 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 correct model number and retail price properly filled in:

Model No. 1 (One)
OPA Retail Ceiling Price—\$0.95 Each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the 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) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 9th day of November 1945.

Issued this 8th day of November 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20543; Filed, Nov. 8, 1945; 4:42 p. m.]

[MPR 183, Order 4652]

ALUMINUM INDUSTRIES, INC.

ESTABLISHMENT OF MAXIMUM PRICES

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

(a) Maximum delivered prices for sales in one gallon containers of "Permite Fungicidal Aluminum Paint #9025," a paint specialty, manufactured by Aluminum Industries, Inc., 2438 Beelman Street, Cincinnati, Ohio, are established as follows:

For sales by manufacturer to jobber who stocks.....\$3.18
For sales by manufacturer to jobber who dropships..... 4.09
For sales by jobber to retailer or industrial user..... 4.59
For sales by retailers to consumers..... 6.09

(b) No extra charge may be made for containers.

(c) Each seller of the commodity covered by this order, except a retailer, 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 and a statement that they have been established by the Office of Price Administration.

(d) Prior to making any delivery of such commodity, after the effective date of this order the manufacturer shall mark or cause to be marked thereon:

Maximum Retail Price—\$6.00

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective November 9, 1945.

Issued this 8th day of November 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20544; Filed, Nov. 8, 1945; 4:42 p. m.]

[MPR 183, Order 4633]

PIONEER GEN-E-MOTOR 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 § 1499.153 of Maximum Price Regulation No. 183; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Pioneer Gen-E-Motor Corporation of 5841-49 West Dickens Avenue, Chicago 39, Ill.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by any seller to—			
		Wholesale (Jobbers)	Drop Ship Jobbers	Retailers (Dealers)	Consumers
Power lawn mower	P-29	Each \$73.00	Each \$77.00	Each \$83.00	Each \$115.00
Hedge trimmer	P-17	Each 16.00	Each 16.00	Each 18.00	Each 23.00

These maximum prices are for the articles described in the manufacturer's application dated September 6, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 183 became applicable to those sales and deliveries. These prices are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.153 of Maximum Price Regulation No. 183, 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 correct model number and retail price properly filled in:

Model No. P-29
OPA Retail Ceiling Price—\$115.00 each
Do Not Detach or Obliterate

or

Model No. P-17
OPA Retail Ceiling Price—\$15.93 each
Do Not Detach or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale at wholesale, 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) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 9th day of November 1945.

Issued this 8th day of November 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20545; Filed, Nov. 8, 1945; 4:42 p. m.]

[MPR 183, Order 4654]

VARICK ELECTRIC MANUFACTURING 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 § 1499.153 of Maximum Price Regulation No. 183; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Varick Electric Manufacturing Company, 10 Washington Place, New York, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the

sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by any sellers to—			
		Wholesale (jobbers)	Retailers (6 units or more)	Retailers (less than 6 units)	Consumers
Heating pad...	Thermotex.	Each \$2.75	Each \$3.25	Each \$3.50	Each \$5.25

These maximum prices are for the articles described in the manufacturer's application dated September 4, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and are subject to a cash discount of 2% for payment in 10 days, net 30 days. These prices include the Federal Excise Tax.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain either of the following statements with the correct order number, model number and retail prices properly filled in:

Order No. 4654

Model No. -----

OPA Retail Ceiling Price—\$-----

Federal Excise Tax Included

Do Not Detach or Obliterate

OR

Varick Electric Mfg. Co.,

10 Washington Place

New York, N. Y.

Model No. -----

OPA Retail Ceiling Price—\$-----

Federal Excise Tax Included

Do Not Detach or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the 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) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 9th of November 1945.

Issued this 8th day of November 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20546; Filed, Nov. 8, 1945; 4:42 p. m.]

[MPR 188, Order 4656]

LEONARD GOLUB

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 Leonard Golub, 14 East 17th Street, New York, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to—			For sales by any person to consumers
		Drop-ship jobber	Jobbers	Retailers	
Polished brass and crystal boudoir lamp, 14" high.....	205	\$1.50	\$1.35	\$1.53	\$2.85
Polished brass and crystal boudoir lamp with mirrored base, 17 1/2" high.....	201	1.425	1.275	1.50	2.70
Table lamp of polished brass, crystal column and marble base, 26" high.....	711, 712	9.03	8.07	9.50	17.10
Polished brass and crystal boudoir lamp, 17 1/2" high.....	202	1.45	1.30	1.53	2.75
Polished brass and crystal boudoir lamp with marble base, 17" high.....	203	1.60	1.43	1.68	3.00

These maximum prices are for the articles described in the manufacturer's application dated July 26, 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. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model No. -----
OPA Retail Ceiling Price—\$-----
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the 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 9th day of November 1945.

Issued this 8th day of November 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20547; Filed, Nov. 8, 1945; 4:43 p. m.]

[MPR 188, Order 4657]

KENT PRODUCTS Co.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Kent Products Company, 222 W. Monroe Street, Chicago 6, Illinois.

(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)	Retailers (6 units or more)	Retailers (less than 6 units)	Consumers
1 Burner, hot plate cord and plug chrome.....	E	Each \$2.07	Each \$2.45	Each \$2.64	Each \$3.95

These maximum prices are for the articles described in the manufacturer's application dated October 13, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and subject to a cash discount of 2% for payment in 10 days, net 30 days. These prices include the Federal Excise Tax.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain either of the following statements with the correct order number, model number and retail prices properly filled in:

Order No. 4657
 Model No. -----
 OPA Retail Ceiling Price \$-----
 Federal Excise Tax Included
 Do Not Detach or Obliterate

or

Kent Products Co.
 222 W. Monroe St.
 Chicago 6, Illinois
 Model No. -----

OPA Retail Ceiling Price \$-----
 Federal Excise Tax Included
 Do Not Detach or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the 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) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 9th day of November 1945.

Issued this 8th day of November 1945.

CHESTER BOWLES,
 Administrator.

[F. R. Doc. 45-20548; Filed, Nov. 8, 1945;
 4:43 p. m.]

[MPR 188, Order 4658]

JOHN R. CARBONE

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 John R. Carbone, 92 Perry Street, New York, New York.

(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	
Lamp and shade.....	169	\$4.01	\$4.75	\$5.75

These maximum prices are for the articles described in the manufacturer's application dated September 1, 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 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 9th day of November 1945.

Issued this 8th day of November 1945.

CHESTER BOWLES,
 Administrator.

[F. R. Doc. 45-20549; Filed, Nov. 8, 1945;
 4:43 p. m.]

[MPR 183, Order 4653]

CLIMAX MACHINERY 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 § 1499.157 of Maximum Price Regulation No. 183 and section 6.4 of Second Revised Supplementary Regulation No. 14; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of window fans manufactured by the Climax Machinery Company, 121 E. Morris Street, Indianapolis 6, Ind.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by any seller to—			
		Wholesale mill electric motor restaurant, hotel and store equipment supplier	Commercial industrial or institutional users (3 units or more)	Commercial industrial or institutional users less than (3 units)	Users other than industrial commercial or institutional
Window fan.....	D-10	Each \$19.17	Each \$27.25	Each \$30.89	Each \$33.24

These maximum prices are for the articles described in the manufacturer's application dated September 26, 1945.

(2) For sales by the manufacturer, those maximum prices apply to all sales and deliveries after the effective date of this order. These prices are f. o. b. factory and are net 30 days. To each of the above prices only the exact amount of the Federal Excise Tax which the particular seller is required to pay may be added. Those prices for sales by persons other than the manufacturer are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(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 to users other than industrial commercial or institutional \$-----
 Do Not Detach or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale at wholesale, 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) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 9th day of November 1945.

Issued this 8th day of November 1945.

CHESTER BOWLES,
 Administrator.

[F. R. Doc. 45-20550; Filed, Nov. 8, 1945;
 4:44 p. m.]

[MPR 188, Order 4660]
 REO MOTORS, INC.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Reo Motors, Incorporated of 1331 South Washington Street, Lansing 20, Mich.

(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)	Retailers (dealers)	Consumers
Power lawn mower.	MW	Each \$96	Each \$120	Each \$160

These maximum prices are for the articles described in the manufacturer's application dated October 4, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement with correct model number and retail price properly filled in:

Model No. MW.
 OPA Retail Ceiling Price—\$160.00 Each
 Do Not Detach or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale at wholesale, 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) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 9th day of November 1945.

Issued this 8th day of November 1945.

CHESTER BOWLES,
 Administrator.

[F. R. Doc. 45-20551; Filed, Nov/8, 1945; 4:44 p. m.]

[MPR 188, Order 4661]

L & S LAMP SHADE MFG. CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by L & S Lampshade Manufacturing Company, 101 West 11th Street, New York, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
15" and 16" parchment lamp shade covered with monks cloth.	A	Each \$1.91	Each \$2.25	Each \$4.03
Bridge size lamp shade covered with monks cloth.	B	1.49	1.75	3.15
8" bridge size lamp shade covered with monks cloth.	C	1.22	1.44	2.60
8" crackle parchment shade.	D	.84	.99	1.80
4" crackle parchment shade.	E	.49	.58	1.05

These maximum prices are for the articles described in the manufacturer's application dated August 11, 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—\$-----
 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 9th day of November 1945.

Issued this 8th day of November 1945.

CHESTER BOWLES,
 Administrator.

[F. R. Doc. 45-20552; Filed, Nov. 8, 1945; 4:44 p. m.]

[RMPR 208, Amdt. 1 to Order 42]

H. W. CARTER & SONS

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to § 5.9 (b) of Revised Maximum Price Regulation 208; *It is ordered,* That Order No. 42 be, and it hereby is, amended in the following respects:

1. The table of garments and prices in subparagraph (a) (1) is amended to read as follows:

Col. 1	Col. 2	Col. 3	Col. 4	Col. 5
Lot No.	Type of garment	Body material	Yardage	Adjusted maximum price (per dozen)
S-220	Bib overall	McC Campbell & Co.'s Nelson 2.20 mill finish denim.	54	\$22.00
S-233	do	McC Campbell & Co.'s 8-ounce sanforized denim.	53.6	23.89
S-234	do	McC Campbell & Co.'s Nelson 8-ounce sanforized denim.	44.8	22.07
S-238	Dungaree	McC Campbell & Co.'s Nelson 8-ounce sanforized denim.	32.4	17.33
S-429	do	McC Campbell & Co.'s Nelson 8-ounce sanforized denim.	30.3	20.34
255	Bib overall	Deering Millikens' Pocalet Manufacturing Co., 2.50, 72 x 54 white drill.	54.0	22.92
295	do	Cutter Manufacturing Co.'s No. 23 sanforized pinchecks, pinstripes.	42.2	19.63
140	do	Deering Millikens' Pocalet Manufacturing Co., 2.50, 72 x 54 white drill.	42.2	19.69

2. Paragraphs (b) and (c) are revoked.

3. Paragraphs (f), (g), (h), (i) and (j) are redesignated paragraphs (b), (c), (d), (e) and (f), respectively.

This amendment shall become effective November 9, 1945.

Issued this 8th day of November 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20553; Filed, Nov. 8, 1945;
4:44 p. m.]

[MPR 591, Order 102]

BRADLEY-SCHREIBER 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 price, f. o. b. point of shipment, for sales by any person to consumers of the following gasoline storage tank fill plug manufactured by the Bradley-Schreiber Company of Minneapolis, Minnesota, shall be:

4" Threaded gasoline storage tank fill plug with pressure and vacuum release valves: \$2.50.

(b) The maximum net price, f. o. b. point of shipment, for sales by any person to dealers shall be the maximum price specified in (a) above less a discount of 20 percent.

(c) The maximum net price, f. o. b. point of shipment, for sales by any person to jobbers shall be the maximum price specified in (a) above less successive discounts of 20-20 percent.

(d) The maximum net price established by this order shall be subject to discounts, 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.

(e) The maximum prices for sales on an installed basis of the commodities covered by this order shall be determined in accordance with Revised Maximum Price Regulation No. 251.

(f) Each seller covered by this order, except on sales to consumers, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum price established by this order for each such seller as well as the maximum price established for purchasers except dealers upon resale.

(g) The Bradley-Schreiber Company shall attach a tag to each fill plug covered by this order showing thereon the maximum price to consumers established by this order.

(h) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective November 9, 1945.

Issued this 8th day of November 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20557; Filed, Nov. 8, 1945;
4:46 p. m.]

[MPR 591, Order 105]

SAM KOFSKY AND 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 list price, f. o. b. point of shipment, for sales by any person to plumbing and heating contractors, commercial, and industrial users of the following commodity manufactured by the Sam Kofsky and Company of New York, New York, and described in its application dated September 11, 1945, shall be:

1 1/4" Aluminum tubing flush pipe elbow, (0.049 to 0.032 gauge) complete with two casted nuts and one brass ring: \$9.42.

(b) The maximum net price, f. o. b. point of shipment, for sales by any person to plumbing and heating jobbers shall be the maximum list price specified in (a) above less successive discounts of 20 and 5 percent.

(c) The maximum net prices specified in (a) and (b) above for sales by the Sam Kofsky and Company shall be f. o. b. point of manufacture with actual freight allowed up to \$1.50 per cwt. on shipments of 150 pounds or more.

(d) The maximum 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.

(e) The maximum price for sales on an installed basis of the commodity covered by this order shall be determined in accordance with the provisions of Revised Maximum Price Regulation No. 251.

(f) Each seller covered by this order 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.

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

This order shall become effective November 9, 1945.

Issued this 8th day of November 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20560; Filed, Nov. 8, 1945;
4:47 p. m.]

[MPR 591, Order 103]

AMERICAN FOUNDRY AND FURNACE 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 section 16 (b) (1) of Maximum Price Regulation No. 591, it is ordered:

(a) *Adjustment of maximum prices for the American Foundry and Furnace Company of Bloomington, Illinois.* (1) This order permits the American Foundry and Furnace Company of Bloomington, Illinois to increase its presently established maximum net prices for its cast iron warm air furnaces up to but not exceeding a 900,000 B. T. U. output, to each class of customer by 7 percent.

(2) The maximum net prices set forth in (a) above are subject to cash discounts and transportation allowances at least as favorable as those granted as a deduction from net prices to each class of customer during March 1942 on comparable sales of similar commodities.

(b) *Maximum prices for resellers.* All resellers of the commodities for which adjustment is granted the American Foundry and Furnace Company in (a) above may add the same percentage mark-up over their new cost resulting from the increase granted the American Foundry and Furnace Company by this order, that such sellers enjoyed on these items during March 1942.

(c) *Notification to all purchasers.* The American Foundry and Furnace Company shall send the following notice to every purchaser of the commodities covered by this order at or before the time of the first billing after the adjustment is put into effect.

Order No. 109 under section 16 (b) (1) of Maximum Price Regulation No. 591 provides for a 7 percent increase in net prices for sales of our cast iron warm air furnace up to and including a 900,000 B. T. U. output. Resellers may add the same percentage mark-up to their new cost that they had in effect on these items during March 1942.

(d) All prayers of the application of the American Foundry and Furnace Company not granted in this order are denied.

(e) This order may be amended or revoked by the Price Administrator at any time.

This order shall become effective November 9, 1945.

Issued this 8th day of November 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20563; Filed, Nov. 8, 1945;
4:48 p. m.]

[MPR 591, Order 110]

INGRAM-RICHARDSON MANUFACTURING 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 price, f. o. b. point of shipment on sales to the Ingersoll Steel and Disc Division of Borg-Warner Corporation by the Ingram-Richardson Manufacturing Company of the following furnace manufactured by the Ingram-Richardson Manufacturing Company, shall be:

24" steel warm air furnace complete with casing and top, feed door smoke curtain, feed door lining, hot blast lift door, wire coil handle, and upright shaker handle: \$70.93.

(b) The maximum net price, f. o. b. point of shipment on sales to Sears-Roebuck and Company by the Ingersoll Steel and Disc Division of Borg-Warner Corporation of the following furnace manufactured by Ingram-Richardson Manufacturing Company of Beaver Falls, Pennsylvania and described in its application dated June 21, 1945, shall be:

24" steel warm air furnace complete with casing and top, feed door smoke curtain, feed door lining, hot blast lift door, wire coil handle, and upright shaker handle: \$71.93.

(c) The maximum prices specified in (a) and (b) above include the 9 percent increase permitted under section 5.1 of Order No. 1 under Maximum Price Regulation No. 591.

(d) The maximum net price for sales by Sears-Roebuck and Company of the furnace covered by this order shall be its March 1942 maximum price for the item plus \$5.31 to reflect the dollars-and-cents increase permitted resellers under section 5.1 of Order No. 1 under Maximum Price Regulation No. 591.

(e) Each seller shall extend discounts, allowances including transportation allowances, and services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered during March 1942 to purchasers of the same class on comparable sales of similar commodities.

(f) Each seller except on sales to consumers shall notify in writing each of its purchasers at or before the time of the first invoice after the effective date of this order of the maximum prices established by this order on sales to such purchasers as well as the purchasers' maximum prices upon resale.

(g) Maximum prices for sales on installed basis of the commodity covered by this order shall be determined in accordance with the provisions of Revised Maximum Price Regulation No. 251.

(h) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective November 9, 1945.

Issued this 8th day of November 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20564; Filed, Nov. 8, 1945; 4:48 p. m.]

[MPR 591, Order 111]

HANDLEY BROWN HEATER 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 section 16 (b) (1) of Maximum Price Regulation No. 591, it is ordered:

(a) *Adjustment of maximum prices for the Handley Brown Heater Company of Jackson, Michigan.* (1) This order permits the Handley Brown Heater Company of Jackson, Michigan to increase its presently established maximum net prices of its line of water heaters to each class of customer by 10½ percent.

(2) The maximum net prices set forth in (a) above are subject to cash discounts and transportation allowances at least as favorable as those granted as a deduction from net prices to each class of customer during March 1942 on comparable sales of similar commodities.

(b) *Maximum prices for resellers.* All resellers of the commodities for which adjustment is granted the Handley Brown Heater Company in (a) above may add the same percentage mark-up over their new cost resulting from the increase granted the Handley Brown Heater Company by this order, that such sellers enjoyed on these items during March 1942.

(c) *Notification to all purchasers.* The Handley Brown Heater Company shall send the following notice to every purchaser of the commodities covered by this order at or before the time of the first billing after the adjustment is put into effect.

Order No. 111 under section 16 (b) (1) of Maximum Price Regulation No. 591 provides for a 10½ percent increase in net prices for sales of water heaters manufactured by the Handley Brown Heater Company. Resellers may add the same percentage mark-up to their new cost that they had in effect on these items during March 1942.

(d) All prayers of the application of the Handley Brown Heater Company not granted in this order are denied.

(e) This order may be amended or revoked by the Price Administrator at any time.

This order shall become effective November 9, 1945.

Issued this 8th day of November 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20565; Filed, Nov. 8, 1945; 4:48 p. m.]

[SR 14H, Order 1]

PICK-UP AND DELIVERY SERVICES FOR RAIL CARRIERS AT MILWAUKEE, WIS.

MODIFICATIONS OF MAXIMUM PRICES

For the reasons set forth in the accompanying opinion, and under the authority vested in the Administrator by section 9 of Supplementary Regulation 14H, it is hereby ordered:

(a) *Applicability.* This order applies to all individual motor carriers that perform pick-up and delivery services for railroads within their terminal areas at Milwaukee, Wis.

(b) *Maximum rates.* Except as modified below, the maximum rate which may be charged or paid for the services covered by this order shall be 11½ cents per hundredweight.

(c) *Exception.* Any OFA order which establishes a maximum rate for the services covered hereby in excess of 11½ cents per hundredweight shall remain in full force and effect.

(d) *Effective date.* This order shall apply to all services described herein, performed on and after September 17, 1944.

Issued this 9th day of November 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20606; Filed, Nov. 9, 1945; 11:42 a. m.]

Regional and District Office Orders.

[Green Bay Order G-1 Under Supp. Service Reg. 50 to RMPR 165]

SCAVENGER SERVICES IN MANITOWOC, WIS.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the District Director of the Green Bay District Office of the Office of Price Administration by delegation from the Regional Administrator of the Chicago Regional Office pursuant to the provisions of Supplementary Service Regulation No. 50, issued under Revised Maximum Price Regulation No. 165; *It is ordered:*

(a) Within the corporate limits of the City of Manitowoc, in the State of Wisconsin, the maximum prices for ash, debris, garbage, or trash removal services shall be as follows:

(1) 75 cents per month for collections every other day or oftener from residential patrons;

(2) 15 cents per 20-gallon measure for collections from commercial, industrial, or institutional establishments.

(b) Except as modified by this order, all provisions of Revised Maximum Price Regulation No. 165 shall remain in full force and effect.

This order may be modified, revoked, or amended at any time.

This order shall become effective the 27th day of October 1945.

Issued this 24th day of October 1945.

F. L. EARP,
District Director.

[F. R. Doc. 45-20486; Filed, Nov. 7, 1945; 4:44 p. m.]

[Region VII Order G-26 Under RMPR 122, Amdt. 43]

SOLID FUELS IN DENVER REGION

Order No. G-26 under Revised Maximum Price Regulation No. 122, Amendment No. 43. Maximum prices for solid fuels when sold by dealers within specified trade areas in Region VII. Docket No. 7-122-259 (a) (1), 260-23.

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and §§ 1340.259 (a) and 1340.260 of Revised Maximum Price Regulation No. 122, and for the reasons set forth in the accompanying opinion, this Amendment No. 43 is issued.

1. The table of maximum prices, as set forth in paragraph (3) of Appendix XIII, Butte Trade Area, as amended by Amendments Nos. 9, 33, and 42, is hereby further amended to read as follows:

TABLE OF MAXIMUM PRICES

Kind and letter designation	Size	Delivered prices	
		Per ton	Per 1/2 ton
Bituminous coal produced in District 19:			
Sub-district 2, Rock Springs:			
(A)-----	#1-10" x 5" grate.	\$11.65	\$6.35
	#2-10" x 3" grate.		
(B)-----	#3-8" x 3" egg.	7.65	4.35
	#4-15 1/2" x 6" slack.		
Sub-district 5, Geba-Kirby:			
(C)-----	#1-8" lump.	12.50	6.75
(D)-----	#2-10" x 3" grate.	12.40	6.75
(E)-----	#3-8" x 3" egg.	11.95	6.20
(F)-----	#4-3" x 1 1/2" nut.	10.35	5.70
(G)-----	#5-15 1/2" x 1" pea.	8.85	4.95
Sub-district 7, Sheridan:			
(H)-----	#1-10" x 3" grate.	9.20	5.10
	#2-7" x 3" stove.		
(I)-----	#3-3" x 1 1/2" nut.	8.70	4.85
Bituminous Coal produced in District 22:			
Sub-district 1, Roundup:			
(J)-----	#1-6" lump.	10.65	5.85
(K)-----	#2-9" x 6" furnace.	10.65	5.85
(L)-----	#3-6" x 2" stove.	10.65	5.85
(M)-----	#4-2" x 1 1/2" nut.	8.85	4.95
(N)-----	#5-1 1/4" x 1" pea.	8.85	4.95
(O)-----	#6-1 1/4" x 1 1/2" pea.	7.25	4.15
(P)-----	#7-1 1/4" x 6" slack.	6.15	3.60
Sub-district 2, Red Lodge: (Q).	#5-6" x 2" stove.	10.60	5.95

This Amendment No. 43 and Amendments No. 9, No. 33, and No. 42 are the only amendments to Order No. G-26 that make any change whatsoever in Appendix XIII, and all such changes are now embodied in this Amendment No. 42.

2. The specific maximum prices as above set forth in paragraph 1 of this Amendment No. 43 for the Butte Trade Area of the State of Montana are subject to increase in accordance with the applicable terms and provisions of Order No. G-28 and Order No. G-30 under Revised Maximum Price Regulation No. 122.

Effective date. This Amendment No. 43 shall become effective retroactively as of the 12th day of October 1945.

Issued this 26th day of October 1945.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 45-20479; Filed, Nov. 7, 1945; 4:42 p. m.]

[Region VII Order G-82 Under MPR 188]

HECKETHORN MANUFACTURING AND SUPPLY CO.

AUTHORIZATION OF MAXIMUM PRICES

Order No. G-82 under Maximum Price Regulation No. 188. Authorized maximum prices for certain durable goods manufactured by Heckethorn

Manufacturing & Supply Co., Littleton, Colorado, when sold by the manufacturer and specified resellers. Docket No. 7-188-158-151.

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and §§ 1499.158 and 1499.158a of Maximum Price Regulation No. 188, and for the reasons set forth in the accompanying opinion, this Order No. G-82 is issued.

(a) *What this order does.* This Order No. G-82 establishes maximum prices for certain durable goods manufactured by Heckethorn Manufacturing & Supply Co., Littleton, Colorado, when sold at the specified levels.

(b) *Authorized maximum prices.* Upon and after the effective date of this Order No. G-82, the maximum prices for the machined brass hose couplings and the machined brass nipples manufactured by Heckethorn Manufacturing & Supply Co., of 239 South Prince Street, Littleton, 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, and bearing the model number designations specified, shall be as follows:

(1) When sold by the manufacturer to a wholesaler or a jobber who stocks:

Machined brass nipples:	Per dozen
Male hose nipples, Model No. L2M	
1/2"-----	\$2.10
Male hose nipples, Model No. L3M	
3/4"-----	2.10
Male hose nipples, Model No. L4M	
1"-----	3.00
Male and female hose nipples, Model No. L2MF 1/2"-----	2.10
Male and female hose nipples, Model No. L3MF 3/4"-----	2.10
Male and female hose nipples, Model No. L4MF 1"-----	3.30
Machined brass hose couplings:	
Model No. L2C-----	3.80
Model No. L3C-----	3.80
Model No. L4C-----	3.80

(2) When sold by the manufacturer, a jobber who stocks, or a wholesaler to a retailer:

Machined brass nipples:	Per dozen
Male hose nipples, Model No. L2M	
1/2"-----	\$2.80
Male hose nipples, Model No. L3M	
3/4"-----	2.80
Male hose nipples, Model No. L4M	
1"-----	4.00
Male and female hose nipples, Model No. L2MF 1/2"-----	2.80
Male and female hose nipples, Model No. L3MF 3/4"-----	2.80
Male and female hose nipples, Model No. L4MF 1"-----	4.40
Machined brass hose couplings:	
Model No. L2C-----	5.20
Model No. L3C-----	5.20
Model No. L4C-----	5.20

(3) When sold by any seller to an ultimate consumer or user:

Machined brass nipples:	Each
Male hose nipples, Model No. L2M	
1/2"-----	35¢
Male hose nipples, Model No. L3M	
3/4"-----	35¢
Male hose nipples, Model No. L4M 1"-----	50¢
Male and female hose nipples, model No. L2MF 1/2"-----	35¢
Male and female hose nipples, model No. L3MF 3/4"-----	35¢

Machined brass nipples—Continued.	Each
Male and female hose nipples, model No. L4MF 1"-----	55¢
Machined brass hose couplings:	
Model No. L2C-----	65¢
Model No. L3C-----	65¢
Model No. L4C-----	65¢

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.

(2) The manufacturer shall allow the cost of transportation at the lowest available common carrier rate on all shipments of 100 pounds or more. The above prices are net f. o. b. shipping point for all sales less than 100 pounds, 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-82 to a person who purchases 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 or label 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-82 for sales by the manufacturer or any reseller.

(e) *Geographical applicability.* The maximum prices authorized by this Order No. G-82 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 makes 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-82 shall become effective on the 30th day of October, 1945.

Issued this 30th day of October 1945.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 45-20480; Filed, Nov. 7, 1945; 4:42 p. m.]

[Region VIII Order G-1 Under Gen. Order 61, Amdt. 1]

USED LUMBER IN SAN FRANCISCO REGION

An opinion accompanying this amendment has been issued simultaneously herewith. Order No. G-1 under General Order No. 61 is amended in the following respect:

Paragraph (a) is amended by changing the schedule of prices applicable to plywood to read as follows:

Plywood (thickness)	Maximum prices per square foot throughout region VIII	
	Wall-board grade	Sound 2 sides
	Cents	Cents
1/4 inch.....	2.8	3.0
3/8 inch.....	3.8	4.0
1/2 inch.....	5.2	5.4
5/8 inch.....	6.1	6.3
3/4 inch.....	7.0	7.2

This amendment to Order No. G-1 shall be effective September 4, 1945.

Issued this 25th day of October 1945.

WARD COX,
Acting Regional Administrator.

[F. R. Doc. 45-20482; Filed, Nov. 7, 1945; 4:43 p. m.]

[Region VIII Rev. Order G-6 Under MPR 418, Amdt. 11]

FRESH FISH AND SEAFOOD IN SAN FRANCISCO REGION

An opinion accompanying this amendment has been issued simultaneously herewith.

Revised Order No. G-6 is amended by adding a sentence to paragraph (a), to read as follows: "However, on and after October 31, 1945 and until further notice, this order does not apply to live crabs, crabs cooked in shell, or crabmeat, and the maximum prices set forth in Appendix II are suspended during that period."

This amendment shall become effective October 31, 1945.

Issued this 30th day of October 1945.

BEN C. DUNIWAY,
Regional Administrator.

[F. R. Doc. 45-20478; Filed, Nov. 7, 1945; 4:42 p. m.]

[Region II Order G-44 Under RMPR 122, Amdt. 2]

PENNSYLVANIA ANTHRACITE IN WEST-CHESTER COUNTY, N. Y.

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 §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, Order No. G-44 is amended in the following respects:

1. Paragraph (d) (1) is amended to read as follows:

(1) Sales on a "direct-delivery basis". For sales of anthracite of the sizes and in the quantities specified.

Size	Per net ton	Per net 1/2 ton	Per net 1/4 ton	Per 100 pounds for sales of 100 pounds or more, but less than 1/2 ton.	Per 50-pound paper bag
Broken, egg, stove, nut.....	\$15.75	\$8.30	\$4.35	\$0.95	\$0.525
Pea.....	14.05	7.45	3.95	.85	.47
Buckwheat.....	11.40	6.10	3.25	.75	-----
Rice.....	10.45	5.65	3.05	.70	-----
Barley.....	9.20	5.00	2.70	-----	-----
Screenings A.....	6.75	-----	-----	-----	-----
Screenings B.....	6.25	-----	-----	-----	-----

2. Paragraphs (d) (2) (i), (ii) and (iii) are amended as follows:

(2) "Yard sales". (i) For sales of anthracite of the sizes and in the quantities specified to dealers and to consumers within Coal Area X, except the City of Mt. Vernon and the Village of Mamaroneck in the Town of Mamaroneck.

Size	Per net ton for sales of 1/2 ton or more		Per 100 pounds for 100 pounds or more but less than 1/2 ton	Per 50-pound paper bag
	To dealers for resale	To consumers		
Broken, egg, stove, nut.....	\$13.75	\$14.75	\$0.85	\$0.475
Pea.....	12.05	13.05	.75	.42
Buckwheat.....	9.40	10.40	.65	-----
Rice.....	8.45	9.45	.60	-----
Barley.....	7.20	8.20	-----	-----
Screenings "A".....	4.75	4.75	-----	-----
Screenings "B".....	3.75	3.75	-----	-----

(ii) For sales of anthracite of the sizes and in the quantities specified to dealers and to consumers in the City of Mt. Vernon.

Size	Per net ton for sales of 1/2 ton or more		Per 100 pounds for 100 pounds or more but less than 1/2 ton	Per 50-pounds paper bag
	To dealers for resale	To consumers		
Broken, egg, stove, nut.....	\$13.50	\$14.75	\$0.85	\$0.475
Pea.....	11.80	13.05	.75	.42
Buckwheat.....	9.40	10.40	.65	-----
Rice.....	8.45	9.45	.60	-----
Barley.....	7.20	8.20	-----	-----
Screenings A.....	4.75	4.75	-----	-----
Screenings B.....	3.75	3.75	-----	-----

(iii) For sales of anthracite of the sizes and in the quantities specified to dealers and to consumers within Coal Area X in Mamaroneck Village, in the Town of Mamaroneck.

Size	Per net ton for sales of 1/2 ton or more		Per 100 pounds for 100 pounds or more but less than 1/2 ton	Per 50-pound paper bag
	To dealers for resale	To consumers		
Broken, egg, stove, nut.....	\$12.65	\$14.75	\$0.85	\$0.475
Pea.....	10.95	13.05	.75	.42
Buckwheat.....	8.05	10.40	.65	-----
Rice.....	7.05	9.45	.60	-----
Barley.....	6.40	8.20	-----	-----
Screenings A.....	4.75	4.75	-----	-----
Screenings B.....	3.75	3.75	-----	-----

This Amendment No. 2 to Order G-44 shall become effective June 18, 1945.

(56 Stat. 23, 765; 57 Stat. 556; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued: August 20, 1945.

LEO F. GENTNER,
Acting Regional Administrator.

[F. R. Doc. 45-20519; Filed, Nov. 8, 1945; 12:31 p. m.]

[Region VIII Order G-6 Under MPR 570]

FRESH AND FROZEN FISH AND SEAFOOD IN SAN FRANCISCO REGION

For the reasons set forth in the accompanying opinion under the authority vested in the Regional Administrator of the Office of Price Administration by section 4.13 of Maximum Price Regulation No. 579 and by paragraph (c) (6) of Revised General Order No. 32, it is hereby ordered:

(a) *What this order does.* This order establishes maximum prices for all sales (except sales by retailers) in Region VIII of the kind or species of fish or seafood, fresh or frozen, listed in paragraph (b).

Region VIII comprises the States of Washington, Nevada, California, Oregon (except Malheur County), Arizona (except those portions of Coconino County and Mohave County lying north of the Colorado River), and the following counties in the State of Idaho: Benewah, Bonner, Boundary, Clearwater, Idaho, Kootenai, Latah, Lewis, Nez Perce, and Shoshone.

(b) *Varieties of fish and seafood covered by this order.* The fish and seafood covered by this order are the following:

(1) Caught off the Pacific Coast: "Barracuda," meaning all types of barracuda (Sphyraenidae). "California halibut," meaning the species *Paralichthys Californicus*, including what is commonly called bastard halibut, southern halibut, or alabato.

"White seabass," meaning those fish of the species *Cynoscion nobilis*.

"Black seabass," meaning those fish of the species *Stereolepsis gigas* and commonly known as jewfish or giant bass.

"Rockbass" and "Corbina," meaning those fish of the species *Paralabrax nebulifer* and *Menticirrhus undulatus* and including those species commonly known as rockbass, kelpbass, sandbass, pinto, johnny verde, and corbina.

"Queenfish," meaning the species *Seriplus politus*,

"Kingfish," meaning the species *Geyonemus lineatus*.

"Herring," meaning the species *Clupea pallasii*.

"Whitebait," meaning the species *All-osmerus attenuatus* and those small fish commonly called and sold under the name whitebait.

"Rex sole," meaning the species *Errex zachirus*.

"Razor clams," meaning the species *Siliquapatula*.

(2) Caught in the Gulf of California: "Totuava," meaning Mexican seabass including grouper, commonly known as grupa, and baya.

(c) How maximum prices are figured—(1) In general. You figure your maximum price for each sale by using the provisions of Articles I, IV, and V

of Maximum Price Regulation No. 579 that apply, but you substitute Table A in paragraph (e) of this order for Table IIA of section 10.1 (c) of the regulation, and substitute Table B in paragraph (e) of this order for Table IIB of section 10.1 (d) of the regulation.

(2) Exceptions—(i) *Certain fish imported from Mexico.* For sales of Mexican seabass that you imported into the United States from Mexico you may add to your table price an amount equal to what it would have cost to transport the fish being priced from Nogales, Arizona, to your receiving point by the means of transportation actually used by you, regardless of where the fish actually entered the United States. (Note that section 4.11 (d) of Maximum Price Regulation No. 579 does not apply in this case.)

(ii) *Winter storage.* For sales and deliveries made during the months of September through the following March you may increase the maximum price otherwise applicable, in each case, by the appropriate amount in the following table:

(d) *Incorporation by reference of certain provisions of maximum price regulation No. 579.* To the extent that they are consistent with the provisions of this order, Articles I, IV, and V of Maximum Price Regulation No. 579 are incorporated in this order with the same force and effect as though they were fully set forth herein.

(e) *Price tables.*

TABLE A—MAXIMUM PRICES IN CENTS PER POUND FOR CERTAIN FRESH FISH AND SEAFOOD

PACIFIC COAST SPECIES

The columns in this table refer to the following kinds of sales, respectively:

Column

- A Producer sales.
- B Port and primary fish shipper sales to wholesalers and chain store warehouses.
- C Port sales to retailers and primary fish shipper sales to retailers and purveyors of meals.
- D Port sales to purveyors of meals (other than primary fish shipper sales).
- E Non-port wholesaler sales to other wholesalers and chain store warehouses.
- F Non-port wholesaler sales to retailers and purveyors of meals. (On common carrier shipments and delivered sales to purveyors of meals, add 1¢ per pound to these prices.)
- G The wholesaler sales to retailers and purveyors of meals referred to in section 4.7 (b) and described in section 2.7 (b) of the regulation. (On common carrier shipments and delivered sales to purveyors of meals, add 1¢ per pound to these prices.)

Species	Style of dressing	Month of delivery						
		Sept.	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.
Barracuda	All	Cent 24	Cent 24	Cent 24	Cent 1 24	Cent 1 24	Cent 1 24	Cent 1 24
California halibut	All	0	24	24	24	1 24	1 24	1 24

(Note that section 5.13 of Maximum Price Regulation No. 579 does not apply in this case.)

Schedule No.	Species	Item No.	Style of dressing	Size	Season	A	B	C	D	E	F	G	
1	Barracuda	1	Round	All	April-August	\$3.03	\$3.19	\$3.11	\$3.1025	\$3.1125	\$3.1275	\$3.14	
		2	Drawn	do	do	.0975	.1175	.1275	.15	.13	.145	.1575	
		3	Dressed	do	do	.1475	.1375	.1475	.17	.15	.165	.1775	
		4	Dressed collars off	do	do	.15	.15	.15	.1575	.155	.1525	.1575	
		5	Steaks	do	do	.1625	.1725	.1725	.20	.1775	.195	.21	
		6	Fillets	do	do	.205	.215	.215	.2475	.225	.2425	.2525	
		1	Round	do	do	September-March	.13	.15	.15	.1525	.17	.1575	.2025
		2	Drawn	do	do	do	.175	.19	.19	.2175	.195	.2125	.2275
		3	Dressed	do	do	do	.2025	.215	.215	.2225	.24	.25	.26
		4	Dressed collars off	do	do	do	.2225	.225	.225	.2425	.25	.255	.26
		5	Steaks	do	do	do	.2475	.2475	.2475	.275	.2575	.265	.275
		2	California Halibut	1	Round	do	April-September	.11	.125	.145	.1475	.1475	.1625
2	Drawn			do	do	.13	.15	.15	.1525	.17	.1575	.2025	
3	Dressed			do	do	.1475	.1525	.1525	.17	.1575	.205	.22	
4	Dressed collars off			do	do	.1575	.1575	.1575	.220	.2025	.22	.225	
5	Steaks			do	do	.175	.175	.175	.2475	.225	.2425	.2525	
6	Fillets			do	do	.27	.27	.27	.3125	.29	.3075	.3275	
1	Round			do	do	October-March	.1475	.1725	.1525	.21	.1575	.205	.22
2	Drawn			do	do	do	.1725	.1575	.1575	.235	.2125	.23	.245
3	Dressed			do	do	do	.2025	.2025	.2025	.2425	.225	.25	.26
4	Dressed collars off			do	do	do	.1975	.215	.215	.2575	.235	.2525	.2625
5	Steaks			do	do	do	.2575	.2575	.2575	.31	.2575	.305	.325
6	Fillets			do	do	do	.35	.35	.35	.49	.375	.395	.42
3	White Seabass	1	Round	do	All	.14	.15	.175	.2025	.18	.1975	.2125	
		2	Drawn	do	do	.1675	.1675	.1625	.23	.2075	.225	.24	
		3	Dressed	do	do	.1625	.1675	.1675	.25	.2375	.255	.275	
		4	Dressed collars off	do	do	.2225	.2225	.2225	.295	.2725	.29	.31	
		5	Steak	do	do	.2725	.2725	.2725	.315	.2925	.31	.33	
		6	Fillets, skins on	do	do	.43	.43	.43	.49	.435	.435	.45	
		7	Fillets, skinless	do	do	.445	.445	.445	.49	.475	.475	.495	
4	Black Seabass	1	Round	do	do	.095	.115	.115	.1475	.1275	.1425	.155	
		2	Drawn	do	do	.11	.125	.145	.1675	.1475	.1625	.175	
		3	Dressed	do	do	.1275	.1225	.1225	.19	.1675	.185	.20	
		4	Fillets	do	do	.24	.25	.25	.29	.275	.285	.31	
5	Rockbass	1	Round	do	do	.115	.14	.15	.1725	.1525	.1675	.18	
		2	Drawn	do	do	.14	.15	.175	.2025	.18	.1975	.2125	
		3	Dressed	do	do	.17	.165	.165	.2225	.21	.2275	.2425	
		4	Steaks	do	do	.225	.225	.225	.2775	.245	.2625	.2825	
		5	Fillets	do	do	.37	.37	.37	.42	.395	.415	.44	
6	Queenfish	1	Round	do	do	.075	.075	.075	.1025	.085	.0975	.1075	
		1	Round	do	do	.075	.075	.075	.1025	.085	.0975	.1075	
7	Kingfish	1	Round	do	do	.075	.075	.075	.1025	.085	.0975	.1075	
		1	Round	do	do	.075	.075	.075	.1025	.085	.0975	.1075	
8	Herring	1	Round	do	do	.0175	.0375	.0475	.065	.0475	.06	.0675	
		1	Round	do	do	.09	.09	.12	.1425	.1225	.1375	.15	
9	Whitebait	1	Round	do	do	.05	.07	.07	.0975	.07	.0925	.1025	
		2	Drawn	do	do	.0725	.0725	.0725	.10	.0825	.095	.105	
10	Rex Sole	1	Round	do	do	.05	.07	.07	.0975	.07	.0925	.1025	
		2	Drawn	do	do	.0725	.0725	.0725	.10	.0825	.095	.105	
11	Razor Clams	1	Round	do	do	.025	.105	.115	.1375	.1175	.1325	.145	
		1	Dressed	do	do	.1975	.1975	.1725	.195	.1675	.185	.205	
12	Mexican Seabass ¹	1	Steaks	do	do	.205	.215	.215	.2475	.225	.2425	.2525	
		2	Steaks	do	do	.205	.215	.215	.2475	.225	.2425	.2525	
		3	Fillets	do	do	.205	.215	.215	.2475	.225	.2425	.2525	

¹ The maximum price for Mexican Seabass, drawn, in each case is \$0.0275 per pound less than the maximum price for Mexican Seabass, dressed.

TABLE B—MAXIMUM PRICES IN CENTS PER POUND FOR CERTAIN FROZEN FISH AND SEAFOOD

PACIFIC COAST SPECIES

The columns in this table refer to the following kinds of sales, respectively:

Column

- I Processor sales to wholesalers and chain store warehouses.
- II Processor sales to retailers and purveyors of meals.
- III Primary distributor sales to wholesalers and chain store warehouses. (When placed in storage add 1/2¢ per pound to these prices.)
- IV Wholesaler sales to retailers and purveyors of meals. (When placed in storage add 1/2¢ per pound to these prices. On common carrier shipments and delivered sales to purveyors of meals add 1/2¢ per pound to these prices.)
- V The wholesaler sales to retailers and purveyors of meals described in section 5.7 (b) of the regulation.

Schedule No.	Species	Item No.	Style of dressing	Size	I	II	III	IV	V
1.	Barracuda	1	Round	All	\$0.12	\$0.13	\$0.1325	\$0.1475	\$0.165
		2	Drawn	do	.1375	.1475	.15	.165	.1825
		3	Dressed	do	.1575	.1675	.1725	.19	.21
		4	Dressed collars off	do	.17	.18	.185	.2025	.2225
		5	Steaks	do	.1925	.2025	.2075	.225	.245
2.	California halibut	1	Round	do	.155	.165	.17	.1875	.2075
		2	Drawn	do	.175	.185	.19	.2075	.2275
		3	Dressed	do	.1925	.2025	.2075	.225	.245
		4	Dressed collars off	do	.2075	.2175	.2275	.24	.26
		5	Steaks	do	.235	.245	.255	.2675	.2875
3.	White Seabass	1	Round	do	.185	.195	.20	.2175	.2375
		2	Drawn	do	.2125	.2225	.2325	.245	.265
		3	Dressed	do	.2375	.2475	.2575	.27	.29
		4	Dressed, collars off	do	.2725	.2825	.2925	.31	.335
		5	Steaks	do	.3025	.3125	.3275	.34	.365
4.	Black Seabass	1	Round	do	.41	.42	.44	.46	.49
		2	Drawn	do	.475	.485	.505	.525	.56
		3	Dressed	do	.135	.145	.1475	.1625	.18
		4	Fillets	do	.155	.165	.17	.1875	.2075
		5	Fillets, skinless	do	.1725	.1825	.1875	.205	.225
5.	Rockbass	1	Round	do	.37	.38	.395	.415	.445
		2	Drawn	do	.16	.17	.175	.1925	.2125
		3	Dressed	do	.185	.195	.20	.2175	.2375
		4	Steaks	do	.215	.225	.235	.2475	.2675
		5	Fillets	do	.255	.265	.275	.2925	.3175
6.	Queenfish	1	Round	do	.40	.41	.43	.445	.475
		2	Drawn	do	.095	.105	.105	.1175	.1325
7.	Kingfish	1	do	do	.095	.105	.105	.1175	.1325
		2	do	do	.0575	.0675	.0675	.08	.095
8.	Herring	1	do	do	.13	.14	.1425	.1675	.175
		2	do	do	.09	.10	.10	.1125	.1275
9.	Whitebait	1	do	do	.0925	.1025	.1025	.115	.13
		2	do	do	.1425	.1525	.155	.17	.1875
10.	Rex sole	1	Round	do	.125	.135	.1375	.1525	.17
		2	Dressed	do	.1825	.1925	.1975	.215	.235
11.	Razor clams	1	do	do	.235	.245	.255	.2675	.2875
		2	do	do	.3125	.3225	.3375	.35	.375
12.	Mexican seabass ¹	1	Round	do					
		2	Dressed	do					

¹ The maximum price for Mexican seabass, drawn, in each case is \$0.0275 per pound less than the maximum price for Mexican seabass, dressed.

(f) This order shall become effective October 31, 1945, and may be revoked, amended, or corrected at any time.

Issued this 26th day of October 1945.

BEN C. DUNIWAY,
Regional Administrator.

[F. R. Doc. 45-20483; Filed, Nov. 7, 1945; 4:43 p. m.]

This amendment to Revised Order No. G-98 is effective as of September 24, 1945.

Issued this 30th day of October 1945.

BEN C. DUNIWAY,
Regional Administrator.

[F. R. Doc. 45-20481; Filed, Nov. 7, 1945; 4:43 p. m.]

[Region VIII Rev. Order G-98 Under 18 (c), Amdt. 1]

LUMBER IN SAN FRANCISCO REGION

An opinion accompanying this amendment has been issued simultaneously herewith.

Revised Order No. G-98 under § 1499.18 (c) of the General Maximum Price Regulation is amended in the following respect:

Subparagraph (8) under paragraph (c) is amended to read as follows:

(8) References to grades and other terms appearing in this Revised Order No. G-98 refer to and have the meaning given in the standard grading and dressing rules of the National Hardwood Lumber Association.

[Region II Rev. Order G-15 Under RMPR 122, Amdt. 11]

SOLID FUELS IN BALTIMORE CITY, BALTIMORE AND ANNE ARUNDEL COUNTIES, MD.

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 §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, Revised Order No. G-15 is amended in the following respects:

1. Paragraph (d) is amended by revising the "direct delivery" prices for bituminous coal to read as follows:

(d) Schedule 1: Sales on a "direct delivery" basis. For sales of coal of the

kinds and sizes, and in the quantities specified.

Kind and size of coal—Bituminous coal from underground mines	Fer net ton	Fer net 1/2 ton	Per 100 lbs. (for sales of 100 lbs. or more but less than 1/2 ton)
<i>District I (low volatile)</i>			
Run-of-mine	\$0.73	\$5.30	
Stoker pea	10.48	6.74	\$0.60
Nut and slack	9.78	6.39	.53
Egg and lump	10.63	6.79	.69
Dealer rescreened egg	11.43	6.21	.65
<i>District I (high volatile)</i>			
Run-of-mine	0.68	5.04	
<i>Districts II, III and VI (high volatile)</i>			
Run-of-mine	0.28	5.14	
Stoker (special) Sewell seam classification "A"	0.78	5.42	.63
Stoker (double screened) bottom size over 3/4" and nut and slack, top size over 2"	0.68	5.07	.63
Egg and lump—Sewell seam, classification "A"	10.63	5.77	.60
Egg and lump except Sewell seam classification "A"	0.68	5.32	.63
<i>Golden Ridge Coal, Mine Index No. 65—Sewell Seam—All Price Classification "A" (provided that it is kept separate in storage and delivery and sold and invoiced as "Golden Ridge Bituminous Coal"):</i>			
Egg and Lump	10.63	5.84	.60
Stoker (Special)	10.63	5.64	.63
Stoker (Double Screened) bottom size over 3/4" and Nut and Slack, Top size over 2"	9.38	5.19	.65
<i>Bergoo No. 2 coal, Mine Index No. 16—Sewell Seam—All Price Classification "A" (provided that it is kept separate in storage and delivery and sold and invoiced as "Bergoo No. 2 Bituminous Coal"):</i>			
Stoker (Special)	9.93	5.47	.63
Stoker (Double Screened) bottom size over 3/4" and Nut and Slack, top size over 2"	9.23	5.12	.65
<i>District VII (low volatile)</i>			
Domestic run-of-mine	11.25	6.16	.65
Stoker and pea	10.70	6.76	.69
Stove	12.65	6.68	.63
Egg and lump	12.50	6.65	.70
<i>District VIII (high volatile)</i>			
Egg	0.65	5.33	.60

2. Paragraph (e) (1) and (e) (2) is amended by revising the "Yard" sales prices for bituminous coal to read as follows:

(1) Sales at dealer's yard to consumers.

Kind and size of coal—bituminous coal from underground mines	Per net ton for sales of 1/2 ton or more	Per 100 lbs. (for sales of 100 lbs. or more but less than 1/2 ton)
<i>District I (low volatile)</i>		
Run-of-mine	\$5.73	
Stoker pea	9.48	\$0.65
Nut and slack	8.78	.60
Egg and lump	9.63	.63
Dealer rescreened egg	10.43	.60
<i>District I (high volatile)</i>		
Run-of-mine	8.68	

Kind and size of coal—bituminous coal from underground mines	Per net ton for sales of ½ ton or more	Per 100 lbs. (for sales of 100 lbs. or more but less than ½ ton)
<i>District II, III, and VI (high volatile)</i>		
Run-of-mine	\$8.28	
Stoker (special) Sewell seam, classification "A"	8.78	\$0.50
Stoker (double screened) bottom size over ¾" and nut and slack, top size over 2"	8.08	.50
Egg and lump—Sewell seam, classification "A"	9.53	.55
Egg and lump—except Sewell seam, classification "A"	8.58	.50
Golden Ridge coal, mine index No. 65 (provided that it is kept separate in storage and delivery and sold and invoiced as "Golden Ridge Bituminous Coal"):		
Egg and lump	9.68	.55
Stoker (special)	9.08	.50
Stoker (double screened) bottom size over ¾" and nut and slack, top size over 2"	8.88	.50
Bergoo No. 2 coal, Mine Index No. 16 (provided that it is kept separate in storage and delivery and sold and invoiced as "Bergoo No. 2 Bituminous Coal"):		
Stoker (special)	8.98	.50
Stoker (double screened) bottom size over ¾" and nut and slack, top size over 2"	8.28	.50
<i>District VII (low volatile)</i>		
Domestic run-of-mine	10.25	.60
Stoker and pea	9.50	.55
Stove	11.05	.60
Egg and lump	11.30	.65
<i>District VIII (high volatile)</i>		
Egg	8.65	.55

(2) Sales at dealer's yard to other dealers for resale.

Kind and size of coal—bituminous coal	Maximum price per net ton
Run-of-mine (district 1, low volatile)	\$6.78
Egg (district 2, high volatile)	6.65
Egg (district 3, high volatile)	6.88
Nut (district 3, high volatile)	6.78
Golden Ridge coal, mine index No. 65 (District 3) (provided that it is kept separate in storage and delivery and sold and invoiced as "Golden Ridge Bituminous Coal"):	
Egg	7.03
Nut	7.08
Bergoo No. 2 coal, mine index No. 16 (District 3) (provided that it is kept separate in storage and delivery and sold and invoiced as "Bergoo No. 2 Bituminous Coal"):	
Nut	6.93
<i>District VII (low volatile):</i>	
Egg	9.15
Stove	9.30
Pea	7.70

This Amendment No. 11 to Revised Order No. G-15 shall become effective August 3d, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 3d day of August, 1945.

LEO F. GENTNER,
Acting Regional Administrator.

[F. R. Doc. 45-20518; Filed, Nov. 8, 1945; 12:31 p. m.]

[Region VII Order G-1 Under Supp. Service Reg. 60 to RMPR 163]

CLEANING AND REPAIRING OF CESSPOOLS, SEPTIC TANKS, GREASE TRAPS AND OUTSIDE TOILET VAULTS IN COLORADO

Order No. G-1 under § 1499.648 of Supplementary Service Regulation No. 50 to Revised Maximum Price Regulation 165. Cleaning and repairing of cesspools, septic tanks, grease traps and outside toilet vaults. Docket No. 7-SSR50-648 (c) (1)-1.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.648 (a) of Supplementary Service Regulation No. 50 to Revised Maximum Price Regulation No. 165; It is hereby ordered:

(a) On and after the effective date hereof no seller of the services of cleaning or repairing of cesspools, septic tanks, grease traps and outside toilet vaults in the State of Colorado shall charge any prices for any of such services in excess of the maximum prices fixed therefor by paragraphs (b) (1) to (4), inclusive, of this order. No addition to such maximum prices may be made for time spent in traveling to and from the premises where such services are performed except as allowed in paragraph (b) (5) of this order.

(b) The maximum prices which any seller of the services described in paragraph (a) hereof shall charge in the State of Colorado shall be as follows:

(1) For cleaning cesspools and septic tanks:

Removal of water per 500 gallon tank load	\$5.00
Removal of sludge per 500 gallon tank load	10.00
Minimum charge for removal of either sludge or water or both	10.00

(2) For cleaning grease traps:

Per cubic foot of contents	\$0.25
Minimum charge	4.00

(3) For cleaning outside toilet vaults:

Per cubic foot of contents	\$0.20
Minimum charge	8.00

(4) For all other related services performed on the job except as specified in 1, 2 and 3 above, to include the labor of at least two men:

Per hour	\$4.00
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(5) For the time during which the cleaning equipment is in transit with two or more men from the seller's place of business or the location of the last job, and return:

Time traveled per hour	\$4.00
Mileage traveled per mile each way	.20

But the total charge for time traveled and for mileage shall not be more than \$10.00 in any case.

(c) Whenever the services described in paragraph (a) hereof are performed within the limits of any city, town, village, or other municipality having an ordinance or ordinances regulating the prices for such services, the prices established by such ordinance or ordinances shall be the maximum prices for such services in such city, town, village or

other municipality notwithstanding any provision of paragraph (b) hereof to the contrary.

(d) Each seller of the services described in paragraph (a) hereof shall post and keep posted in a conspicuous place on his truck or equipment, where it can easily be seen and read by his customers, a legible list of the maximum prices fixed by paragraph (b) hereof.

(e) Every seller of the services described in paragraph (a) hereof shall give to each purchaser of any such service a receipt or memorandum showing:

- The name and address of the seller;
- The name and address of the purchaser;
- The date when such services were rendered;
- Itemization of the services rendered;
- The prices charged for each item; and,
- Where cesspools, septic tanks or outside toilet vaults are cleaned, the dimensions thereof.

(f) Except as modified herein, all the provisions of Revised Maximum Price Regulation 165, as amended, shall be applicable to all sellers of the services described in paragraph (a) hereof.

This order shall become effective October 22, 1945. It may be amended, modified or revoked at any time.

Issued this 18th day of October 1945.

RICHARD Y. BARTERTON,
Regional Administrator.

[F. R. Doc. 45-20484; Filed, Nov. 7, 1945; 4:44 p. m.]

[Region VII Order G-2 Under Supp. Service Reg. 43 to RMPR 165]

CUSTOM DRESSING OF TURKEYS IN IDAHO AND OREGON

Order No. G-2 under § 1499.676 (b) of Supplementary Service Regulation No. 43 to Revised Maximum Price Regulation 165. Docket No. 7-SSR 43-676 (b)-2.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.676 (b) of Supplementary Service Regulation No. 43 to Revised Maximum Price Regulation 165; It is hereby ordered:

(a) The maximum price for the service of custom processing live turkeys in all that part of the State of Idaho lying south of the southern boundary of Idaho County, and the County of Malheur in the State of Oregon, shall be as follows:

(1) For the service of "kill and haul" 2.8¢ per pound of the chilled dressed weight when computed on a chilled weight basis, and 2.3¢ per pound, minus 1% of the hot weight when computed on a hot weight basis.

(2) For the service of dressing turkeys in "boxed" form, 3.8¢ per pound net dressed chilled weight.

(b) Definitions. (1) The service of custom processing means the service of converting live turkeys into dressed form for the owner of the turkeys.

(2) The service of dressing turkeys in "boxed" form means the service of assembling and hauling, killing, bleeding,

plucking, chilling, grading, head wrapping and boxing of turkeys.

(3) The service of "kill and haul" processing of turkeys means all or any part of the service of assembling and hauling, killing, bleeding, plucking, chilling, grading and head wrapping of turkeys.

(c) This order shall not apply to a processor of turkeys who dresses turkeys for individuals for their own consumption and not for resale.

(d) This order may be revoked, amended, or corrected at any time.

(e) This order shall become effective October 1, 1945, and shall remain in effect for ninety days from the said date.

Issued this 19th day of October 1945.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 45-20485; Filed, Nov. 7, 1945;
4:44 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 31-84, 70-952]

INTERNATIONAL UTILITIES CORP. ET AL.

ORDER GRANTING APPLICATIONS, PERMITTING DECLARATIONS TO BECOME EFFECTIVE, GRANTING EXEMPTIONS, DECLARING STATUS OF APPLICANT, AND DISMISSING EXEMPTIONS

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 1st day of November, A. D. 1945.

In the matters of International Utilities Corporation et al., File No. 31-84; International Utilities Corporation, General Water, Gas & Electric Company, File No. 70-952.

International Utilities Corporation ("International"), a registered holding company, and its subsidiary, General Water, Gas & Electric Company ("General"), also a registered holding company, having filed applications and declarations and amendments thereto pursuant to the Public Utility Holding Company Act of 1935 and the rules and regulations promulgated thereunder regarding the following matters:

(1) International proposes to contribute to General 4,255 shares of General's \$3 Cumulative Preferred Stock, without par value, for cancellation by General;

(2) General proposes to issue a call for tenders of its common stock, other than such shares of its common stock held by International, at a price equal to the book value thereof;

(3) General requests an order declaring it no longer to be a holding company pursuant to the provisions of section 5 (d) of the act;

(4) International requests that it and each of its subsidiaries as such be granted an exemption pursuant to the provisions of section 3 (a) (5) of the act;

(5) International requests that its Canadian subsidiaries, Canadian Western Natural Gas, Light, Heat & Power Company, Ltd., Northwestern Utilities, Limited, Canadian Utilities, Limited, and North West Fidelity Trust Company,

Limited, be granted exemptions pursuant to the provisions of section 3 (b) of the act; and

A public hearing having been held after appropriate notice and the Commission having considered the record and having made and filed its findings and opinion herein;

It is ordered, That the declaration of International Utilities Corporation, as amended, pursuant to section 12 (b) and Rule U-45, and the declaration of General Water, Gas & Electric Company, as amended, pursuant to sections 12 (c) and 12 (e), and Rules U-42 and U-62, regarding the transactions summarized in paragraphs (1) and (2) above, be, and the same hereby are, permitted to become effective, subject to the terms and conditions prescribed in Rule U-24.

It is further ordered and declared, That General Water, Gas & Electric Company has ceased to be a holding company and that, upon the consummation of the transactions proposed in the aforesaid declarations, the registration of General Water, Gas & Electric Company as a holding company shall cease to be effective.

It is further ordered, Subject to the consummation of the transactions proposed in the aforesaid declarations, that the application of International Utilities Corporation on behalf of itself and its subsidiaries as such for exemptions pursuant to section 3 (a) (5) of the act be, and it hereby is, granted.

It is further ordered, That the application of International Utilities Corporation on behalf of its Canadian subsidiaries pursuant to section 3 (b) of the act, be, and it hereby is, dismissed without prejudice to the right of any of such companies to apply at any time hereafter for an exemption under section 3 (b) from any provisions of the act as may be deemed appropriate.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 45-20520; Filed, Nov. 8, 1945;
2:23 p. m.]

[File No. 70-1116]

PENN FUEL GAS, INC. AND JOHN H. WARE 3D

ORDER GRANTING APPLICATIONS

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 7th day of November, A. D. 1945.

Penn Fuel Gas, Inc., a holding company, and John H. Ware, 3d, an individual, having filed a joint application and amendments thereto pursuant to sections 9 (a) (2) and 10 of the Public Utility Holding Company Act of 1935, seeking approval of (1) the acquisition by Penn Fuel Gas, Inc. from John H. Ware, 3d of all the voting stocks and certain other securities of Bangor Gas Company, Citizens Gas Company and Pottsville Gas & Heating Company, gas utility companies organized and operating in Pennsylvania, for \$558,000 in cash; and

(2) the acquisition by John H. Ware, 3d from Penn Fuel Gas, Inc. of 13,500 shares of \$10 par value common stock for \$135,000 in cash; and

A public hearing having been held after appropriate notice, and the Commission having filed its findings and opinion herein;

It is ordered, That the aforesaid joint application as amended of Penn Fuel Gas, Inc., and John H. Ware, 3d, pursuant to sections 9 (a) (2) and 10, be, and the same hereby is, granted, subject, however, to the terms and conditions prescribed in Rule U-24 and to the following additional condition: that so long as Penn Fuel Gas, Inc., remains a holding company and so long as the ratio of its long-term debt to net property on a consolidated basis exceeds 60%, Penn Fuel Gas, Inc., shall not be exempt from such part of section 4 (a) (3) of the act as may be applicable to a public offering for sale or exchange of any securities of Penn or its subsidiary companies.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 45-20521; Filed, Nov. 8, 1945;
2:23 p. m.]

[File No. 70-1163]

FEDERAL LIGHT & TRACTION CO. ET AL.

ORDER PERMITTING WITHDRAWAL OF APPLICATIONS-DECLARATIONS

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 6th day of November, A. D. 1945.

In the matter of Federal Light & Traction Company, Federal Realty Company, Stonewall Electric Company and The Tucson Gas, Electric Light and Power Company, File No. 70-1163.

Federal Light & Traction Company, a subsidiary of Cities Service Power & Light Company, both registered holding companies, and its subsidiary companies, Federal Realty Company, Stonewall Electric Company, and The Tucson Gas, Electric Light and Power Company, having filed applications-declarations pursuant to sections 9, 10, and 12 of the act and Rules U-42, U-43, U-45, and U-50 thereunder in regard to the sale of all of the outstanding stock of The Tucson Gas, Electric Light and Power Company by Federal Light & Traction Company to Arizona Edison Company, Inc., for a cash consideration of \$5,040,812.79 and regarding certain other transactions proposed to be consummated in conjunction with and preliminary to the aforesaid sale; and

A hearing in respect of said matters having been ordered to be held on November 14, 1945, at 11:00 a. m., e. s. t., at the office of the Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania; and

It appearing that the Arizona Corporation Commission has denied the application of Arizona Edison Company, Inc. for approval of the proposed acquisition of the stock of The Tucson Gas, Electric

Light and Power Company, consummation of said sale being conditioned upon approval by the Arizona corporation Commission; and

Federal Light & Traction Company and its subsidiaries, Federal Realty Company, Stonewall Electric Company, and The Tucson Gas, Electric Light and Power Company, having requested permission to withdraw said applications-declarations; and

It appearing to the Commission that the withdrawal of such applications-declarations is consistent with the public interest;

It is ordered, That the request of the applicants-declarants be, and it hereby is, granted, and the said applications-declarations are hereby deemed withdrawn.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 45-20523; Filed, Nov. 8, 1945; 2:23 p. m.]

[File No. 70-1169]

SIoux CITY GAS AND ELECTRIC CO. AND IOWA PUBLIC SERVICE CO.

NOTICE OF FILING AND ORDER FOR HEARING AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 6th day of November, A. D. 1945.

Notice is hereby given that Sioux City Gas and Electric Company ("Sioux City") a public utility and registered holding company, and its subsidiary, Iowa Public Service Company ("Iowa"), also a public utility and registered holding company, have filed a joint application and declaration and amendments thereto pursuant to the Public Utility Holding Company Act of 1935.

All interested persons are referred to said joint application and declaration and amendments thereto which are on file in the offices of the Securities and Exchange Commission for a statement of the transactions therein proposed, which may be summarized as follows:

Sioux City proposes to issue and sell, pursuant to the competitive bidding requirements of Rule U-50 promulgated under the act, the following securities:

(a) \$8,000,000 principal amount of new bonds maturing 30 years after date bearing interest at a rate not to exceed 3½% per annum (the price to Sioux City to be not less than 97.25% nor more than 102.75% of the principal amount) and secured by a first mortgage and by a pledge of its entire holdings of the Common Stock of Iowa Public Service Company, Yankton Gas Company and South Dakota Public Service Company, all being subsidiaries of Sioux City;

(b) 38,000 shares of --% Cumulative Preferred Stock ("New Preferred") of the par value of \$100 per share, having a dividend rate not in excess of 5% (the price to Sioux City to be not less than par and not more than \$102.75 per share); such sale being subject to an offer to the holders of the outstanding

Seven Per Cent Cumulative Preferred Stock ("Old Preferred") of the right to exchange, through an Exchange Agent, such shares for the New Preferred on a share for share basis with a cash adjustment equal to the difference between the redemption price of the Old Preferred and the public offering price of the New Preferred together with a dividend adjustment which will give each stockholder in the exchange a dividend at the rate of 7% per share per annum up to the redemption date of the shares of Old Preferred which are not exchanged, and such exchange shall be subject to allotment in the event that more than 38,000 shares are sought to be exchanged. This exchange offer will be available to the preferred stockholders for a period of approximately 12 days commencing on or about December 12, 1945 (the anticipated date of the initial public offering) and expiring on or about December 24, 1945.

(c) 118,938 shares of Common Stock of the par value of \$12.50 per share subject to prior subscription through the exercise of transferable Subscription Warrants to be issued to the holders of the outstanding Common Stock and expiring on a date approximately 10 days after the first day of the public offering, and at a subscription price per share equal to the price of said new Common Stock to be paid to Sioux City as determined through competitive bidding.

The proceeds of such sale of bonds, preferred stock and common stock together with general funds of approximately \$300,000 are proposed to be used to redeem and retire outstanding bonds and preferred stock of Sioux City, as follows:

Issue	Principal amount outstanding	Redemption price	Maximum amount of funds required exclusive of accrued interest on dividends
First mortgage bonds 4% series due 1959 (July 1, 1953).....	\$9,600,000	Percent 105½	\$9,315,000
Seven percent cumulative preferred stock.....	4,725,400	110	5,274,840
Total.....	13,735,400		14,589,840

In connection with this program of refinancing Sioux City proposes to amend its Articles of Incorporation in the following respects: increase its authorized Capital Stock; create a new class of preferred stock known as Cumulative Preferred Stock; eliminate all provisions relating to the outstanding Seven Per Cent Cumulative Preferred Stock upon its redemption and reduce the authorized Capital Stock by the amount of said Seven Per Cent Cumulative Preferred Stock presently authorized; change the par value of the Common Stock from \$25 to \$12.50 per share and issue two shares of such new Common Stock for each share of the outstanding Common Stock; and make the corporate existence of the company perpetual.

As part of the public offering of the new Common Stock of Sioux City and as part of the same transaction Iowa pro-

poses that there be sold for its account, pursuant to the competitive bidding requirements of Rule U-50 promulgated under the act, the 34,068 shares of Common Stock of Sioux City of the par value of \$12.50 per share owned by Iowa, these being the shares to be received by Iowa for its present holdings of the Common Stock of Sioux City in accordance with the proposed split-up of the Common Stock of Sioux City hereinabove set forth. Iowa agrees that it will not exercise any Subscription Warrants to be issued to it as a holder of the Common Stock of Sioux City, and also waives any right which it may have to subscribe to additional shares of the Common Stock of Sioux City proposed to be issued and sold to the public.

Sioux City proposes to call a special meeting of stockholders to be held on or about December 10, 1945 for the purpose of amending its Articles of Incorporation and to consider and vote upon the proposed bond issue, the prior offer by Subscription Warrants of 118,938 shares of new Common Stock of the par value of \$12.50 per share to the holders of the Common Stock of Sioux City of the par value of \$25.00 per share, and related and incidental matters, and therefore has requested the entry by the Commission of an interim order authorizing the solicitation of proxies in connection therewith pursuant to the requirements of Rule U-62.

The applicants-declarants have designated sections 6 (a), 7, 9, 10 and 12 of the act and Rules U-42, U-43, U-44, U-50 and U-62 as being applicable to the proposed transactions.

It appearing that the solicitation of the authorizations of stockholders, as proposed to be conducted, does not make it necessary or appropriate in the public interest or for the protection of investors or consumers or to prevent the circumvention of the provisions of the act or the rules and regulations thereunder that the Commission issue any order with respect thereto other than an order permitting the declaration as to such solicitation to become effective;

It further appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to other matters set forth in said amended application-declaration and that said amended application-declaration should not be otherwise granted or permitted to become effective except pursuant to further order of this Commission;

It is ordered, That a hearing on said amended application-declaration, except with respect to the hereinabove mentioned solicitation of authorizations of stockholders, under the applicable provisions of said act and the rules of the Commission promulgated thereunder be held at 10:00 a. m., e. s. t., on the 20th day of November 1945, at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pa. On such date, the hearing room clerk in Room 318 will advise as to the room in which such hearing will be held. Any person desiring to be heard or otherwise wishing to participate in

these proceedings shall file with the Secretary of the Commission on or before November 19, 1945 his request or application therefor as provided by Rule XVII of the Commission's rules of practice.

It is further ordered, That Charles S. Lobingier, or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That, without limiting the scope of the issues presented by such filing, particular attention will be directed at such hearing to the following matters and questions:

1. Whether the securities proposed to be issued and sold by Sioux City are reasonably adapted to the security structure and earning power of Sioux City and are necessary and appropriate to the economical and efficient operation of the business or businesses in which Sioux City is engaged.

2. Whether the terms and conditions of the issue and sale of the securities of Sioux City are detrimental to the public interest or the interest of investors or consumers.

3. Whether the proposed sale by Iowa of its holdings of the common stock of Sioux City is in conformity with the applicable standards of the act.

4. Whether the fees, commissions or other remuneration to be paid in connection with the proposed transactions are for necessary services and are reasonable in amount.

5. Whether the proposed amendments to the Articles of Incorporation of Sioux City with respect to its Common and Preferred Shares will result in an unfair or inequitable distribution of voting power among holders of its securities, or are otherwise detrimental to the public interest or the interest of investors or consumers.

6. Whether it is necessary or appropriate to impose terms or conditions in the public interest or for the protection of investors or consumers in connection with the proposed transactions.

7. Generally, whether, in any respect, the proposed transactions are detrimental to the public interest or to the interest of investors or consumers or will tend to circumvent any provisions of the act or the rules, regulations or orders promulgated thereunder.

It is further ordered, That the Secretary of the Commission shall serve notice of the aforesaid hearing by mailing a copy of this order by registered mail to Sioux City Gas and Electric Company, Iowa Public Service Company and the Federal Power Commission, and that notice of said hearing shall be given to all other persons by general release of this Commission which shall be distributed to the press and mailed to the mailing list for releases issued under the Public Utility Holding Company Act of 1935; and that further notice be given

to all persons by publication of this order in the FEDERAL REGISTER.

It is further ordered, That, without passing upon the merits of the amended application-declaration filed pursuant to sections 6, 7, 9, 10 and 12, the amended declaration as to the solicitation of authorizations be and it is hereby permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 45-20522; Filed, Nov. 8, 1945;
2:23 p. m.]

[File No. 70-1180]

BUFFALO NIAGARA ELECTRIC CORP.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 6th day of November 1945.

Notice is hereby given that an application has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Buffalo Niagara Electric Corporation (Buffalo Niagara), a subsidiary of Niagara Hudson Power Corporation, in turn a subsidiary of The United Corporation, a registered holding company. All interested persons are referred to said application, which is on file in the office of the Commission for a statement of the transactions therein proposed, which may be summarized as follows:

Buffalo Niagara proposes to issue and sell at competitive bidding \$56,929,000 principal amount of First Mortgage Bonds and will apply the proceeds thereof, together with other funds to be supplied by the company, to redeem \$56,929,000 principal amount of funded debt issued or assumed by the applicant as follows:

	Principal amount
Buffalo Niagara general and refunding mortgage, 3½% bonds series "C," due June 1, 1967.....	\$14,348,000
Buffalo Niagara general and refunding mortgage, 3½% bonds series "D," due Aug. 1, 1968.....	2,375,000
Buffalo General Electric Co. general and refunding mortgage gold bonds, series "B" 4½%, due Feb. 1, 1981.....	20,060,000
Niagara, Lockport & Ontario Power Co. first mortgage and refunding gold bonds, 5% series "A," due Apr. 1, 1955.....	18,750,000
Salmon River Power Co. first mortgage, 5% gold bonds, due Aug. 1, 1952.....	1,456,000

According to the filing, the approval of the Public Service Commission of the State of New York will be obtained with respect to the issue and sale of the new First Mortgage Bonds.

It appearing to the Commission that it is appropriate in the public interest and in the interests of investors and consumers that a hearing be held with respect to said application and that said application shall not be granted except

pursuant to further order of the Commission;

It is ordered, That a hearing on said application under the applicable provisions of the act and the rules of the Commission thereunder be held on November 20, 1945, at 10 a. m., e. s. t. in the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such day the hearing room clerk in Room 318 will advise as to the room in which such hearing will be held.

It is further ordered, That Richard Townsend or any other officer or officers of the Commission designated by it for that purpose shall preside at such hearing. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That the Secretary of the Commission shall serve, by registered mail, a copy of this order on Buffalo Niagara, Niagara Hudson Power Corporation, The United Corporation and the Public Service Commission of the State of New York; and that notice of said hearing be given to all other persons by publication of this order in the FEDERAL REGISTER. Any person desiring to be heard in connection with these proceedings, or proposing to intervene herein, shall file with the Secretary of the Commission, on or before November 16, 1945, his request or application therefor, as provided by Rule XVII of the rules of practice of the Commission.

It is further ordered, That without limiting the scope of the issues presented by said application, particular attention will be directed at said hearing to the following matters and questions:

(1) Whether the proposed issue and sale by Buffalo Niagara of the new First Mortgage Bonds is solely for the purpose of financing the business of said company and has been expressly authorized by the State Commission of the state in which it is organized and doing business;

(2) Whether the fees, commissions or other remuneration to be paid in connection with the proposed transactions are reasonable;

(3) Whether it is necessary or appropriate in the public interest or for the protection of investors or consumers to impose terms and conditions with reference to the proposed transactions, and if so, what the terms and conditions should be.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 45-20524; Filed, Nov. 8, 1945;
2:23 p. m.]

[File No. 1-2314]

CUNNINGHAM DRUG STORES, INC.

ORDER SETTING HEARING ON APPLICATION TO WITHDRAW FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its

office in the City of Philadelphia, Pa., on the 8th day of November, A. D. 1945.

Cunningham Drug Stores, Incorporated, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to the Commission to withdraw its Common Stock, \$2.50 Par Value, from listing and registration on The Chicago Stock Exchange;

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 2:30 p. m. on Monday, November 19, 1945, at the office of the Securities and Exchange Commission, Room 1074, Federal Building, Detroit, Michigan, 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 C. J. Odenweller, Jr., an officer of the Commission, be and he hereby is designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and 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. 45-20594; Filed, Nov. 9, 1945; 11:37 a. m.]

[File Nos. 54-92, 59-14, 54-19]

NEW ENGLAND POWER ASSN. ET AL.

NOTICE OF FILING OF AMENDMENT TO AMENDED PLAN AND ORDER REOPENING RECORD AND RECONVENING HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 8th day of November 1945.

In the matter of New England Power Association, Massachusetts Power and Light Associates, North Boston Lighting Properties, The Rhode Island Public Service Company, Massachusetts Utilities Associates Common Voting Trust, Massachusetts Utilities Associates, File No. 54-92, File No. 59-14, File No. 54-19.

New England Power Association (NEPA), a registered holding company, and its subsidiary holding companies, Massachusetts Power and Light Associates (MP&L), North Boston Lighting Properties (NOBO), The Rhode Island Public Service Company (RIPS), Massachusetts Utilities Associates Common Voting Trust (MUA Common Voting Trust) and Massachusetts Utilities Associates (MUA), having on March 6, 1944, filed an application for approval of a plan of simplification of the New England Power Association holding company system for the purpose of complying with the provisions of section 11 (b) (2) of the Public Utility Holding Company Act

of 1935 and with the order of this Commission dated March 17, 1943 thereunder (Holding Company Act Release No. 4168); and the Commission having on April 3, 1944 issued its notice of filing and order for hearing (Holding Company Act Release No. 4972) summarizing the principal provisions of said Plan, ordering a hearing thereon, and directing that particular attention be directed at said hearing to certain matters and questions including the following: "Whether the Plan as proposed or as modified is necessary and appropriate to effectuate the provisions of Section 11 (b) (2) of the Act, fair and equitable to the persons affected thereby, and in conformity with the requirements of the Commission's order of March 17, 1943;" and

Applicant companies having on June 21, 1945 filed an Amended Plan of Simplification of the New England Power Association holding-company system, modifying the original Plan filed March 6, 1944 in various respects; and the Commission having on June 25, 1945 issued its notice of filing and order reconvening the hearing (Holding Company Act Release No. 5886), summarizing the principal provisions of said Amended Plan insofar as they differed substantially from those proposed in the original plan, and directing that the hearing be reconvened for the purpose of considering said Amended Plan in the light of such of the issues designated or specified in the Commission's order of April 3, 1944 as should be applicable to said Amended Plan; and

Applicant companies having on August 14, 1945 filed an amendment to said Amended Plan; and

Hearings having been held from time to time upon said Plan, said Amended Plan and the amendment of August 14, 1945, and the record in these proceedings having been closed on August 14, 1945:

Notice is hereby given that on November 5, 1945, the applicant companies have filed a further amendment of said Amended Plan, designated "Third Amendment of Application and Plan," setting forth in full said Amended Plan as theretofore and thereby amended, and have requested that the record be reopened and the hearing be reconvened in order that said amendment and evidence relating thereto may be introduced and have further requested that the Commission apply to a court in accordance with the provisions of subsection (f) of section 18 of the Public Utility Holding Company Act of 1935 to enforce compliance with the Commission's order of March 17, 1943 in the manner set forth in the Amended Plan and to enforce and carry out the terms and provisions of said Amended Plan.

All interested persons are referred to said amendment filed November 5, 1945, including the proposed Agreement and Declaration of Trust of the reorganized company annexed thereto as Schedule I, on file in the offices of the Commission, for a full statement of its terms and provisions. Certain provisions of said Amended Plan filed November 5, 1945, differing from or supplemental to the

Amended Plan filed June 21, 1945 and summarized in the Commission's notice and order issued June 25, 1945 (Holding Company Act Release No. 5236) may be summarized as follows:

1. The reorganized company will be the existing New England Power Association trust with its capital structure modified to conform to the Amended Plan, with its name changed to New England Electric System and with its Agreement and Declaration of Trust amended to read substantially as set forth in the draft thereof filed with the Amended Plan as Schedule I thereto.

2. The initial board of directors, to serve until the annual meeting of shareholders for the year next following the calendar year in which the Amended Plan is consummated, will consist of the following, or such of them as on the date when the Amended Plan is consummated are eligible and willing to serve, viz:

Arthur M. Allen, Industrial Trust Building, Providence, R. I.
Howard W. Cole, 36 Washington Street, Beverly, Mass.
Charles A. Coolidge, 50 Federal Street, Boston, Mass.
Halsey C. Edgerton, Hanover, New Hampshire.
Joseph B. Ely, Westfield, Mass.
Paris Fletcher, 340 Main Street, Worcester, Mass.
Carl S. Herrmann, 441 Stuart Street, Boston, Mass.
Fred A. Howland, Montpelier, Vermont.
Frederick W. McIntyre, 677 Cambridge Street, Worcester, Mass.
John J. McMahon, Turks Head Building, Providence, R. I.
Robert H. Montgomery, 30 Federal Street, Boston, Mass.
Irwin L. Moore, 441 Stuart Street, Boston, Mass.
Thomas C. O'Hare, 20 Kilby Street, Boston, Mass.
Walter B. Reilly, 165 Jackson Street, Lowell, Mass.
Rockwell C. Tenney, 85 Water Street, Boston, Mass.

3. The obligations of RIPS under an agreement, dated February 1, 1928, relating to the United Electric Railways Company bonds will be assumed by the reorganized company, and subordinated bonds will remain subordinated.

4. Beginning in the sixth year and continuing through the thirtieth year after the effective date of the Amended Plan, unless the Commission orders or approves the discontinuance thereof, the reorganized company will appropriate net income in the amount of \$1,250,000 per year which will be credited to a general reserve relating to investments.

5. Scrip for fractional shares will become void five years after the date when the Amended Plan is consummated.

It appearing to the Commission that the applicants' request for reopening the record and reconvening the hearing should be granted:

It is ordered, That the record herein be reopened and that the hearing herein be reconvened before the trial examiner heretofore designated at 10:00 a. m., on the 29th day of November, 1945 at the offices of the Securities and Exchange Commission, 18th and Locust Streets,

Philadelphia 3, Pennsylvania, in such room as may be designated at that time by the hearing room clerk in Room 318. All persons who have not heretofore entered their appearances in these proceedings, but desiring to be heard or otherwise wishing to participate in these proceedings, should notify the Commission in the manner provided by the rules of practice, Rule XVII, on or before November 27, 1945.

It is further ordered, That notice of the reconvened hearing be given to NEPA, MP&L, NOBO, RIPS, MUA and MUA Common Voting Trust and all other participants in the proceedings by mailing to them copies of this order by registered mail, and to all other persons by publication thereof in the FEDERAL REGISTER.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 45-20597; Filed, Nov. 9, 1945;
11:37 a. m.]

[File No. 70-1166]

NEW ENGLAND PUBLIC SERVICE CO. ET AL.
ORDER PERMITTING DECLARATION TO BECOME
EFFECTIVE AND GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 8th day of November 1945.

In the Matter of New England Public Service Company, Central Maine Power Company and Maine Seaboard Paper Company, File No. 70-1166.

New England Public Service Company, a registered holding company, and two of its subsidiaries, Central Maine Power Company and Maine Seaboard Paper Company, having filed a joint declaration and application pursuant to the Public Utility Holding Company Act of 1935, particularly sections 9 (a), 10 and 12 (d) thereof and Rule U-43 thereunder, with respect to the following transactions: Central Maine Power Company proposes to sell to Maine Seaboard Paper Company and the latter corporation proposes to acquire a steam turbo-generator of 5,000 kilowatt capacity, and the apparatus auxiliary thereto, located on the properties of Maine Seaboard Paper Company at Bucksport, Maine, for a cash consideration of \$200,000. The proceeds from the sale will be deposited by Central Maine Power Company with Old Colony Trust Company, Trustee, under the Indenture securing the company's First and General Mortgage Bonds and will be used to retire a portion of the company's bonds or will be withdrawn against additional property in accordance with the provisions of said Indenture; and

Said joint declaration and application having been filed on October 3, 1945, and an amendment thereto having been filed on October 11, 1945, and declarants and applicants having requested that the Commission postpone the effective date of the declaration and application to November 8, 1945, and notice of said filing having been duly given in the form and manner prescribed by Rule U-23

under said act, and the Commission not having received a request for a hearing with respect to said joint declaration and application within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding that the proposed transactions are not in contravention of the act or any rules or regulations promulgated thereunder, that the proposed transactions satisfy the requirements of the applicable provisions of the act and of the rules thereunder in so far as they are applicable, and that it is appropriate in the public interest and in the interest of investors and consumers that said declaration be permitted to become effective and that said application be granted;

It is hereby ordered, Pursuant to said Rule U-23 and the applicable provisions of said act and subject to the terms and conditions prescribed in Rule U-24, that the aforesaid declaration be, and the same hereby is permitted to become effective and that the aforesaid application be, and the same hereby is granted forthwith.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 45-20595; Filed, Nov. 9, 1945;
11:37 a. m.]

[File No. 70-1072]

OGDEN CORP.

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, Pennsylvania, on the 8th day of November, A. D. 1945.

Ogden Corporation, a registered holding company, having filed a declaration pursuant to sections 6 (a), 7 and 12 (c) of the Public Utility Holding Company Act of 1935 and the applicable Rules promulgated thereunder, proposing the following transactions:

(a) The reduction of the par value of its common stock from \$13,614,644.00 (\$4.00 per share) to \$1,701,830.50 (50¢ per share), and the transfer of \$11,912,813.50, the amount of such reduction, to capital surplus; and

(b) The distribution to its common stockholders of a cash dividend of \$3.00 per share, or an aggregate of \$10,210,983, which distribution would be charged to earned surplus to the extent thereof (\$583,597 as of September 30, 1945) and the balance to capital surplus;

A public hearing having been held after appropriate notice, counsel for three preferred stockholders of Central States Power & Light Corporation, a subsidiary company of Ogden Corporation, having made a motion that the proceedings in the matters of Central States Utilities Corporation, Central States Power & Light Corporation, et al., File Nos 54-42, 54-69 and 59-65, be consolidated with the proceeding herein, and counsel for Ogden Corporation having made a motion that the record herein be

closed; and the Commission having considered the record and having made and filed its findings and opinion herein;

It is ordered, That the motion of counsel for said preferred stockholders be, and the same hereby is, denied; and that the motion for counsel for Ogden Corporation be, and the same hereby is, granted.

It is further ordered, That, pursuant to the applicable sections of the act, the declaration of Ogden Corporation be, and the same hereby is, permitted to become effective, subject to the terms and conditions of Rule U-24, and to the additional term and condition that the dividend payment be accompanied by a notice to stockholders specifically informing them that the dividend is being paid, in part, out of capital surplus.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 45-20509; Filed, Nov. 9, 1945;
11:38 a. m.]

[File No. 70-1175]

AMERICAN UTILITIES SERVICE CORP.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 8th day of November 1945.

Notice is hereby given that a declaration has been filed with this Commission, pursuant to the Public Utility Holding Company Act of 1935, by American Utilities Service Corporation ("American"), a registered holding company. All interested persons are referred to said declaration which is on file in the office of the Commission for a statement of the transactions therein proposed which may be summarized as follows:

American proposes to sell to H. K. Harley and R. M. Haydon of Madison, Wisconsin, all (3,000 shares, par value \$100 per share) of the issued and outstanding common stock of its subsidiary, Wisconsin Southern Gas Company ("Wisconsin"), a gas utility company, together with the unsecured 6% income note of Wisconsin, dated February 1, 1940 and due February 1, 1950, in the principal amount of \$150,000, for a cash consideration of \$410,000. The note of Wisconsin proposed to be sold by American is presently pledged with Harris Trust and Savings Bank, Chicago, Illinois dated October 1, 1945 and due October 1, 1950, in the principal amount of \$2,000,000. American will deliver \$150,000 of the proceeds from the sale of the Wisconsin securities to Harris Trust and Savings Bank in accordance with the terms of the secured note. The declaration states that the prospective buyers will dispose of some part of the Wisconsin securities to Carl Altenbern, vice-president and general manager of Wisconsin, and K. D. Knoblock, formerly connected with Wisconsin.

American states that the sale of the Wisconsin securities is in compliance with the order of the Commission of June 21, 1944 requiring the company to dis-

pose of its interest in Wisconsin (Holding Company Act Release No. 5114).

American requests that the Commission find and recite in its order that the sale of the Wisconsin securities is necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935 and make the specifications and itemizations in accordance with the requirements of sections 371 (b), 371 (e) and 1808 (f) of the Internal Revenue Code, as amended.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said matters and that said declaration shall not become effective except pursuant to further order of the Commission:

It is ordered, That a hearing on said matters under the applicable provisions of said act and rules of the Commission promulgated thereunder be held on November 21, 1945 at 10:00 a. m., e. s. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. On such day the hearing room clerk in Room 318 will advise as to the room where such hearing will be held. At such hearing cause shall be shown why such declaration shall be permitted to become effective.

It is further ordered, That any person desiring to be heard in connection with this proceeding shall file with the Secretary of the Commission on or before November 19, 1945 his request or application therefor, as provided by Rule XVII of the rules of practice of the Commission.

It is further ordered, That Richard Townsend or any officer or officers of the Commission designated by it for that purpose shall preside at the hearing in such matters. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That, without limiting the scope of the issues presented by said declaration, particular attention be directed at the hearing to the following matters and questions:

1. Whether the consideration to be received by American for sale of its interests in Wisconsin is reasonable.
2. Whether, in connection with the proposed sale of the securities of Wisconsin by American, there has been maintenance of competitive conditions.
3. Whether the action proposed to be taken by American is in conformity with the requirements of the Commission's order of June 21, 1944.
4. The identity of the purchasers, and their interest, if any, in any other public utility or holding company.
5. Whether the fees and expenses to be paid in connection with the proposed transactions are reasonable.
6. Whether the accounting treatment proposed in connection with the proposed transactions is proper and is in accordance with sound accounting practices.

7. Whether such proposed transactions are appropriate in the public interest or for the protection of investors or consumers.

8. Whether it is necessary or appropriate to impose terms or conditions in the public interest or for the protection of investors or consumers.

9. Generally, whether all actions proposed to be taken comply with the requirements of the Public Utility Holding Company Act of 1935 and rules, regulations or orders promulgated thereunder.

It is further ordered, That the Secretary of this Commission shall serve notice of said hearing by mailing a copy of this order by registered mail to declarant and that notice of said hearing be given to all other persons by publication of a copy of this order in the FEDERAL REGISTER.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 45-20596; Filed, Nov. 9, 1945;
11:37 a. m.]

[File No. 70-1179]

CENTRAL ILLINOIS PUBLIC SERVICE CO.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 8th day of November A. D. 1945.

Notice is hereby given that an application has been filed with this Commission pursuant to section 6 (b) of the Public Utility Holding Company Act of 1935 by Central Illinois Public Service Company, (Cips) a public utility subsidiary of The Middle West Corporation, a registered holding company.

All interested persons are referred to said document which is on file in the offices of this Commission for a statement of the transactions therein proposed which are summarized as follows:

Cips proposes to issue and deliver to The First National Bank of Chicago, The National City Bank of New York and the Harris Trust and Savings Bank of Chicago unsecured serial notes in the aggregate principal amount of \$5,600,000 to be dated as of the closing date, to mature serially in the amount of \$350,000 on April 1 and October 1 in each of the years 1946 to 1953, inclusive, and to bear interest prior to maturity at the rate of 2% per annum.

The proceeds of the new notes will be used to pay and redeem \$5,600,000 principal amount of unsecured serial notes of the company maturing semi-annually on April 1 and October 1 in each of the years 1947 to 1951 inclusive, of which notes \$2,800,000 principal amount, maturing on and prior to October 1949, bear interest at the rate of 2½% per annum and \$2,800,000, maturing after said date, bear interest at the rate of 3% per annum.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said application and that said

application shall not be granted except pursuant to further order of the Commission;

It is ordered, That a hearing on said application under the applicable provisions of the act and the rules of the Commission thereunder be held on November 23, 1945 at 10:00 a. m., e. s. t., in the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. On such day the hearing room clerk in Room 318 will advise as to the room in which such hearing will be held.

It is further ordered, That Henry C. Lank or any other officer or officers of the Commission designated by it for that purpose shall preside at such hearing. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That the Secretary of the Commission shall serve by registered mail copies of this order on the Illinois Commerce Commission of the State of Illinois and on the applicant herein; and that notice of said hearing be given to all other persons by publication of this order in the FEDERAL REGISTER. Any person desiring to be heard in connection with these proceedings, or otherwise to participate herein, shall file with the Secretary of the Commission, on or before November 21, 1945 his request or application therefor, as provided by Rule XVII of the rules of practice of the Commission.

It is further ordered, That without limiting the scope of the issues presented by said application, particular attention will be directed at said hearing to the following matters and questions:

- (1) Whether the proposed issue and sale of new notes are solely for the purpose of financing the business of Cips and have been expressly authorized by the state commission of the state in which it is organized and doing business.
- (2) What terms or conditions, if any, with respect to the proposed transactions should be prescribed in the public interest or for the protection of investors or consumers.
- (3) Generally, whether the proposed transactions comply with the applicable provisions of the act and the rules, regulations and orders promulgated thereunder.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 45-20598; Filed, Nov. 9, 1945;
11:38 a. m.]

[File No. 812-347]

KEYSTONE CUSTODIAN FUNDS, INC.

ORDER DISMISSING APPLICATION AND DENYING EXEMPTION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 5th day of November, A. D. 1945.

In the matter of Keystone Custodian Funds, Inc., as trustee for Keystone Custodian Funds Series B-1, B-2, B-3, B-4, K-1, K-2, S-1, S-2, S-3, and S-4, File No. 812-347,

Keystone Custodian Funds, Inc. as Trustee for Keystone Custodian Funds Series B-1, B-2, B-3, B-4, K-1, K-2, S-1, S-2, S-3, and S-4 having filed an application pursuant to sections 6 (c) and 17 (b) of the Investment Company Act of 1940; a hearing having been held after appropriate notice; the Commission being duly advised in the premises and having this day issued its findings and opinion herein; on the basis of said findings and opinion:

It is hereby ordered, That the application under section 17 (b) of said act be and it hereby is dismissed;

It is further ordered, That the application under section 6 (c) of said act be and it hereby is denied.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 45-20600; Filed, Nov. 9, 1945;
11:38 a. m.]

UNITED STATES COAST GUARD.

APPROVAL OF EQUIPMENT

By virtue of the authority vested in me by R. S. 4405, 4417, 4417a, 4418, 4426, 4429, 4433, and 4491, as amended, 49 Stat. 1544,

(46 U.S.C. 375, 391, 391a, 392, 404, 407, 411, 489, 367), and Executive Order 9083, dated February 28, 1942 (3 CFR, Cum. Supp.), the following approval of equipment is prescribed:

SAFETY VALVE

Consolidated type 1411 iron body safety valve (Maximum pressure of 30 pounds per square inch and maximum temperature of 400° F.), submitted by Consolidated Safety Valve Division of the Manning, Maxwell & Moore, Inc., Bridgeport, Conn.

Dated: November 8, 1945.

L. T. CHALKER,
*Rear Admiral, U. S. C. G.,
Acting Commandant.*

[F. R. Doc. 45-20571; Filed, Nov. 9, 1945;
9:14 a. m.]