FEDERAL REGISTER

VOLUME 11 — NUMBER 127

Washington, Saturday, June 29, 1946

The President

PROCLAMATION 2693

SUSPENSION OF ADDITIONAL PROCESSING TAX ON CERTAIN COCONUT OIL

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS section 2470 (a) (2) of the Internal Revenue Code, as amended, provides in part as follows:

"*Additional rate on coconut oil.* There shall be imposed (in addition to the tax imposed by the preceding paragraph) a tax of 2 cents per pound, to be paid by the processor, upon the first domestic processing of coconut oil or of any combination or mixture containing a substantial quantity of coconut oil with respect to which oil there has been no previous first domestic processing, except that the tax imposed by this sentence shall not apply when it is established, in accordance with regulations prescribed by the Commissioner with the approval of the Secretary, that such coconut oil (whether or not contained in such a combination or mixture), (A) is wholly the production of the Philippine Islands or any possession of the United States, or (B) was produced wholly from materials the growth or production of the Philippine Islands or any possession of the United States * * *".

WHEREAS section 505 (b) of the Philippine Trade Act of 1946 (Public Law 371, 79th Congress) provides as follows:

"*Suspension of Section 2470 (a) (2) of Internal Revenue Code.* Whenever the President, after consultation with the President of the Philippines, finds that adequate supplies of neither copra nor coconut oil, the product of the Philippines, are readily available for processing in the United States, he shall so proclaim, and after the date of such proclamation the provisions of section 2470 (a) (2) of the Internal Revenue Code shall be suspended until the expiration of 30 days after he proclaims that, after consultation with the President of the Philippines, he has found that such adequate supplies are so readily available".

AND WHEREAS I have consulted with the President of the Philippines concerning the supplies of copra and coconut oil, the product of the Philippines, which are available for processing in the United States:

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, do hereby find and proclaim that adequate supplies of neither copra nor coconut oil, the product of the Philippines, are readily available for processing in the United States.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 27th day of June in the year of our Lord nineteen hundred and forty-six, [SEAL] and of the Independence of the United States of America the one hundred and seventieth.

HARRY S. TRUMAN

By the President:

DEAN ACHESON,
Acting Secretary of State.

[F. R. Doc. 46-11429; Filed, June 29, 1946; 12:02 p. m.]

EXECUTIVE ORDER 9741

TERMINATION OF THE OFFICE OF THE DIRECTOR OF LIQUIDATION

By virtue of the authority vested in me by the Constitution and statutes and as President of the United States, it is hereby ordered as follows:

The office of the Director of Liquidation and the Liquidation Advisory Committee, established by Executive Order No. 9874 of January 4, 1946,[1] together with the functions of the Director and the Committee, are hereby terminated.

The Director of the Bureau of the Budget shall, consonant with applicable law, make suitable disposition of the records and property now in the possession of the Director of Liquidation.

This order shall become effective on June 30, 1946.

HARRY S. TRUMAN

THE WHITE HOUSE,
June 27, 1946.

[F. R. Doc. 46-11413; Filed, June 29, 1946; 11:45 a.m.]

[1] 11 F.R. 33.

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FEDERAL REGISTER

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[1] E.O. 9744.

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TITLE 5—ADMINISTRATIVE PERSONNEL

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PART 54—ANNUAL AND SICK LEAVE REGULATIONS

Effective July 1, 1946, the regulations under this part (§§ 54.1–54.6) are revised and amended as follows:

SUBPART A—DEFINITIONS

Sec.
54.101 Definitions.

SUBPART B—ANNUAL LEAVE

54.201 Accrual of annual leave.
54.202 Accumulated annual leave.
54.203 Grant of annual leave.
54.204 Court leave.

SUBPART C—SICK LEAVE

54.301 Accrual of sick leave.
54.302 Accumulated sick leave.
54.303 Grant of sick leave.
54.304 Notification of superior.
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54.401 Change in hours of duty.
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AUTHORITY: §§ 54.101 to 54.602, inclusive, issued under act of March 14, 1936 (49 Stat. 1161), as amended by act of December 17, 1942 (56 Stat. 1052) and act of March 14, 1936 (49 Stat. 1162), as amended by act of March 2, 1940 (54 Stat. 38), and E.O. 9414 (9 F.R. 623).

SUBPART A—DEFINITIONS

§ 54.101 *Definitions.* (a) "Employee" and "employees" include officer and officers, respectively.

(b) "Permanent employees" are those appointed without limitation as to length of service, or for definite periods in excess of one year, or for the "duration of the job," or for the duration of the present war and for six months thereafter; and those who, although paid only when actually employed, are continuously employed or required to be available for duty for a period of not less than one month, as distinguished from part-time or intermittent employees.

(c) "Temporary employees" are those appointed for definite periods of time not exceeding 1 year.

(d) "Accumulated leave" means the unused leave remaining to the credit of the employee at the close of any calendar year.

(e) "Court leave" means leave for attending court as a witness on behalf of the United States or the government of the District of Columbia, or for jury duty.

(f) "Medical certificate" means a written statement signed by a registered practicing physician or other practitioner, certifying to the period of disability of the patient while he was undergoing professional treatment.

(g) "Month of service" means a period in a pay status covering a full calendar month or beginning on any date of a calendar month and ending at the close of business of the preceding date in the next calendar month.

(h) "Contagious disease" means a disease ruled as subject to quarantine as defined by the health authorities having jurisdiction.

SUBPART B—ANNUAL LEAVE

§ 54.201 *Accrual of annual leave.* Annual leave shall be credited to employees as follows:

(a) Permanent employees shall be credited with leave at the rate of 1 day per bi-weekly pay period; or, the total credit for any calendar year may be given at the beginning of the calendar year in which it accrues. The minimum credit for leave shall be 4 hours, and additional credits shall be in multiples thereof.

(b) Temporary employees shall be credited with leave of 2½ days for each month of service.

(c) Because of the difference in crediting leave to temporary and permanent employees the following method shall be followed in crediting leave when a temporary appointment is converted to a permanent appointment prior to the end of the service month: Service as a permanent employee shall be counted as temporary service for the purpose of completing the month of service. Leave shall thereafter be credited as a permanent employee.

§ 54.202 *Accumulated annual leave.* Accumulated annual leave may be carried forward for use in succeeding years until it totals not exceeding 60 days: *Provided,* That during the period of the present emergency 30 days additional leave may be accumulated: *Provided further,* That when accumulated leave equals or exceeds 60 days, further increase in accumulated leave shall be limited to 15 days in any succeeding years.

§ 54.203 *Grant of annual leave.* Annual leave shall be granted to an employee at such times as the heads of the departments and agencies may prescribe: *Provided,* That an employee who is to be placed on furlough in contemplation of separation by reduction of force shall be granted immediately prior to furlough, upon his request, any annual leave to which he is entitled. Permanent employees during their first year of service shall not be granted leave in excess of the amount accrued to their credit. Temporary employees shall not be granted leave until immediately prior to the end of the month in which it is earned. The minimum charge for annual leave shall be one hour, and additional leave shall be charged in multiples of one hour.

§ 54.204 *Court leave.* When an employee is absent from duty and in attendance in court as a witness in behalf of the United States or the Government of the District of Columbia, or for jury duty in any State court or court of the United States, the absence from duty

shall not be charged against annual leave but should be recorded as "court leave."

SUBPART C—SICK LEAVE

§ 54.301 *Accrual of sick leave.* (a) Permanent employees shall be credited with sick leave at the rate of 1¼ days per month, which may be credited at the beginning of the calendar month, or at the beginning of the first pay period following the first day of the calendar month. The minimum credit for sick leave shall be one hour, and additional credits shall be in multiples thereof.

(b) Temporary employees shall be credited with 1¼ days of sick leave for each month of service.

(c) Sick leave accruing during any month of service shall be available at any time during that or any subsequent month.

§ 54.302 *Accumulated sick leave.* Unused sick leave shall be cumulative and available for future use: *Provided,* That the balance to the credit of the employee at the end of any month shall not exceed 90 days.

§ 54.303 *Grant of sick leave.* Sick leave shall be granted to employees when they are incapacitated for the performance of their duties by sickness, injury, or pregnancy and confinement, or for medical, dental or optical examination or treatment, or when a member of the immediate family of the employee is afflicted with a contagious disease and requires the care and attendance of the employee, or when, through exposure to contagious disease, the presence of the employee at his post of duty would jeopardize the health of others. The minimum charge for sick leave shall be 1 hour, and additional leave shall be charged in multiples of 1 hour.

§ 54.304 *Notification of superior* An employee who is absent on account of sickness shall notify his supervisor as early as practicable on the first day of such absence, or as soon thereafter as possible. Failure to give such notice may result in the absence being charged to annual leave or leave without pay, as the circumstances may justify. Requests for sick leave for medical, dental, or optical examination or treatment shall be submitted for approval prior to the beginning of the leave.

§ 54.305 *Application for sick leave.* Written application on the prescribed form for grant of sick leave shall be filed within 2 days after the employee returns to duty. In no case shall a medical certificate be required to support the application for periods of absence of 3 days or less. For periods of absence in excess of 3 work days the application must be supported by a medical certificate, or other evidence administratively acceptable, which must be filed within 15 days after return to duty: *Provided,* That in lieu of a medical certificate, a signed statement of the employee indicating the nature of the illness and the reason why a medical certificate is not furnished may be accepted whenever it is unreasonable to obtain such certificate because of a shortage of physicians, remoteness of locality, or because the circumstances surrounding the employee's illness do not require the services of a physician. The agency shall determine administratively whether the statement of the employee in lieu of a medical certificate shall be considered sufficient evidence to support the request for sick leave. All applications for sick leave for medical, dental, or optical examination or treatment shall be supported by a certificate of the employee that he has received such examination or treatment and shall include the name and address of the physician, dentist, or other practitioner visited and the date and hour of visit.

§ 54.306 *Sickness during annual leave.* When sickness occurs within a period of annual leave and lasts 5 or more consecutive work days, the period of illness may be charged as sick leave and the charge against annual leave reduced accordingly. Application for such substitution of sick leave for annual leave shall be made within 2 days after return to duty and shall be supported by a medical certificate, or other evidence administratively acceptable to the same extent as provided in § 54.305.

§ 54.307 *Sick leave advanced.* In cases of serious disability or ailments, and when the exigencies of the situation so require, sick leave may be advanced to permanent employees not in excess of 30 days: *Provided,* That no advances of sick leave shall be made to any employee unless the absence from duty on account of illness is for a period, or periods, of 5 or more consecutive work days; that every application for advance leave shall be supported by a medical certificate; that the total of such advances shall be charged against sick leave subsequently credited. Sick leave may be advanced irrespective of whether the employee has annual leave to his credit.

§ 54.308 *Sick leave not advanced.* Sick leave shall not be advanced to an employee holding a limited appointment, or one expiring on a specified date, in excess of the total sick leave that would accrue during the remaining period of such appointment.

SUBPART D—GENERAL PROVISIONS

§ 54.401 *Change in hours of duty.* Whenever the number of hours of duty in an employee's work day is permanently changed the leave standing to his credit shall be converted to the proper number of hours based upon the new work day.

§ 54.402 *Leave-with-pay status.* (a) Leave shall accrue to an employee while in a leave-with-pay status, provided he returns to duty, or provided that failure to return to duty is due to death, disability (evidence of which shall be supported by an acceptable medical certificate) retirement for disability, or reduction in force.

(b) Employees who entered military, naval or merchant marine service between January 13 and December 21, 1944, and who are restored in accordance with statutory provisions after such service may be credited with leave accrued during the period of terminal leave granted immediately prior to entry into active military, naval, or merchant marine service.

§ 54.403 *Nonpay status.* Whenever a permanent employee's absence in a nonpay status totals the equivalent of the base-pay hours in 1 bi-weekly pay period, the credits for annual leave shall be reduced 1 day and for sick leave ⅝ day for each such period. The total deductions in sick leave credits on account of nonpay status in any one calendar year shall not exceed 15 days: *Provided,* That when an employee absent because of injury received in line of duty requests to be carried on leave-without-pay, he shall, upon his return to duty, receive credit for accrued leave covering the period for which he was paid disability compensation by the Employees' Compensation Commission.

§ 54.404 *Days for which leave charged.* Leave shall be charged only for absence upon days which an employee would otherwise work and receive pay and shall be exclusive of Sundays which do not occur within a regular tour of duty, holidays, and all nonwork days established by Federal statute or by Executive or administrative order: *Provided,* That when a holiday is declared by general administrative orders to be a work day, an employee who absents himself from work without permission that day day shall be subject to a deduction of 1 day's pay.

§ 54.405 *Absences of less than 30 minutes.* Under ordinary circumstances unavoidable or necessary absence from duty not in excess of 30 minutes, and tardiness, shall be excused for adequate reasons, or handled administratively by requiring additional work, or by a charge against any compensatory time which the employee may have to his credit as a result of overtime previously worked. In the event that this privilege is abused such absences, and tardiness, shall be handled administratively by a charge against annual leave, or by disciplinary action.

§ 54.406 *Separation of employees indebted for unearned leave.* In case of the separation of an employee who is indebted for unearned leave, the employee shall refund the amount paid him for the period of such excess, or deduction therefor shall be made from any salary due him. This section shall not apply in cases of death, retirement for disability, or reduction of force, or in case an employee is unable to return to duty because of disability, evidence of which shall be supported by an acceptable medical certificate.

§ 54.407 *Leave without pay.* Leave without pay may be granted to an employee for a period not exceeding 12 months regardless of whether he has leave standing to his credit: *Provided,* That an employee absent because of injuries received in line of duty may be carried on leave without pay for the period for which he is paid disability compensation by the Employees' Compensation Commission.

§ 54.408 *Transfer from permanent to permanent position.* When a permanent employee is appointed, reappointed, or transferred to another position as a permanent employee, with no break in service or a break of less than 90 days, his

leave account shall be disposed of as follows:

(a) If the position is within the purview of the leave acts of March 14, 1936, the leave account shall be certified to the employing agency for credit or charge to the employee.

(b) If the position to which he is appointed, reappointed, or transferred is not within the purview of the leave acts of March 14, 1936, the employee shall be furnished with a statement of his sick leave account and if he is subsequently appointed, reappointed, or transferred to a position within the purview of such acts, with no break in service or a break of less than 90 days, the leave shown to be due shall be credited to his account.

(c) Any person who was appointed, reappointed, or transferred prior to January 1, 1945 to a position not within the purview of the leave acts of March 14, 1936, who is or has been appointed, reappointed, or transferred to a position within the purview of such acts with no break in service, or with a break of less than 30 days if the reappointment occurred between December 31, 1944 and March 1, 1946, or less than 90 days if the reappointment occurred on or after March 1, 1946, shall be credited with leave shown to be due.

§ 54.409 *Transfer from permanent to temporary position.* When a permanent employee is appointed, reappointed, or transferred to a temporary position with no break in service, or a break of less than 90 days, his leave account shall be disposed of as follows:

(a) If the position is in the same agency he shall be credited with such leave as may be due him or charged with any unliquidated leave which may have been advanced.

(b) If the position is in a different agency he shall be furnished with a statement of his leave account and if subsequently he becomes a permanent employee of the same or a different agency with no break in service, or a break of less than 90 days, the leave shown to be due shall be credited to his account: *Provided,* That in the discretion of the agency to which transferred, the leave shown to be due him may be credited to him in the temporary position.

§ 54.410 *Temporary employees who become permanent.* Temporary employees who subsequently become permanent employees either in the same or a different agency, with no break in service or a break of less than 90 days, shall be credited with such leave as may be due them.

§ 54.411 *Restoration of veterans.* (a) Any permanent employee who leaves or has left a position to enter military, naval, or merchant marine service, and is or has been reemployed as a permanent employee within 120 days after his release from military, naval, or merchant marine service, shall be entitled to such leave as remained to his credit.

(b) Any permanent employee who is or has been restored to a position as a result of appeal under section 14 of the Veterans' Preference Act of 1944, or as a result of formal appeal under any other authority or procedure, shall be entitled to any sick leave which remained to his credit upon separation.

SUBPART E—ADMINISTRATION

§ 54.501 *Responsibility for administration.* The heads or governing bodies of the various governmental agencies to which this part applies shall be responsible for the proper administration of this part so far as they pertain to employees under their respective jurisdictions, and they shall maintain an account of leave for each employee in accordance with methods prescribed by the General Accounting Office.

§ 54.502 *Employees who have uncommon tours of duty.* The head or governing body of any governmental agency which has employees who work 24-hour shifts, or other uncommon tours of duty, is authorized to promulgate supplemental regulations consistent with the regulations in this part for administering leave for such employees.

§ 54.503 *Employees outside the continental United States.* Nothing in this part shall be construed to prevent the continuance of any leave differential existing prior to January 1, 1936, for the benefit of employees of the Federal Government stationed without the continental limits of the United States. However, any department may, if it so desires, apply the regulations in this part to employees stationed without the continental limits of the United States, subject to the continuance of such leave differential.

SUBPART F—EMPLOYEES EXCEPTED

§ 54.601 *Employees excepted.* (a) Teachers and Librarians of the public schools of the District of Columbia.

(b) Officers and employees of the Panama Canal and the Panama Railroad Co. on the Isthmus of Panama.

(c) Temporary employees engaged on construction work at hourly rates.

(d) The Postmaster General and officers and employees in or under the Post Office Department, except those serving in the departmental service and in the Mail Equipment Shops.

(e) Employees not required to be continuously employed during regular tour of duty, such as (1) per diem or per hour employees engaged in an emergency who may be employed for more than one 7- or 8-hour shift within 24 hours during the emergency; (2) part-time or intermittent employees; (3) persons engaged under contract; (4) employees engaged temporarily for less than a month on a piece-price basis; (5) employees who are paid at hourly rates but who are not engaged on construction work, such as mechanics, skilled laborers, and others engaged in various services on maintenance, repair, clean-up work, etc., where employment is more or less intermittent and not on a regular and continuous basis; (6) consultants employed and paid on the basis of "when actually employed"; and (7) employees paid on a fee basis, such as physicians, surgeons, and other consultants.

(f) Alien and native labor employed outside the continental limits of the United States: *Provided,* That the head or governing body of any governmental agency which employs alien and native labor outside the continental limits of the United States may promulgate regulations governing the granting of leave to such employees.

§ 54.602 *D. C. Police and Fire Departments.* The regulations contained herein relating to sick leave shall not apply to officers and members of the Police and Fire Departments of the District of Columbia other than civilian personnel.

By the United States Civil Service Commission.

[SEAL] H. B. MITCHELL,
President.

[F. R. Doc. 46-11375; Filed, June 28, 1946; 9:23 a. m.]

TITLE 7—AGRICULTURE

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders)

PART 945—MILK IN THE WASHINGTON, D. C., MARKETING AREA

SUSPENSION OF CERTAIN PROVISIONS

Pursuant to the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.) and of the order, as amended, regulating the handling of milk in the Washington, D. C., marketing area, hereinafter referred to as the "order", it is hereby determined that the words in § 945.7 (a) (1) "shall be $4.05: *Provided,* That for the delivery period of June 1946, the price" do not tend to effectuate the declared policy of the act with respect to milk received by a handler from producers or cooperative associations of producers.

It is therefore ordered, That the words in § 945.7 (a) (1) "shall be $4.05: *Provided,* That for the delivery period of June 1946, the price" be, and they hereby are, suspended, effective as of 12:01 a. m., e. s. t., July 1, 1946.

Issued at Washington, D. C., this 27th day of June 1946.

[SEAL] N. E. DODD,
Acting Secretary of Agriculture.

[F. R. Doc. 46-11404; Filed, June 28, 1946; 11:29 a. m.]

PART 947—MILK IN THE FALL RIVER, MASSACHUSETTS MARKETING AREA

SUSPENSION OF CERTAIN PROVISIONS

Pursuant to the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.) and of the order, as amended, regulating the handling of milk in the Fall River, Massachusetts, marketing area, hereinafter referred to as the "order" it is hereby determined that all of the words and the table contained in § 947.4 (a) except the words:

(a) *Class I price.* Each handler shall pay producers or associations of producers for their milk, containing 3.7 percent butterfat, during each delivery period, in the manner set forth in § 947.9, not less than $4.74.

do not tend to effectuate the declared policy of the act with respect to milk received by a handler from producers or cooperative associations of producers.

It is therefore ordered, That all of the words and the table contained in § 947.4 (a) except the words:

(a) *Class I price.* Each handler shall pay producers or associations of producers for their milk, containing 3.7 percent butterfat, during each delivery period, in the manner set forth in § 947.9, not less than $4.74.

be, and they hereby are, suspended, effective as of 12:01 a. m., e. d. s. t., July 1, 1946.

Issued at Washington, D. C., this 27th day of June 1946.

[SEAL] N. E. DODD,
Acting Secretary of Agriculture.

[F. R. Doc. 46-11402; Filed, June 28, 1946; 11:29 a. m.]

PART 961—MILK IN THE PHILADELPHIA, PENNSYLVANIA MARKETING AREA

SUSPENSION OF CERTAIN PROVISIONS

Pursuant to the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.) and of the order, as amended, regulating the handling of milk in the Philadelphia, Pennsylvania, marketing area, hereinafter referred to as the "order" it is hereby determined that the words in § 961.4 (a) (1) "$4.05 per hundredweight: *Provided,* That for the delivery period of June 1946, the price shall be" do not tend to effectuate the declared policy of the act with respect to milk received by a handler from producers or cooperative associations of producers.

It is therefore ordered, That the words in § 961.4 (a) (1) "$4.05 per hundredweight: *Provided,* That for the delivery period of June 1946, the price shall be" be, and they hereby are, suspended, effective as of 12:01 a. m., e. d. s. t., July 1, 1946.

Issued at Washington, D. C., this 27th day of June 1946.

[SEAL] N. E. DODD,
Acting Secretary of Agriculture.

[F. R. Doc. 46-11403; Filed, June 28, 1946; 11:29 a. m.]

TITLE 10—ARMY. WAR DEPARTMENT

Chapter IX—Transport

PART 903—TRANSPORTATION OF INDIVIDUALS

TRANSPORTATION OF REMAINS

Section 903.6 (a) is rescinded and the following substituted therefor:

§ 903.6 *Remains, including civilian employees' remains*—(a) *Effective 1 July 1946, from points outside continental limits of United States, including Alaska, to ports of debarkation in United States*—(1) *Remains.* Transports will be availed of wherever possible for the shipment of remains from points outside the continental limits of the United States, including Alaska, to ports of debarkation in the United States. For any distance that transports or other means of Government transportation cannot be used, shipment will be made by commercial transportation other than airplane. See §§ 306.50-306.52.

(2) *Attendants.* Subject to subparagraph (3) of this paragraph, transportation, including berth when an extra charge is made therefor, may be furnished one relative in the capacity of an attendant to the remains of each person from the place of death or an intermediate point to the port of debarkation in the United States, to place of interment in the United States, including Alaska, and return to place of death. No military attendant will be furnished when a relative acts in that capacity. In any case where the relative attendant will not accompany the remains the entire distance, a military attendant will be furnished to accompany the remains for that portion of the journey where the remains will not be accompanied by such relatives. Under such conditions officer attendants are entitled to the allowance specified in Army Regulations in both directions, and all other military attendants will be furnished transportation in kind in both directions. Transportation expenses of an escort for remains of those civilian employees who are referred to in § 306.50 will not be allowed. However, this will not be construed to prohibit the use by an escort of one of the two tickets required to ship the remains as baggage by railroad.

(3) *Dependents of certain deceased from overseas.* Where transportation is furnished for dependents from oversea points when specifically authorized under the provisions of § 903.1 (a) the commanding officer will determine in each case whether one dependent can act in the capacity of an attendant to the remains. If a dependent acts in that capacity, no other attendant will be furnished. See subparagraph (2) of this paragraph.

(4) *Orders.* The commanding officer will issue the necessary orders designating the method of shipment and include therein, when necessary under the conditions named in subparagraphs (2) and (3) of this paragraph, a competent travel order covering the entire travel of the attendant (stating name and status of attendant) He will also telegraph the commanding officer of the port of debarkation in the United States, giving all particulars and requesting that further orders be issued covering the shipment from such port. (R.S. 161, 41 Stat. 604; 49 Stat. 421, 5 U.S.C. 22; 10 U.S.C. 756b) [AR 55-120, April 26, 1943, as amended by C 17, June 18, 1946]

[SEAL] EDWARD F. WITSELL,
Major General,
The Adjutant General.

[F. R. Doc. 46-11332; Filed, June 27, 1946; 3:22 p. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 5344]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

PIONEER MFG. CO.

§ 3.6 (c) *Advertising falsely or misleadingly—Composition of goods:* § 3.66 (a7) *Misbranding or mislabeling—Composition.* § 3.66 (a7) *Misbranding or mislabeling—Composition—Wool Products Labeling Act:* § 3.66 (k) *Misbranding or mislabeling—Source or origin—Wool Products Labeling Act:* § 3.71 (a) *Neglecting, unfairly or deceptively, to make material disclosure—Composition—Wool Products Labeling Act:* § 3.71 (e7) *Neglecting, unfairly or deceptively, to make material disclosure—Source or origin—Wool Products Labeling Act:* § 3.96 (a) *Using misleading name—Goods—Composition.* I. In connection with the offering for sale, sale, and distribution of floor mops in commerce, (a) using the word "Woolvet" or any other word or words of similar import or meaning, to designate, describe, or refer to mops which are not made or composed of wool; or (b) representing that its mops are composed of or contain wool, rayon, silk, cotton, or any other fibers or combinations thereof which such mops do not in fact contain; and, II, in connection with the introduction or manufacture for introduction into commerce, or the sale, transportation, or distribution of such products in commerce, misbranding mops or other "wool products" as defined in and subject to the Wool Products Labeling Act of 1939 which contain, purport to contain, or in any way are represented as containing "wool", "reprocessed wool", or "reused wool" as those terms are defined in said act, by failing to securely affix to or place on such products a stamp, tag, label, or other means of identification showing in a clear and conspicuous manner: (a) the percentage of the total fiber weight of such wool product, exclusive of ornamentation not exceeding five percentum of said total fiber weight, of (1) wool, (2) reprocessed wool, (3) reused wool, (4) each fiber other than wool where said percentage by weight of such fiber is five percentum or more, and (5) the aggregate of all other fibers; (b) the maximum percentage of the total weight of such wool product of any nonfibrous loading, filling, or adulterating matter; or (c) the name of the manufacturer of such wool product; or the manufacturer's registered identification number and the name of a seller of such wool product; or the name of one or more persons introducing such wool product into commerce, or engaged in the sale, transportation, or distribution thereof in commerce, as "commerce" is defined in the Federal Trade Commission Act and the Wool Products Labeling Act of 1939; prohibited, subject to the provision that the provisions concerning misbranding shall not be construed to prohibit acts permitted by paragraphs (a) and (b) of section 3 of the

Wool Products Labeling Act of 1939; and to the further provision that nothing contained in the order shall be construed as limiting any applicable provisions of said act or the rules and regulations promulgated thereunder. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b; 54 Stat. 1128; 15 U.S.C. sec. 68) [Cease and desist order, The Pioneer Manufacturing Co., Docket 5344, May 16, 1946]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 16th day of May A. D. 1946.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of the respondent, and a stipulation as to the facts entered into between the respondent herein and Richard P. Whiteley, Assistant Chief Counsel for the Commission, which provides, among other things, that without further evidence or other intervening procedure the Commission may issue and serve upon the respondent herein findings as to the facts and conclusion based thereon and an order disposing of the proceeding, and the Commission having made its findings as to the facts and conclusion that said respondent has violated the provisions of the Federal Trade Commission Act and of the Wool Products Labeling Act of 1939:

I. *It is ordered*, That the respondent, The Pioneer Manufacturing Co., a corporation, its officers, representatives, agents, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, and distribution of floor mops in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

(a) Using the word "Woolvet," or any other word or words of similar import or meaning, to designate, describe, or refer to mops which are not made or composed of wool.

(b) Representing that its mops are composed of or contain wool, rayon, silk, cotton, or any other fibers or combinations thereof which such mops do not in fact contain.

II. *It is further ordered*, That the respondent, The Pioneer Manufacturing Co., a corporation, its officers, representatives, agents, and employees, directly or through any corporate or other device, in connection with the introduction or manufacture for introduction into commerce, or the sale, transportation, or distribution of such products in commerce, as "commerce" is defined in the aforesaid acts, do forthwith cease and desist from misbranding mops or other "wool products" as defined in and subject to the Wool Products Labeling Act of 1939 which contain, purport to contain, or in any way are represented as containing "wool," "reprocessed wool," or "reused wool," as those terms are defined in said act, by failing to securely affix to or place on such products a stamp, tag, label, or other means of identification showing in a clear and conspicuous manner:

(a) The percentage of the total fiber weight of such wool product, exclusive of ornamentation not exceeding five percentum of said total fiber weight, of (1) wool, (2) reprocessed wool, (3) reused wool, (4) each fiber other than wool where said percentage by weight of such fiber is five percentum or more, and (5) the aggregate of all other fibers.

(b) The maximum percentage of the total weight of such wool product of any nonfibrous loading, filling, or adulterating matter.

(c) The name of the manufacturer of such wool product; or the manufacturer's registered identification number and the name of a seller of such wool product; or the name of one or more persons introducing such wool product into commerce, or engaged in the sale, transportation, or distribution thereof in commerce, as "commerce" is defined in the Federal Trade Commission Act and the Wool Products Labeling Act of 1939.

Provided, That the foregoing provisions concerning misbranding shall not be construed to prohibit acts permitted by paragraphs (a) and (b) of section 3 of the Wool Products Labeling Act of 1939: *And provided, further*, That nothing contained in this order shall be construed as limiting any applicable provisions of said act or the rules and regulations promulgated thereunder.

It is further ordered, That respondent shall, within sixty (60) days after service of this order, file with the Commission a report in writing setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary*.

[F. R. Doc. 46-11396; Filed, June 23, 1946; 11:13 a. m.]

[Docket No. 5244]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

PERMA-RID, INC.

§ 3.6 (t) *Advertising falsely or misleadingly—Qualities or properties of product or service*: § 3.96 (a) *Using misleading name—Goods—Qualities or properties*: § 3.96 (b) *Using misleading name—Vendor—Products*. I. In connection with the offering for sale, sale and distribution of respondent's cosmetic preparation heretofore designated as "Perma-Rid" or any other preparation of substantially similar composition or possessing substantially similar properties, disseminating, etc., any advertisements by means of the United States mails, or in commerce, or by any means to induce, etc., directly or indirectly the purchase in commerce, etc., of said preparation, which advertisements represent, directly or by implication (a) that said preparation destroys superfluous hair or prevents or terminates the regrowth of such hair, or that said preparation removes superfluous hair either temporarily or permanently; or (b) that said preparation will rejuvenate or beautify the skin, or that it is effective in removing blackheads or reducing enlarged pores; and, II, in connection with the offering for sale, sale and distribution of said preparation, or any other preparation of substantially similar composition or possessing substantially similar properties, in commerce, using the term "Perma-Rid" or any term of similar import, as a part of respondent's corporate name or as the trade name for said preparation; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Perma-Rid, Inc., Docket 5244, May 16, 1946]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 16th day of May, A. D. 1946.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and the answer of the respondent, in which answer respondent admits all of the material allegations of fact set forth in said complaint and states that it waives all intervening procedure and further hearing as to the facts, and the Commission having made its findings as to the facts and its conclusion that the respondent has violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondent, Perma-Rid, Inc., a corporation, and its officers, representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of respondent's cosmetic preparation heretofore designated as "Perma-Rid" or any other preparation of substantially similar composition or possessing substantially similar properties, do forthwith cease and desist from directly or indirectly:

1. Disseminating or causing to be disseminated by means of the United States mails or by any means in commerce, as "commerce" is defined in the Federal Trade Commission Act, any advertisement which represents, directly or by implication:

(a) That said preparation destroys superfluous hair or prevents or terminates the regrowth of such hair, or that said preparation removes superfluous hair either temporarily or permanently.

(b) That said preparation will rejuvenate or beautify the skin, or that it is effective in removing blackheads or reducing enlarged pores.

2. Disseminating or causing to be disseminated by any means any advertisement for the purpose of inducing, or which is likely to induce, directly or indirectly, the purchase of said preparation in commerce, as "commerce" is defined in the Federal Trade Commission Act, which advertisement contains any representation prohibited in Paragraph 1 hereof.

It is further ordered, That said respondent, and its officers, representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of said preparation, or any other preparation of substantially similar composition or possessing substantially similar properties, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from using the term "Perma-Rid" or any term of similar import, as a part of respondent's

corporate name or as the trade name for said preparation.

It is further ordered, That the respondent shall, within sixty (60) days after the service upon it of this order, file with the Commission a report in writing setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 46-11395; Filed, June 28, 1946; 11:13 a. m.]

[Docket No. 5400]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

SHERRY-MOORE GIFTS

§ 3.6 (i) *Advertising falsely or misleadingly—Free goods or services:* § 3.6 (r) *Advertising falsely or misleadingly—Prices—Exaggerated as regular and customary:* § 3.72 (e) *Offering deceptive inducements to purchase or deal—Free goods:* § 3.99 (b) *Using or selling lottery devices—In merchandising.* In connection with the offering for sale, sale and distribution of luggage, vanity chests, toiletries, novelties or any other articles of merchandise in commerce, (1) supplying to, or placing in the hands of, others, push cards or other devices which are to be used or may be used in the sale and distribution of said merchandise to the public by means of a game of chance, gift enterprise or lottery scheme; (2) shipping, mailing or transporting to agents or to distributors or to members of the purchasing public, push cards or other devices which are to be used or may be used in the sale and distribution of said merchandise to the public by means of a game of chance, gift enterprise or lottery scheme; (3) selling or otherwise disposing of any merchandise by means of a game of chance, gift enterprise or lottery scheme; (4) using the term "free" or "gift" or any other term of similar import or meaning to describe, designate or refer to any merchandise which is furnished as compensation for services rendered or the price of which is included in the price of other merchandise; or (5) representing as the customary, regular or list price of respondents' merchandise, any price which is in excess of the price at which said merchandise has been regularly sold by respondents in the usual course of their business; prohibited. (Sec. 5, 38 Stat. 719 as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Sherry-Moore Gifts, Docket 5400, May 20, 1946]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 20th day of May A. D. 1946.

In the Matter of Elizabeth Scherer and Sherry Moore Scherer Individuals Trading as Sherry-Moore Gifts

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and the answer of respondents, in which answer respondents admit all of the material allegations of fact set forth in said complaint and state that they waive all intervening procedure and further hearing as to said facts, and the Commission having made its findings as to the facts and conclusion that said respondents have violated the provisions of the Federal Trade Commission Act;

It is ordered, That the respondents Elizabeth Scherer and Sherry Moore Scherer, individuals trading as Sherry-Moore Gifts, or under any other trade name, their representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of luggage, vanity chests, toiletries, novelties or any other articles of merchandise in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

(1) Supplying to, or placing in the hands of, others, push cards or other devices which are to be used or may be used in the sale and distribution of said merchandise to the public by means of a game of chance, gift enterprise or lottery scheme.

(2) Shipping, mailing or transporting to agents or to distributors or to members of the purchasing public, push cards or other devices which are to be used or may be used in the sale and distribution of said merchandise to the public by means of a game of chance, gift enterprise or lottery scheme.

(3) Selling or otherwise disposing of any merchandise by means of a game of chance, gift enterprise or lottery scheme.

(4) Using the term "free" or "gift" or any other term of similar import or meaning to describe, designate, or refer to any merchandise which is furnished as compensation for services rendered or the price of which is included in the price of other merchandise.

(5) Representing as the customary, regular or list price of respondents' merchandise, any price which is in excess of the price at which said merchandise has been regularly sold by respondents in the usual course of their business.

It is further ordered, That the respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 46-11394; Filed, June 28, 1946; 11:13 a. m.]

TITLE 24—HOUSING CREDIT

Chapter VII—National Housing Agency

[Housing Expediter Premium Payments Reg. 3]

PART 714—PREMIUM PAYMENTS REGULATIONS UNDER VETERANS' EMERGENCY HOUSING ACT OF 1946

MERCHANT GYPSUM LINER

Purpose and findings. This general regulation is issued to stimulate additional production of merchant gypsum liner by providing for premium payments with respect to units of additional production above established quotas. It describes who is eligible, how quotas and production goals are established, and the methods, procedures and conditions under which such payments may be obtained. This regulation is issued pursuant to the authority of the "Veterans' Emergency Housing Act of 1946."

All available means of increasing the supply of merchant gypsum liner for the veterans' emergency housing program and for other construction, maintenance and repair essential to the national well-being have been considered. Based on such consideration, the Expediter finds that premium payments are temporarily necessary to increase the supply of merchant gypsum liner, and to stimulate additional production with greater rapidity, economy and certainty than other available methods. The premium payments provided herein are applied at a uniform rate within the industry. In applying premium payments to necessary additional production in this industry, emphasis has been placed upon avoiding either economic dislocations or adverse effects upon established business.

Par.
(a) Definitions.
(b) Eligibility.
(c) Determination and assignment of production goals.
(d) Transfer of production goals.
(e) Quota.
(f) Rate and computation of premium payments.
(g) Rejects, deficits and carry-overs.
(h) Claim for payment.
(i) Payment.
(j) Records.
(k) Official interpretations.
(l) Termination.
(m) Effective date.

§ 714.3 *Merchant gypsum liner*—(a) *Definitions.* As used in this section:

(1) "Company" means any person who manufactures or is determined by the Expediter to be capable of manufacturing merchant gypsum liner.

(2) "Person" means an individual, corporation, partnership, association, or any other organized group of any of the foregoing, or legal successor or representative of any of the foregoing, but shall not include the United States, any of its political subdivisions or any agency thereof, any other Government, any of its political subdivisions or any agency thereof.

(3) "Gypsum liner" means the cream-faced, greyback or lath paper used in the manufacture of gypsum board and lath to encase the processed gypsum rock which forms the main body of the board or lath.

(4) "Merchant gypsum liner" means gypsum liner sold or manufactured for sale to a gypsum board or lath manufacturer who neither owns nor controls the gypsum liner manufacturer and who is not under common control or ownership with the gypsum liner manufacturer.

(5) "Class A company" means a company which has produced gypsum liner at any time within the period beginning January 1, 1942 and ending April 30, 1946.

(6) "Class B company" means any company other than a Class A company.

(7) "Production goal" means the tonnage of merchant gypsum liner assigned by the Expediter to a company for shipment during any month, with a shortage tolerance of five percent.

(8) "Claim" means a claim for payment under this regulation computed in accordance with the provisions hereof.

(9) "OHE" means the Office of the Housing Expediter.

(10) "Expediter" means the Housing Expediter as defined by the Veterans' Emergency Housing Act of 1946 or his duly authorized representative.

(b) *Eligibility.* Any company is eligible for premium payments under this section if it meets both the following conditions:

(1) The company is assigned a production goal, and

(2) The company ships such assigned goal within the month for which the goal was assigned.

(c) *Determination and assignment of production goals.* (1) Each month the Expediter will determine the total tonnage of merchant gypsum liner needed to meet the requirements of the veterans' emergency housing program and other essential construction, maintenance and repair. He will then assign production goals on the basis of the following calculations:

(i) An initial apportionment of tonnage will be made to each regular supplier of merchant gypsum liner whose shipments during the period January through April 1946 averaged more than 300 tons per month. The apportionment to each company will be in an amount approximating its historical monthly shipments of merchant gypsum liner.

(ii) The balance of the total tonnage requirements will then be apportioned among all boxboard companies capable of producing merchant gypsum liner, including the regular suppliers covered by subdivision (i) of this subparagraph. This apportionment will be made to each boxboard company in approximately the proportion that its total production of boxboard and miscellaneous board bore to the industry's total production of such products during the first quarter of 1946.

(iii) In determining the capability of a company to manufacture merchant gypsum liner consideration will be given to the adaptability of facilities and the suitability of machines and roll equipment to the production of merchant gypsum liner; the feasibility of using its merchant gypsum liner for the manufacture of gypsum board and lath; the cost of transportation of its merchant gypsum liner to gypsum board and lath manufacturers and other similar factors.

(2) Any company not assigned a production goal may file an application on form NHA 14-36 with the Expediter, Washington, D. C. In the discretion of the Expediter, a production goal may be assigned to the applicant for the current or succeeding month upon such basis as the Expediter may deem equitable: *Provided, however* That any subsidiary of a gypsum board or lath manufacturer will be assigned a production goal only to the extent that such subsidiary:

(i) Together with other subsidiaries of the same gypsum board or lath manufacturer, manufactures in the aggregate more than the maximum requirements of such gypsum board or lath manufacturer, and

(ii) Ships such excess production of gypsum liner as merchant gypsum liner.

The term "subsidiary" as used in this subdivision means a company that manufactures gypsum liner for consumption in its own gypsum board or lath manufacturing operations or in those of a company by whom it is owned or controlled or with whom it is under common ownership or control.

(3) Any company desiring a larger production goal may file an application on form NHA 14-36 with the Expediter, Washington, D. C.

(4) If, the Expediter finds that a company will be unable to meet a production goal due to unusual circumstances beyond its control, the Expediter may cancel or modify and may reassign such production goal in whole or in part. Any company to whom all or a part of a production goal is so reassigned, shall be considered a Class B company with respect to such reassigned production goal.

(d) *Transfer of production goals.* (1) Any company may transfer its production goal, in entirety only, to any other company otherwise eligible under this section.

(2) Transfers shall be made in writing signed by both companies. The transfer agreement shall specify the tonnage transferred and the company accepting the transfer shall file the agreement with the Expediter, Washington, D. C., within the month in which the transfer is made.

(e) *Quota.* Each eligible company will receive premium payments only with respect to tonnage shipped by it in excess of its quota. The quota of each company shall be: (1) For a Class A Company—80 percent of its production goal, (2) For a Class B Company—60 percent of its production goal.

(f) *Rate and computation of premium payments.* (1) A premium payment of $40 for each ton of merchant gypsum liner shipped in excess of quota during the month will be made to eligible companies, but in no event will premium payments be made on merchant gypsum liner shipped in excess of 105 percent of any production goal.

(2) In the event a production goal is transferred:

(i) The quota applicable to the transferred goal will remain the same as it was before the transfer.

(ii) No premium payments will be made on such transferred goal unless the company to which it was transferred ships both the goal originally assigned to it and the transferred goal within the month for which both goals were assigned.

(3) In the event a goal is reassigned no premium payments will be made on such reassigned goal unless the company to which it was reassigned ships both the goal originally assigned to it and the reassigned goal within the month for which both goals were assigned.

(g) *Rejects, deficits and carry-overs.* (1) In the event a company's shipments during any month include merchant gypsum liner which the purchaser rejects as unfit for use in the manufacture of gypsum board and lath, the company may make up the amount of such rejects from shipments during the following two months. If the company elects not to make up such rejects, the following shall apply:

(i) The rejected tonnage shall be deducted from the tonnage that was credited toward meeting the production goal originally assigned to the company for the month in which the rejected tonnage was shipped, and

(ii) If the net remaining tonnage is less than 95 percent of the production goal originally assigned to the company, the entire claim shall be invalid and any previous payments thereon subject to recovery or set-off. If the net remaining tonnage is 95 percent or more of such production goal the claim shall be recomputed and any overpayments subject to recovery or set-off.

(2) In the event a company fails to ship its originally assigned goal or a transferred or a reassigned goal for any month, and the expediter finds upon application by the company that such failure was due to unusual circumstances beyond the company's control, the company may make up the deficit during the next succeeding month. Such applications may be filed on form NHA 14-36 with the Expediter, Washington, D. C.

(3) Any company that ships in any month merchant gypsum liner in excess of the maximum tonnage upon which premium payments may be made under this section, shall have the right to carry such excess over to the next month. The tonnage so carried over may be applied in meeting its originally assigned goal, a transferred or a reassigned production goal for the next month.

(h) *Claim for payment.* (1) Each claim shall be filed on form NHA 14-37. These forms may be obtained from any Reconstruction Finance Corporation Loan Agency. A company may find out in which RFC Loan Agency district it is located by consulting its bank.

(2) Each claim under a transferred production goal and each copy of such claim shall have attached thereto a copy of the transfer agreement.

(3) Each claim shall be filed on or before the last day of the month following the end of the month in which the merchant gypsum liner was shipped, except that a claim for payment for a month in which a deficit occurs shall be filed with the claim for the next succeeding month.

(4) Each claim shall be filed with RFC at the Loan Agency for the district in which the main office of the company is located.

(5) No claim under this section shall be assignable except as a part of the bona fide transfer of the company to a legal successor.

(i) *Payment*—(1) *Review by RFC.* In reviewing claims, the RFC will determine whether such claims appear to have been correctly and properly prepared.

(2) *Terms of payment.* If the claim or any part thereof is accepted by RFC subject to final verification, RFC will then pay the claimant that part of the

claim so accepted: *Provided, however* That with respect to claims for the last two months during which this section is in effect the RFC may require that bond be furnished in form and amount satisfactory to it before making payment. Preliminary acceptance and payment of a claim shall not constitute final acceptance of the validity or amount of the claim. If, after review or audit, there is cause to question the validity of any claim, RFC may—

(i) Require that bond be furnished in form and amount satisfactory to it before making further payments, or,

(ii) Suspend further payments.

(3) *Verification of claims.* (i) Upon receipt of claims, RFC will forward copies to the Expediter for verification and such investigation or audit as may be deemed appropriate.

(ii) If the amount verified and approved by the Expediter is less than the amount previously paid, the claimant shall upon demand by RFC refund the overage to RFC together with interest thereon at the rate of 4 percent per annum calculated from the date of such overpayment to the date repayment is made to the RFC or such overage plus interest may be deducted from any accrued or subsequent claim for any payment by RFC to the claimant.

(4) *Invalidation of claims.* The Expediter shall have the right at any time to declare invalid any claim of a company, and such company shall upon demand refund to RFC any payment on such claim, if the Expediter finds that the company:

(i) Has failed to comply with any of the requirements of this section, or

(ii) Has failed to comply with directives, orders or regulations of the Civilian Production Administration or OHR on merchant gypsum liner or has sold merchant gypsum liner at prices in excess of the ceiling prices established by the applicable Office of Price Administration regulations or orders.

(j) *Records.* Every company shall prepare and preserve for inspection for a period of not less than two years after the date of termination of this section, all books, records and other documents which furnish information in support of its claims for payment. The Expediter or his designated agents shall have the right at any time to make such examinations and audits of these books, records and other documents as may be necessary to verify the representations in the companies' claims for payment or as may be required by the Expediter.

(k) *Official interpretations.* Official interpretations of this section may be given only in writing by the General Counsel of the Office of the Expediter, or his duly authorized representative. A request for an official interpretation must be filed in writing directly with the Expediter or the General Counsel.

(l). *Termination.* This section may be terminated by the Expediter at the end of any month on thirty days prior notice, if he finds that an adequate level of shipments of merchant gypsum liner can be maintained without further premium payments. In the event that Office of Price Administration price ceilings cease to be applicable to the sale of merchant gypsum liner, the Expediter may terminate this section on such terms and conditions as he may deem proper. No termination of this section shall be effective with respect to production goals already assigned. Termination of this section shall not preclude the filing of claims for payment during the month following such termination on account of shipments during the immediately preceding month. Such claims shall be dealt with in accordance with the provisions of this section in the same manner as if it had not been terminated.

(m) *Effective date.* This section shall become effective as of June 1, 1946.

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

(Pub. Law 388, 79th Cong.)

Issued this 27th day of June 1946.

KIRBY SMITH,
Acting Housing Expediter

[F. R. Doc. 46-11333; Filed, June 27, 1946; 4:38 p.m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

PART 306—PROCESSING TAX ON CERTAIN OILS

COPRA AND COCONUT OIL FROM PHILIPPINE ISLANDS

CROSS REFERENCE: See Proclamation 2693, *supra.*

TITLE 29—LABOR

Chapter VI—National Wage Stabilization Board

PART 802—RULES OF PROCEDURE

STAY OF ISSUANCE OF RULINGS

The National Wage Stabilization Board has amended § 802.6 of its rules of procedure to read as follows:

§ 802.6 *Stay of issuance of rulings.* (a) Where a ruling is made by any Board agent on an application, any two or more members of the Board agent who dissent from the ruling may request that the issuance of the ruling or any part thereof be stayed pending review by the National Board. In such event the ruling, or any specified portion thereof, together with the request for review by the dissenting members shall immediately be transmitted by the Board Agent to the National Board, and the issuance of the ruling or the specified portion thereof will be stayed until the National Board has acted on the case. If it is requested that issuance of only a specified portion of a ruling be stayed, the Board Agent may, in its discretion, issue any other portion of the ruling pending action by the National Board. The National Board after acting upon the case, may, at its discretion, either issue the ruling itself or communicate its action to the Board Agent which will then issue the rulings. The rulings, if issued by the National Board, will be subject to reconsideration as in the case of any ruling issued by the Board in the first instance. If the ruling is issued by the Board Agent, after notification by the National Board of its action, the ruling will be subject to review as in the case of any other ruling issued by a Board agent.

(b) (No change)

Approved by the National Wage Stabilization Board June 25, 1946.

B. M. JOFFE,
Executive Director

[F. R. Doc. 46-11398; Filed, June, 28, 1946; 11:34 a. 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, 56 Stat. 177, 58 Stat. 827 and Pub. Law 270, 79th Cong.; 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 3294—IRON AND STEEL PRODUCTION

[General Preference Order M-21, Direction 12, as Amended June 28, 1946]

EMERGENCY DISTRIBUTION OF STEEL FOR PRODUCTION OF CERTAIN CRITICAL PRODUCTS

The following direction is issued pursuant to General Preference Order M-21.

(a) *What this direction does.* The cumulative loss in production of steel in the last several months caused by work stoppages in the steel and coal industries has created a severe shortage of steel for all purposes. There will not be a sufficient supply of steel to keep all of industry going at a reasonable rate for a number of months. It is, therefore, necessary that special assistance be given for the manufacture of certain highly critical products. These products are ones which are extremely short for the Veterans' Housing Program and certain items of farm machinery which are urgently required to harvest this year's crops and for famine relief. Failure to obtain immediate full production of these items will seriously delay the housing program and will result in a loss of food production. This direction provides for certified orders for steel needed during the third quarter of 1946 to make these critical items. This direction applies only to steel in the forms and shapes listed in Schedule I of Order M-21. It does not apply to wrought iron, iron castings, or pig iron. Distribution of iron to critical products wil be made by other procedures.

(b) *Products for which steel can be obtained under this direction.* Manufacturers of the products which are listed on Schedule A at the end of this direction may place certified orders in the way described in this direction for the steel that they need for the product. In addition, manufacturers of other products may, in certain very extraordinary cases described in paragraph (m), be specifically authorized to place certified orders.

(c) *Who can place certified orders*—(1) *With a producer without authorization.* A manufacturer of a critical product listed on Schedule A may certify a purchase order which he has already placed with a steel producer on the date of this direction and

on which, at any time after January 1, 1946, the producer promised delivery before October 1, 1946. No specific authorization by the Civilian Production Administration is required for such certification. However, a manufacturer may not without specific authorization by CPA certify orders for steel for use in a plant not in production because of work stoppages.

(2) *With a warehouse without authorization.* A manufacturer who on June 12, does not have any purchase orders placed with a producer (whether certified or otherwise) for steel of any of the types which he uses in production of critical products on Schedule A may place a certified order on a warehouse. No authorization by the Civilian Production Administration is required for this type of order. However, a manufacturer may not without specific authorization by CPA certify orders for steel for use in a plant not in production because of work stoppages.

(3) *When authorization needed.* Except for the orders listed in paragraphs (c) (1) and (2), no certified purchase order may be placed without specific authorization by CPA. Paragraph (d) below states when applications for authorizations may be made.

(d) *Application for authorization to place certified orders*—(1) *Who may apply.* Any manufacturer of a critical product listed on Schedule A who is unable to certify enough purchase orders under the provisions of paragraph (c) above for the amount of steel which he will require to actually put into production in his critical products during any of the month of July, August, or September, may apply to the Civilian Production Administration for authority to certify new purchase orders.

(2) *How to apply.* Application for such authority should be made in triplicate on Form CPA-4466.

(3) The Civilian Production Administration may issue authority to place certified purchase orders where it determines that the steel will actually be needed for production of the critical product and that the steel is available for such purposes. Additional steel for inventories will be rarely authorized and then less than permitted by Priorities Regulation 32. Such authorization will permit a manufacturer to place a new purchase order on either a producer or a warehouse, but the CPA may limit the authorization to a named supplier.

(e) *Limit on amount which may be certified.* Except as specifically authorized a manufacturer must not certify a total number of purchase orders which will call for delivery in the third quarter of a greater amount of steel than he proposes to actually put into production in the manufacture of his critical product in that period. In addition, a manufacturer of farm machinery listed on Schedule A must not certify more steel than he will require to complete critical items which he will deliver before October 31, 1946. A manufacturer need not reduce the amount permitted because of steel in his inventory, within the limits of Priorities Regulation 32, but he may not, without specific authorization, use any of the amount certified in order to build up inventories to the permitted amount. Also he may not certify for delivery in any one month more than 40% of the steel he will put into production during the third quarter.

(f) *How to place a certified order—Form of certification.* A purchase order which has already been placed may be certified by sending a letter to the producer or warehouse, identifying the original purchase order and reciting in substantially the following form the following certification signed as provided in Priorities Regulation 7:

> I certify, subject to the penalties of section 35A of the United States Criminal Code, that I will use this steel only to make ---------- (specify one or more of the end products listed in Schedule A, or if specifically authorized for another product under paragraph (m), insert name of product and phrase "authorized under paragraph (m)") and that the tonnage covered by this order together with all tonnages placed with other producers and distributors for use in these products on similarly certified orders and uncertified orders is not in excess of the quantity of such steel which I am authorized to order under the provisions of Direction 12 to Order M-21.

The same certification is to be used when placing new purchase orders with warehouses or with producers when authorized by the Civilian Production Administration. When a manufacturer has been authorized to certify any purchase orders under paragraph (d) above, or paragraph (m) below, he must add to the certification the following additional statement: "I have been specifically authorized to certify this order by Form CPA 4466. Serial No. ——"

(2) *Canadian purchasers.* In the case of a Canadian purchaser, a purchase order may be certified by furnishing a certification in substantially the following form signed manually or as provided in Priorities Regulation No. 7:

> The undersigned purchaser certifies, subject to the penalties of section 15 of the Canadian Wartime Industries Control Regulations, to the seller, to the Canadian Priorities Officer, and to the Civilian Production Administration that he will use this steel only to make —— and that the tonnage covered by this order together with all other tonnages placed with other producers on similarly certified orders and uncertified orders is not in excess of the quantity of such steel which he is authorized to order under the provisions of General Instruction Letter No. 66 and Direction 12 to Order M-21, and that the end-product will be sold only in accordance with the terms of that letter.

(g) *Period for which certified orders may be placed.* Orders may be certified for delivery only in July, August or September. A manufacturer must specify the months in which he requires delivery at the time he certifies his purchase order (or at the time he places a new certified purchase order).

(h) *Refusal of certified orders.* (1) A steel producer need not accept a certification on a previously accepted purchase order, or a new purchase order, which it receives after the first day of the month preceding the month in which delivery is requested. However, if delivery is requested in July, a producer must accept a certification under paragraph (c), if it is received on or before the 17th day of June, and need not accept it after the 17th day of June.

(2) A warehouse need not accept any certified order for a single product classification of steel in excess of 10,000 lbs. if delivery would deplete his stock to a point where his function in the distribution of steel would be seriously impaired. Schedule I of Order M-21 lists the "product classifications" of steel.

(3) In order to protect the requirements of small business, a warehouse must not accept any purchase order, whether certified or not, in excess of 10,000 pounds if delivery would deplete his stock to a point where his function in the distribution of steel would be impaired.

(i) *Certified orders must be treated as rated orders.* Certified orders must be scheduled for production in preference to all other orders for the same product classification, except for orders covered by specific written directives issued by the Civilian Production Administration, or (in the case of distributors) a rating of AAA issued after January 21, 1946. Any purchase order certified under this direction must be treated as a rated order under Priorities Regulation 1 and accepted, scheduled and delivered accordingly. The rules of Priorities Regulation 1 will apply, except to the extent that this direction is inconsistent with them. Steel obtained on certified orders must be used in accordance with § 944.11 of that regulation.

(j) *The effect on steel of certain other directions.* (1) Direction 13 to Priorities Regulation 1, which suspended preference ratings (except certain AAA ratings on distributors) on steel, remains in effect for the time being.

(2) Direction 9 to Order M-21, which provides certifications for tin mill products for food and pharmaceutical purposes, remains in effect. That direction explains how producers of tin mill products should schedule orders certified under either that direction or this one.

(k) *Other distribution of steel.* Steel producers and warehouses must distribute balance of steel production after filling certified orders as follows:

(1) *Warehouse stocks.* Producers must ship to warehouses during the third quarter of 1946 not less than the same proportion of total tonnage of steel produced by them in that quarter as they shipped to warehouses during the fourth quarter of 1945.

(2) *Equitable distribution to consumers.* Producers and warehouses must distribute remaining amounts of steel in a fair and equitable manner.

(l) *Reports.* Steel Producers and warehouses must furnish such reports as may be required by the Civilian Production Administration from time to time, subject to approval by the Budget Bureau pursuant to the Federal Reports Act of 1942.

(m) *Additional assistance in extraordinary circumstances*—(1) *Steel for governmental agency requirements.* The Civilian Production Administration may authorize the placing of certified orders to fill severely limited requirements of high urgency for the Army, Navy, Coast Guard, Maritime Commission, War Shipping Administration, Veterans' Administration, Federal Public Housing Administration, Canada or for export. No applications should be made for this authority by manufacturers unless specifically requested by the appropriate government agency.

(2) *Relief for other manufacturers cannot ordinarily be granted.* The shortage of steel during the third quarter will be so severe that most manufacturers may not be able to obtain enough steel to maintain minimum economic rates of operation. For this reason, the Civilian Production Administration will not be able to offer assistance to manufacturers to support minimum economic rates of production. Assistance may be given in extraordinary circumstances where a manufacturer will suffer extraordinary hardship which is not generally common to users of steel because of the shortage of steel or for requirements of public health and safety or other similarly urgent requirements. Application should be made by letter to the Steel Branch of CPA. CPA may give assistance by finding a supplier, or by authorization to place certified orders, or by issuance of directives if required.

Issued this 28th day of June 1946.

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

SCHEDULE A

Manufacturers of the following products are entitled to apply certifications as described in this direction.

(1) The following classes of farm machinery and equipment, as described in War Food Order 135 of the Department of Agriculture:

Combines (harvester-threshers)
Grain binders
Corn binders, excluding sled and wheel type
Corn pickers
Field ensilage harvester—row type
Potato diggers and pickers, excluding walking plow type
Bean cutters or pullers
Sugar beet and cane harvesting equipment
Peanut diggers
Farm haying machinery, excluding field bale loader
Ensilage cutters (silo fillers)
Corn shellers
Potato sorters and graders
Fruit and vegetable graders, washers, sackers and conveyors
Farm tractors, wheel type
Repair parts only for types of farm machinery listed above.

(2) The following items of residential type and manufactured for residential use:

Pressed steel bathtubs, sinks and lavatories
Warm air furnaces and floor furnaces
Convector radiation
Furnace pipe, fittings, and duct work
Steel registers and grills

(3) Railroad brake shoes.
(4) Dwelling units. (Only orders for concrete reinforcing bars and mesh may be certified and only on producers or distributors who normally sell bars and mesh to contractors.)

SCHEDULE I OF M-21*

Steel (By Product Class)
Bars, Cold-Finished.
Bars, Hot-Rolled or Forged.
Ingots, Billets, Blooms, Slabs, Die Blocks, Tube Rounds, Sheet Bars, Tin Bar, and Skelp.
Pipe, including Threaded Couplings of the type normally supplied for Threaded Pipe.
Plates, all Plates (including Rolled Armored Plate in the form and shape to which it is rolled by the Steel Mill and prior to any subsequent fabrication), and including Nickel Clad and Stainless Clad.
Rail and Track Accessories.
Sheet and Strip.
Steel Castings (rough as cast).
Steel Forgings (rough as forged).
Structural Shapes and Piling.
Tinplate, Terneplate, and Tin Mill Black Plate.
Tubing.
Wheels, Tires, and Axles.
Wire Rods, Wire and Wire Products.

[F. R. Doc. 46-11397; Filed, June 28, 1946; 11:27 a. m.]

*Excerpt from Order M-21 issued August 24, 1945 (as amended).

Chapter XI—Office of Price Administration

PART 1418—TERRITORIES AND POSSESSIONS

[RMPR 373, Amdt. 96 (§ 1418.151)]

FLUID MILK IN HAWAII

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

Paragraphs (b) and (c) of section 63 of Revised Maximum Price Regulation 373 are amended to read as follows:

(b) *Maximum prices on the Island of Oahu.* Maximum prices for fresh fluid milk on the Island of Oahu shall be:

	Quantity	Maximum wholesale price	Maximum retail price
Grade AA	Quart	$0.21	$0.24
	Pint	.12	.14
	½ pint	.06	.09
Grade A	Quart	.19	.22
	Pint	.11	.13
	¾ pint	.09	.11
	½ pint	.06	.08
Premium grade milk	Quart	.22	.25
	Pint	.13	.15
	½ pint	.07	.09

(c) *Maximum prices on the Islands of Hawaii, Maui, Kauai and Lanai.* Maximum prices for fresh fluid milk on the Islands of Hawaii, Maui, Kauai, and Lanai shall be:

	Quantity	Maximum wholesale price	Maximum retail price
Grade AA	Quart	$0.19	$0.22
	Pint	.10	.13
	½ pint	.06	.08
Grade A	Quart	.16	.20
	Pint	.09	.11
	¾ pint	.07	.09
	½ pint	.05	.07

This amendment shall become effective as of June 1, 1946.

Issued this 27th day of June 1946.

PAUL A. PORTER,
Administrator

[F. R. Doc. 46-11337; Filed, June 27, 1946; 4:56 p. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[RMPR 373, Amdt. 97 (§ 1418.151)]

FLUID MILK IN HAWAII

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

Paragraph (c) of section 63 of Revised Maximum Price Regulation 373 is amended in the following respects:

1. By changing the figure $0.13 under Maximum retail price for Grade AA, Pint, to read $0.12.
2. By changing the figure $0.16 under Maximum wholesale price for Grade A, Quart, to read $0.17.
3. By adding the following paragraph immediately following the table of prices:

In the case of sales on the Island of Lanai of any fresh fluid milk transported from the Island of Maui, wholesalers and retailers may add three cents per quart for sales in quart containers and one cent per pint for sales in pint containers to the maximum prices set forth above.

This amendment shall become effective as of June 17, 1946.

Issued this 17th day of June 1946.

PAUL A. PORTER,
Administrator

[F. R. Doc. 46-11338; Filed, June 27, 1946; 4:54 p. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[RMPR 373, Amdt. 98 (§ 1418.151)]

MOLASSES IN HAWAII

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

Section 58 of Revised Maximum Price Regulation 373 is amended to read as follows:

SEC. 58. *Maximum prices for molasses.* The maximum price for sales of molasses produced from sugar cane for all purposes shall be $19.50 per ton, delivered at dock or customary shipping point. The maximum price for sales of molasses sold and delivered at the plantation where produced shall be $19.50 per ton less the cost of transportation from the plantation to the dock or customary shipping point.

This amendment shall become effective as of June 17, 1946.

Issued this 17th day of June 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-11339; Filed, June 27, 1946; 4:54 p. m.]

PART 1305—ADMINISTRATION

[SO 129, Amdt. 31]

EXEMPTION AND SUSPENSION FROM PRICE CONTROL OF MACHINES, PARTS, INDUSTRIAL MATERIALS AND SERVICES

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

Section 16 (b) of Supplementary Order 129 is amended by adding the following to the list of commodities thereunder:

Miscellaneous commodities covered by MPR 403 when purchased by the United States Government.

This amendment shall become effective June 27, 1946.

Issued this 27th day of June 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-11346; Filed, June 27, 1946; 4:55 p. m.]

PART 1340—FUEL

[RMPR 122, Amdt. 44]

SOLID FUELS SOLD AND DELIVERED BY DEALERS

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

Revised Maximum Price Regulation No. 122 is amended in the following respects:

1. Section 1340.256 (c) (1) and (2) is amended to read as follows:

(1) In the case of bituminous coal prepared at the dock as double-screened or lump sizes, the amount per net ton specified for the solid fuels following:

From mines in District No. 1	$1.62
From mines in District No. 2	1.56
From mines in District No. 3 (except medium volatile in Price Classification A	1.35
From mines in District No. 3 and in Price Classification A; medium volatile	$1.60
From mines in District No. 4	1.42
From mines in District No. 6	1.40
From mines in District No. 7 or 8; low volatile	2.18
From mines in District No. 7 or 8; medium to high volatile	1.76

The maximum price for each size and kind of dock-run bituminous coal shall be 50 cents per net ton lower than the maximum price for the same size and kind of coal when rescreened at the dock.

(2) In the case of bituminous coal in all other sizes, the amount per net ton specified for the solid fuels following:

From mines in Districts Nos. 7 or 8; low volatile screenings and run-of-mine	$1.58
From mines in District No. 1; high volatile screenings and run-of-mine	1.47
From mines in District No. 2; high volatile screenings and run-of-mine	1.41
From mines in District No. 3; high volatile screenings and run-of-mine	1.20
From mines in District No. 4; high volatile screenings and run-of-mine	1.27
From mines in District No. 6; high volatile screenings and run-of-mine	1.25
From mines in Districts Nos. 7 or 8; high volatile screenings and run-of-mine	1.36
From mines in District No. 1; high volatile stoker size	1.47
From mines in District No. 2; high volatile stoker size	1.41
From mines in District No. 3; high volatile stoker size	1.20
From mines in District No. 4; high volatile stoker size	1.27
From mines in District No. 6; high volatile stoker size	1.25
From mines in Districts Nos. 7 or 8; high volatile stoker size	1.66
From mines in Districts Nos. 7 or 8; low volatile stoker size	1.58

This amendment shall become effective June 28, 1946.

Issued this 28th day of June 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-11416; Filed, June 28, 1946; 11:42 a. m.]

PART 1340—FUEL

[RMPR 122, Amdt. 45]

SOLID FUELS SOLD AND DELIVERED BY DEALERS

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

Revised Maximum Price Regulation No. 122 is amended in the following respects:

1. In § 1340.254 (b) rule 1 the last undesignated paragraph is amended to read as follows:

The maximum price for Pennsylvania anthracite yard screenings shall be the highest price charged by the dealer in December 1941 for the same fuel plus $2.50 per net ton.

2. Section 1340.256 (c) (3) is amended to read as follows:

(3) In the case of Pennsylvania anthracite the amount per net ton for the respective sizes, as follows:

Size:	*Amount per net ton*
Egg, stove and nut	$3.40
Pea	3.05
Buckwheat No. 1	2.20
Rice	2.00
Barley	1.40
Smaller than barley	1.15

This amendment shall become effective June 28, 1946.

Issued this 28th day of June 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-11417; Filed, June 28, 1946; 11:42 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[RMPR 279,[1] Amdt. 6]

HOPS

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

Revised Maximum Price Regulation 279 is amended in the following respect:

In section 2 (a) (5) the following clause is deleted: "and whose annual sales of hops to brewers do not exceed 30% of his total annual sales of all commodities and services to brewers."

This amendment shall become effective June 28, 1946.

Issued this 28th day of June 1946.

Approved: June 24, 1946.

N. E. DODD,
Acting Secretary of Agriculture.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-11423; Filed, June 28, 1946; 11:43 a. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[RMPR 148,[1] Amdt. 35]

DRESSED HOGS AND WHOLESALE PORK CUTS

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.

Revised Maximum Price Regulation No. 148 is amended in the following respects:

1. Paragraph (i) of § 1364.22 is added to read as follows:

(i) *Maximum prices for miscut dressed hogs and/or wholesale pork cuts.* Except for slightly miscut wholesale pork cuts unintentionally so cut, the sale of miscut dressed hogs and miscut wholesale pork cuts is prohibited. Notwithstanding this prohibition, in the event any person sells or delivers miscut dressed hogs, or miscut wholesale pork cuts (other than slightly miscut wholesale pork cuts unintentionally so cut) the maximum prices for such miscut dressed hogs and/or miscut wholesale pork cuts shall be determined as follows:

(1) The maximum price for all miscut dressed hogs shall be determined in accordance with the provisions of § 1364.36 (Appendix B), using the maximum base price established in Schedule IV (b) of § 1364.36 (Appendix B) for shipper style boars as the applicable maximum base price for such miscut dressed hogs.

(2) The maximum price for miscut wholesale pork cuts (other than slightly miscut wholesale pork cuts unintentionally so cut) shall be determined in accordance with the applicable provisions of paragraphs (a) through (e) of this § 1364.22, using the maximum base price established in Schedule I of § 1364.35 (Appendix A) for the applicable one of the following identifiable products as the applicable maximum base price for such miscut wholesale pork cut:

(i) The lowest base price specified in Schedule I of § 1364.35 (Appendix A) for any fresh, green or frozen wholesale pork cut, if the miscut wholesale pork cut is fresh, green or frozen.

(ii) The lowest base price specified in Schedule I of § 1364.35 (Appendix A) for any processed wholesale pork cut in the same or a comparable stage or state of processing, if the miscut wholesale pork cut is processed or in any state or stage of processing.

2. Paragraph (c) of § 1364.27 is amended by the addition at the end thereof of the following sentences: "In the event the invoice provided fails completely to identify the products covered with reference to the descriptive name or style of the dressed hog, or with reference to the descriptive name of the wholesale pork cut, or with reference to the grade of sliced bacon or with reference to the weight range or ranges of dressed hogs and wholesale pork cuts as named and defined in this regulation it shall be presumed conclusively that the products covered by such invoice are of the lowest priced type of the lowest priced style of dressed hog, or of the lowest priced wholesale pork cut, or of the lowest priced grade of sliced bacon, or of the lowest priced weight range of dressed hogs or wholesale pork cuts, as named and defined in this regulation."

3. Subparagraph (13) of § 1364.32 (a) is amended to read as follows:

(13 "Wholesaler" means a person (other than a hotel supply house, a slaughterer or one who makes sales at retail) who processes no more than 25 percent of the total meat purchased by him during any current calendar month, who maintains and operates a separate selling establishment equipped with reasonable and adequate cooling and storage facilities in such a manner that the total amount of meats and meat by-

[1] 9 F.R. 286, 10922, 12413, 12535, 11070; 11 F.R. 1043.

products sold out of stock carried in such establishment constitutes not less than 90 percent of the total monthly poundage of all meats and meat by-products sold by him, who buys pork for resale in the form of dressed hogs and wholesale pork cuts.

4. Subparagraph (55) to § 1364.32 (c) is added to read as follows:

(55) "Selected bacon skins" means skins produced from derined smoked bacon; each skin shall contain an area of not less than 120 square inches with a width of not less than 8 inches at any point; each skin must be entirely free from holes or blemishes, must be completely fleshed and must not have been through a depilating process. Selected bacon skins may be sold only to tanners or leather goods manufacturers.

5. Item 13 in Schedule I (a) of § 1364.35 is amended to read as follows:

	Green or frozen		Cured		Smoked		Ready to eat		Cooked	
	Wt. (lbs.)	Price	Wt. (lbs.)	Price	Wt. (lbs.)	Price	Wt. (lbs.)	Price	Wt. (lbs.)	Price
13. Shoulders skinned (neck bone out):										
Bone in		$22.50		$22.50		$26.50		$29.50		$29.50
Boneless		25.75		25.75		30.25		33.00		33.00
Boneless fatted and skinless		28.50		28.50		34.25		38.25		38.25

6. Item 19 of Schedule I (f) is added to read as follows:

Item	Fresh or frozen	Cured		Smoked
		Loose	In tierces	
19. Selected bacon skins [NOTE: May be sold only to tanners or leather goods manufacturers]				$7.50

This amendment shall become effective June 29, 1946.

Issued this 28th day of June 1946.

PAUL A. PORTER,
Administrator

Approved: June 19, 1946.

CHARLES F. BRANNAN,
Acting Secretary of Agriculture.

[F. R. Doc. 46-11419; Filed, June 28, 1946; 11:43 a. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[MPR 389, Amdt. 26 (§ 1364.1157)]

VARIETY MEATS AND EDIBLE BY-PRODUCTS AT WHOLESALE

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.

Maximum Price Regulation No. 389 is amended in the following respects:

1. Subparagraph (5) of section 4 (b) is amended by the addition at the end thereof of the following sentences: "In the event the invoice provided fails to completely identify the products covered with reference to the name and type of sausage, or with reference to the kind of casing, cup, carton or wrapper used (other than in the instances hereinabove excepted) it shall be presumed conclusively that the products covered by such invoice are of the lowest priced kind or type, or of the lowest priced kind of casing, cup, carton or wrapper."

2. Paragraph (b) of section 9 is added to read as follows:

(b) The sale of sausage and sausage products which neither comply with the specifications set forth in section 13, if the product is flat-priced under the provisions of section 12, nor comply with the formula filed with this Office under the provisions of section 2 (a) (3) if the product is one of those enumerated in section 2 (a) (1) is prohibited. Notwithstanding this prohibition, in the event any person sells such a prohibited sausage or sausage product, the maximum price for such prohibited sausage or sausage product shall be determined by using the base price specified in section 12 (a) for Type 3 breakfast sausage in bulk as the base price for such prohibited sausage or sausage product.

3. The parenthetical note in section 12 (a) (7) (i) is amended to read as follows: "(Note: May be sold only to war procurement agencies, to licensed ship suppliers for resale only to ship operators, and to ship operators at the price listed herein. If sold to others $1.00 per hundredweight must be deducted therefrom.)"

4. The definition for "Braunschweiger" in section 13 (g) is amended by changing the words and figures reading "one and 14/16 inches" appearing in the phrase following the parenthetical figure "(1)" and preceding the parenthetical figure "(2)" to read "One and 11/16 inches".

5. The definition for "Chili con carne, plain (without beans)" set forth in section 13 (h) is amended by changing the words preceding the semicolon immediately following the words "beef or pork fat" to read as follows:

"Chili con carne, plain (without beans)" means chopped, ground, or comminuted skeletal meat, beef or pork fat, and/or meat by-products (including product derived from goats)"

6. The definition for "Type 1 chili con carne, plain (without beans)" set forth in section 13 (h) is amended by changing the words reading "not less than 75 per cent of fresh or frozen uncured beef, veal or pork," contained therein to read "not less than 75 per cent of fresh or frozen uncured beef, veal, pork or lean boneless mutton,",

This amendment shall become effective June 29, 1946.

Issued this 28th day of June 1946.

PAUL A. PORTER,
Administrator

Approved: June 19, 1946.

CHARLES F. BRANNAN,
Acting Secretary of Agriculture.

[F. R. Doc. 46-11424; Filed, June 28, 1946; 11:44 a. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[RMPR 156, Amdt. 14, § 1364.356]

CANNED MEATS

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.

Revised Maximum Price Regulation No. 156 is amended in the following respects:

1. Subdivision (ii) of section 7 (b) (2) is amended to read as follows:

(ii) Subject to the adjustments authorized in subparagraph (6) of this section 7 (b) and/or paragraph (c) of section 10 the "weighted average price" in each zone for each brand, type and container size of corned beef hash and chili con carne (with or without beans) shall be, except as provided in subdivisions (iii) (iv) or (v) of this section 7 (b) (2), the ceiling price under this regulation for such brand, type and container size of such sterile canned meat at the delivery point in such zone: *Provided*, That a person making sales or deliveries of such sterile canned meat subject to this regulation shall continue to allow all the deductions or discounts which were customary during the 90 day period prior to March 9, 1942.

2. Subdivision (iii) of section 7 (b) (2) is amended by the addition of the following sentences immediately preceding the table headed "Corned Beef Hash Zone Band Prices, Per Dozen, Delivered:"

Any person desiring to produce and sell canned corned beef hash packed in any of the indicated size tins, and produced so as to conform to or exceed the minimum specifications for canned corned beef hash established by the United States Department of Agriculture may, if he desires and in lieu of filing an application under the provisions of section 9, adopt the applicable zone minimum band prices per dozen hereinafter set forth for the selected size tin as his maximum prices for canned corned beef hash; *Provided:* That within 10 days after making the first sale of canned corned beef hash in accordance with the permission granted in this section 7 (b) (2) (iii) such seller must give written notification to the Office of Price Administration, Washington, D. C., that he has adopted as his maximum prices the applicable zone minimum band prices established

by this section 7 (b) (2) (iii) for the size tin used, and must enclose therewith 2 copies of the labels used thereon.

3. Subdivision (iv) of section 7 (b) (2) is added to read as follows:

(iv) Notwithstanding the provisions subdivision (ii) of this section 7 (b) (2) if any seller's ceiling price per dozen for canned chili con carne, plain (without beans) packed in 10½ ounce, 11 ounce, 15 ounce, 15½ ounce, 16 ounce, 17 ounce or 108 ounce tins exceeds the applicable zone maximum band price per dozen hereinafter set forth (except for adjustments made in accordance with the provisions of section 7 (b) (6) and/or section 10 (c)) such seller, on and after June 29, 1946, shall reduce his maximum price per dozen for canned chili con carne, plain (without beans) packed in the designated size tins to an amount not exceeding the applicable zone maximum band price per dozen hereinafter set forth; and, notwithstanding the provisions of subdivision (ii) of this section 7 (b) (2) if any seller's ceiling price for canned chili con carne, plain (without beans) packed in 10½ ounce, 11 ounce, 15 ounce, 15½ ounce, 16 ounce, 17 ounce or 108 ounce tins is less than the applicable zone minimum band price per dozen hereinafter set forth (except for adjustments made in accordance with the provisions of section 7 (b) (6) and/or section 10 (c)) such seller, on and after June 29, 1946, may, if desired, increase his maximum price per dozen for canned chili con carne, plain (without beans) packed in the desiganted size tins to an amount not exceeding the applicable zone minimum band price per dozen hereinafter set forth. Any producer of canned chili con carne, plain (without beans) who is required to reduce his maximum price therefor, under the provisions of this subdivision (iv) of section (7) (b) (2) and any producer of canned chili con carne, plain (without beans) who increases his maximum price therefor under the provisions of this subdivision (iv) of section 7 (b) (2) shall continue to use the formula for that product filed with the Office of Price Administration, Washington, D. C., in accordance with the provisions of section 8 (a) (4) of this regulation; and any seller of canned chili con carne, plain (without beans) who increases or decreases his maximum prices therefor under the provisions of this subdivision (iv) of section 7 (b) (2) shall continue to allow all the deductions or discounts which were customary during the 90-day period prior to March 9, 1942, and shall supply each wholesaler and retailer who purchases from him with notification of the change in accordance with the provisions of section 6 (c) substituting the words "under the provisions of section 7 (b) (2) (iv)" whenever the words "under this regulation" are used in section 6 (c) Any person desiring to produce and sell canned chil con carne, plain (without beans) packed in any of the indicated size tins, and produced so as to conform to or exceed the minimum specifications for canned chil con carne, plain (without beans) established by the United States Department of Agriculture may, if he desires and in lieu of filing an application under the provisions of section 9, adopt the applicable zone minimum band prices per dozen hereinafter set forth for the selected size tin as his maximum prices for canned chil con carne, plain (without beans) *Provided*, That within 10 days after making the first sale of canned chil con carne, plain (without beans) in accordance with the provisions of this section 7 (b) (2) (iv) such seller must give written notification to the Office of Price Administration, Washington, D. C., that he has adopted as his maximum prices the applicable zone minimum band prices established by the provisions of this section 7 (b) (2) (iv) for the size tin used and must enclose therewith 2 copies of the labels used thereon.

CHILI CON CARNE, PLAIN (WITHOUT BEANS) ZONE BAND PRICES, PER DOZEN, DELIVERED

Container Size	Zone 1		Zone 2		Zone 3	
	Minimum	Maximum	Minimum	Maximum	Minimum	Maximum
10½ ounce						
To group 1 and 2 retailers and purveyors of meals	$2.00	$2.22	$2.00	$2.22	$2.01	$2.23
To all other purchasers	1.89	2.09	1.89	2.09	1.90	2.10
11 ounce						
To group 1 and 2 retailers and purveyors of meals	2.10	2.31	2.10	2.31	2.11	2.32
To all other purchasers	1.98	2.18	1.98	2.18	1.99	2.19
15 ounce						
To group 1 and 2 retailers and purveyors of meals	2.71	2.93	2.71	2.93	2.72	2.94
To all other purchasers	2.56	2.76	2.56	2.76	2.57	2.77
15½ ounce						
To group 1 and 2 retailers and purveyors of meals	2.78	2.99	2.78	2.99	2.79	3.00
To all other purchasers	2.62	2.82	2.62	2.82	2.63	2.83
16 ounce						
To group 1 and 2 retailers and purveyors of meals	2.86	3.07	2.86	3.07	2.87	3.08
To all other purchasers	2.70	2.90	2.70	2.90	2.71	2.91
17 ounce						
To group 1 and 2 retailers and purveyors of meals	3.04	3.26	3.04	3.26	3.05	3.28
To all other purchasers	2.87	3.07	2.87	3.07	2.88	3.08
108 ounce						
To group 1 and 2 retailers and purveyors of meals	19.00	19.26	19.00	19.26	19.01	19.27
To all other purchasers	17.92	18.17	17.92	18.17	17.93	18.18

[NOTE.—The foregoing prices are subject to be adjusted in accordance with the provisions of section 7 (b) (6) and/or section 10 (c).]

4. Subdivision (v) of section 7 (b) (2) is added to read as follows:

(v) Notwithstanding the provisions of subdivision (ii) of this section 7 (b) (2) if any seller's ceiling price per dozen for canned chili con carne with beans packed in 10½ ounce, 11 ounce, 12 ounce, 15 ounce, 15½ ounce, 16 ounce, 17 ounce, 20 ounce, 26 ounce, 104 ounce or 108 ounce tins exceeds the applicable zone maximum band price per dozen hereinafter set forth (except for adjustments made in accordance with the provisions of section 7 (b) (6) and/or section 10 (c)) such seller, on and after June 29, 1946, shall reduce his maximum price per dozen for canned chili con carne with beans packed in the designated size tins to an amount not exceeding the applicable zone maximum band price per dozen hereinafter set forth; and notwithstanding the provisions of subdivision (ii) of this section 7 (b) (2) if any seller's ceiling price for canned chili con carne with beans packed in 10½ ounce, 11 ounce, 12 ounce, 15 ounce, 15½ ounce, 16 ounce, 17 ounce, 20 ounce, 26 ounce, 104 ounce and 108 ounce tins is less than the applicable zone minimum band price per dozen hereinafter set forth (except for adjustments made in accordance with the provisions of section 7 (b) (6) and/or section 10 (c)) such seller, on and after June 29, 1946, may, if desired, increase his maximum price per dozen for canned chili con carne with beans packed in the designated size tins to an amount not exceeding the applicable zone minimum band price per dozen hereinafter set forth. Any producer of canned chili con carne with beans who is required to reduce his maximum price therefor, under the provisions of this subdivision (v) of section 7 (b) (2), and any producer of canned chili con carne with beans who increases his maximum price therefor under the provisions of this subdivision (v) of section 7 (b) (2) shall continue to use the formula for that product filed with the Office of Price Administration, Washington, D. C., in accordance with the provisions of section 8 (a) (4) of this regulation; and any seller of canned chil con carne with beans who increases or decreases his maximum prices therefor under the provisions of this subdivision (v) of section 7 (b) (2) shall continue to allow all the deductions or discounts which were customary during the 90-day period prior to March 9, 1942, and shall supply each wholesaler and retailer who purchases from him with notification of the change in accordance with the provisions of section 6 (c) substituting the words "under the provisions of section 7 (b) (2) (v)" whenever the words "under the regulation" are used in section 6 (c) Any person desiring to produce and sell canned chili con carne with beans packed in any of the indicated size tins, and produced so as to conform to or exceed the minimum

specifications for canned chili con carne with beans established by the United States Department of Agriculture may, if he desires and in lieu of filing an application under the provisions of section 9, adopt the applicable zone minimum band prices per dozen hereinafter set forth for the selected size tin as his maximum prices for canned chili con carne with beans: *Provided*, that within 10 days after making the first sale of canned chili con carne with beans in accordance with the provisions of this section 7 (b) (2) (v) such seller must give written notification to the Office of Price Administration, Washington, D. C., that he has adopted as his maximum prices the applicable zone minimum band prices established by the provisions of this section 7 (b) (2) (v) for the size tin used, and must enclose therewith 2 copies of the labels used thereon.

CHILI CON CARNE WITH BEANS, ZONE BAND PRICES, PER DOZEN, DELIVERED

Container size	Zone 1		Zone 2		Zone 3	
	Minimum	Maximum	Minimum	Maximum	Minimum	Maximum
10½ ounce						
To group 1 and 2 retailers and purveyors of meals	$1.42	$1.63	$1.52	$1.73	$1.55	$1.76
To all other purchasers	1.34	1.54	1.43	1.63	1.46	1.66
11 ounce						
To group 1 and 2 retailers and purveyors of meals	1.48	1.70	1.58	1.79	1.61	1.82
To all other purchasers	1.40	1.60	1.49	1.69	1.52	1.72
12 ounce						
To group 1 and 2 retailers and purveyors of meals	1.60	1.81	1.70	1.91	1.73	1.94
To all other purchasers	1.51	1.71	1.60	1.80	1.63	1.83
15 ounce						
To group 1 and 2 retailers and purveyors of meals	1.92	2.13	2.01	2.23	2.05	2.26
To all other purchasers	1.81	2.01	1.90	2.10	1.93	2.13
15½ ounce						
To group 1 and 2 retailers and purveyors of meals	1.95	2.16	2.05	2.26	2.08	2.29
To all other purchasers	1.84	2.04	1.93	2.13	1.96	2.16
16 ounce						
To group 1 and 2 retailers and purveyors of meals	2.01	2.23	2.11	2.32	2.14	2.35
To all other purchasers	1.90	2.10	1.99	2.19	2.02	2.22
17 ounce						
To group 1 and 2 retailers and purveyors of meals	2.14	2.35	2.24	2.45	2.27	2.48
To all other purchasers	2.02	2.22	2.11	2.31	2.14	2.34
20 ounce						
To group 1 and 2 retailers and purveyors of meals	2.51	2.72	2.61	2.82	2.64	2.85
To all other purchasers	2.37	2.57	2.46	2.66	2.49	2.69
26 ounce						
To group 1 and 2 retailers and purveyors of meals	3.24	3.46	3.34	3.55	3.37	3.58
To all other purchasers	3.06	3.26	3.15	3.35	3.18	3.38
104 ounce						
To group 1 and 2 retailers and purveyors of meals	12.84	13.10	12.93	13.20	12.96	13.23
To all other purchasers	12.11	12.36	12.20	12.45	12.23	12.48
108 ounce						
To group 1 and 2 retailers and purveyors of meals	13.33	13.60	13.43	13.70	13.46	13.73
To all other purchasers	12.58	12.83	12.67	12.92	12.70	12.95

[NOTE: The foregoing prices are subject to be adjusted in accordance with the provisions of section 7 (b) (6) and/or section 10 (c).]

5. Subdivision (vi) of section 7 (b) (2) is added to read as follows:

(vi) The provisions of foregoing subdivisions (iii) (iv) and (v) of this section 7 (b) (6) are applicable to corned beef hash, chili con carne, plain (without beans) and chili con carne with beans when packed in tin, but have no applicability to those products when packed in glass. The provisions of foregoing subdivision (iv) of this section 7 (b) (6) have no applicability to "concentrated" or "condensed" chili con carne. As used herein "concentrated" or "condensed" chili con carne means chili con carne, plain (without beans) containing not less than 60% meat, such percentage to be based on the uncooked weight of all ingredients, and having a finished yield not in excess of 105% of the total unprocessed weights of all ingredients used, other than added moisture.

6. Inferior subdivision (*f*) is added to section 7 (b) (6) (iii) to read as follows:

(*f*) $.009, if the seller is a canner of Vienna Sausage or Frankfurters which he manufactures as sausage prior to canning.

7. Subdivision (iv) of section 7 (b) (6) is amended by the addition of the following sentences at the end thereof: "In the event the seller is a canner of Vienna Sausage or Frankfurters who does not manufacture these sausage items, but purchases them as sausage prior to canning, such seller may disregard the provisions of foregoing subdivisions (i) (ii) and (iii) of this section 7 (b) (6) and may substitute for the "total" herein required to be ascertained an amount not to exceed the increase in the maximum price of such sausage items authorized by Amendment 24 to Maximum Price Regulation No. 389."

This amendment shall become effective June 29, 1946.

NOTE: The reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 28th day of June 1946.

PAUL A. PORTER,
Administrator

Approved: June 19, 1946.

CHARLES F. BRANNAN,
Acting Secretary of Agriculture.

[F. R. Doc. 46-11420; Filed, June 28, 1946; 11:43 a. m.]

PART 1370—ELECTRICAL APPLIANCES

[RMPR 111, Amdt. 15]

NEW HOUSEHOLD VACUUM CLEANERS AND ATTACHMENTS

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

Revised Maximum Price Regulation No. 111 is amended in the following respects:

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

SEC. 5a. *"Additional OPA industry adjustments" of manufacturers' ceiling prices.* This section authorizes an "additional OPA industry adjustment" by manufacturers of their ceiling prices established under sections 4, 6, 7, 9, or 10 and adjusted under section 5 for articles covered by this regulation. Unless a manufacturer is directed otherwise by an order issued by the Office of Price Administration under this regulation every manufacturer of any articles covered by this regulation may adjust his ceiling price to purchasers other than ultimate consumers determined in accordance with either sections 4 and 5, or section 7, or established before June 27, 1946 under section 6, or by orders issued under sections 9 and 10 of this regulation, by 8.5 percent of that price. The increase granted in this section is hereby designated as the "additional OPA industry adjustment."

The 8.5 percent "additional OPA industry adjustment" may be made and collected by the manufacturer only if he has complied with the preticketing requirements of section 18 and the notification requirements of section 19a of this regulation.

Orders will be issued under this section denying a manufacturer permission to adjust his ceiling price by all or part of the increase allowed by this section when it appears to the Price Administrator on the basis of the manufacturer's production reports as filed under Supplementary Order No. 146 and other information

available to the Office of Price Administration, that the manufacturer has discontinued production of his low-end model or has decreased the proportion of low-priced to high-priced models which he manufactures so that his present production in that respect of those articles during the year July 1, 1940 through June 30, 1941. The average price at which the manufacturer's production of each type of article will be sold will be considered in determining how much, if any, of the increase will be granted to such a manufacturer.

2. Section 7 (a) (1) is amended to read as follows:

(1) He shall find the model for which he has a ceiling price which is comparable to the model being priced. The "comparable" model is the one which is most like the article being priced in design, construction, process of manufacture, and operation, which is closest to it in unit direct cost, and which is distributed through similar trade channels. An article, the ceiling price of which has been fixed under section 6, may not be used as the comparable model in pricing a new or changed model. If the changes in the model being priced include minor changes the cost of the new model shall be computed on the basis of the cost to make it without the minor changes.

3. Section 7 (a) (4) is amended to read as follows:

(4) He shall find his markup factor by dividing the ceiling price of the comparable model (exclusive of the manufacturer's "additional OPA industry adjustment" under section 5a of this regulation) by its current unit direct cost. He must use his ceiling price to the class of purchasers (distributors, dealers, mail order houses, etc.) who buy from him in the greatest volume.

4. Section 7 (a) (5) is amended to read as follows:

(5) He shall multiply the unit direct cost of the model being priced by that markup factor. The result is his ceiling price (exclusive of the "additional OPA industry adjustment" under section 5a) to the class of purchaser used in paragraph (4). His ceiling price to any other class of purchasers for the model being priced must be calculated on the basis of the percentage differential which he customarily had in effect for sales to that class of purchaser.

5. Section 8 is amended to read as follows:

SEC. 8. *Adjustment of certain prices established or reported.* Ceiling prices established or reported under sections 4 and 5 and 5a, or sections 6 or 7 and 5a, or section 6 are subject to changes at any time by written order of the Office of Price Administration if (1) the price appears to be out of line with prices established for similar models taking into account the manufacturer's relationships with other manufacturers during the base period, or (2) the price is too high or too low in comparison with the manufacturing or selling conditions actually experienced, or (3) the price is found to be incorrect under the provisions of the applicable pricing method. Any change under this section will not be retroactive.

6. Section 15 is amended to read as follows:

SEC. 15. *Distributors' ceiling prices.* A distributor's ceiling price for sales to a particular class of purchaser of a particular model of any article covered by this regulation purchased by him at a price which does not include any part of the "additional OPA industry adjustment" is the ceiling price fixed for his sales before June 27, 1946, under this regulation or by an order under this regulation.

A distributor who purchases an article covered by this regulation at a price which includes any of the "additional OPA industry reconversion adjustment" shall recompute his ceiling prices fixed before June 27, 1946, for such an article in accordance with Rule 1 of this section.

A distributor pricing in accordance with Rule 1, who cannot use the October 1–15, 1941 prices, shall use the manufacturer's ceiling price to him in effect on June 26, 1946 for the same model, his own ceiling price on that date for sales of the same model to dealers, and the retail selling price under this regulation in effect on that date for the same model, in determining the percentage of the total dollar margin he should receive. He shall determine his dollar-and-cent markup by applying the percentage so determined to the total dollar margin between the manufacturer's selling price to him (not to exceed the manufacturer's ceiling price to him including the "additional OPA industry adjustment") and the retail ceiling price (determined in accordance with section 16 of this regulation). His new ceiling price is the sum of his invoice cost for the model and the dollar-and-cent markup so determined.

Example: A distributor who, prior to June 27, 1946, sold Model P produced by manufacturer Q at a ceiling price which the distributor determined under Revised Maximum Price Regulation No. 111 or an order under that regulation and who purchases Model P after June 26, 1946 at a price which includes the "additional OPA industry adjustment" recomputes his ceiling price as follows:

Retail ceiling price for Model Q	$60.00
Manufacturer's ceiling price f. o. b. factory for sales to distributor on June 26, 1946	$28.50
Gross dollar margin	$31.50
Distributor's ceiling price to dealers on June 26, 1946	$34.00
Amount of gross dollar margin received by distributor	$5.50
Percent of gross dollar margin received by distributor ____percent	17.46
Manufacturer's ceiling price adjusted under section 5a	$30.92
Retail ceiling price under section 16 (See note below)	$60.00
Gross dollar margin	$29.08
Portion taken by distributor (17.46% of $29.08)	$5.08
Distributors new ceiling price ($30.92+$5.08)	$36.00

NOTE: To assist the distributor in making this computation a manufacturer who sells an article covered by this regulation at ceiling prices which include any part of the "additional OPA industry adjustment" is required to notify the distributor, at the time of, or prior to, the first invoice covering such sales of the retail ceiling prices which he has determined for those articles under the provisions of section 16 of this regulation.

If a distributor cannot determine his ceiling price in accordance with the preceding paragraphs of this section and if no ceiling price has been established for the particular sale by an order issued under section 14 of this regulation after June 26, 1946, he shall determine his ceiling price under the first applicable rule of the following contained in this section:

Rule 1. A distributor's ceiling price for sales of each model to each class of purchaser shall be the price which will yield the distributor the same percentage of the gross dollar margin between the manufacturer's price to him (not exceeding the manufacturer's ceiling price to him) and the dealer's price for resale to ultimate consumers as he received during the period October 1–15, 1941 in connection with the sale of the most "comparable" model sold by him to the same class of purchaser. To be "comparable" a model must be one produced by the same manufacturer.

Rule 2. If a distributor cannot determine his ceiling price for sales of a particular model to a particular class of dealer under Rule 1 of this section his ceiling price for that sale is the ceiling price established for the same sale by the "closest seller of the same class" who has determined a ceiling price under this section. A distributor's "closest seller of the same class" is a distributor who (a) has established a ceiling price under this section for sales of the identical model to the same class of purchaser, and (b) is the same general type of seller, and, (c) is located nearer to the seller than any other seller who meets requirements (a) and (b) of this rule.

Rule 3. If a distributor cannot otherwise find his ceiling price for a particular sale, his ceiling price for that sale is the price established by the Office of Price Administration in an order under this section.

An application under this rule shall be addressed to the Office of Price Administration, Washington 25, D. C., and shall state the name of the manufacturer of the article being priced, its model designation, the classes of purchasers to whom the applicant proposes to sell the article, the ceiling prices he proposes for such sales, and a statement of the reasons he cannot use the other rules in this section.

7. Section 16 is amended to read as follows:

SEC. 16. *Ceiling prices for sales to consumers*—(a) *Models other than private brands.* Notwithstanding the provisions of section 25 of this regulation, after June 26, 1946, the retail ceiling price of any article listed in section 25, Appendix A of this regulation is the higher of either the price listed in section 25, Appendix A, or the price properly calculated in accordance with this section. After June 26, 1946, every manufacturer of any article covered by this regulation other than a private brand is required to recalculate the retail ceiling price previously determined under this regulation of every such article under the first applicable rule of the following contained in this section:

Rule 1. If the retail ceiling price for a particular model fixed by section 25, Appendix A before June 27, 1946 is 195 percent or less of the manufacturer's lowest f. o. b. factory ceiling price to distributors exclusive of all adjustments except the 6 percent increase allowed by section 5 of this regulation, the retail ceiling price for sales of that model is the total, rounded to the nearest 25 cents, of the following:

(1) The retail ceiling price previously established in section 25, Appendix A, and

(2) The dollar-and-cent amount of any part of the "additional OPA industry adjustment" included in the manufacturer's f. o. b. factory price under this regulation for sales of the same model to distributors.

Rule 2. If the retail ceiling price for sales of a particular model fixed by section 25, Appendix A before June 27, 1946 is more than 195 percent of the manufacturer's lowest f. o. b. factory ceiling price to distributors exclusive of all adjustments except the 6 percent increase allowed by section 5 of this regulation, the retail ceiling price for sales of the model shall be the higher of the following two amounts:

(1) The ceiling price in effect prior to June 27, 1946, or

(2) The total rounded to the nearest 25 cents, of the following:

(i) 195 percent of the manufacturer's lowest f. o. b. factory ceiling price to distributors exclusive of all adjustments except the 6 percent increase allowed by section 5 of this regulation, and

(ii) The dollar-and-cent amount of any part of the "additional OPA industry adjustment" included in the manufacturer's f. o. b. factory price to distributors under this regulation.

Rule 3. If the manufacturer cannot determine the retail ceiling price for sales of a particular model covered by this regulation, he may apply under this rule to the Office of Price Administration, Washington, D. C., for the establishment of retail ceiling prices for that particular model. Retail ceiling prices will be established by an amendment to section 25, Appendix A. An application under this order shall state the name of the manufacturer, the model designation of the article being priced, and a statement of the reasons the applicant is unable to determine retail ceiling prices for the article under the other rules in this section.

(b) *Private brands sellers of models which differ by no more than "minor changes" from models listed in section 25, Appendix A.* On or after January 21, 1946, unless this regulation or an order issued under this section specifies otherwise, the ceiling price for sales by a private brand seller to consumers of a model which differs by no more than "minor changes" as defined in section 6 from a model listed in section 25, Appendix A is the same as the ceiling price of that model as determined in accordance with paragraph (a) of this section, regardless of the model designation of the article being sold by the private brand seller. The ceiling prices for sales by private brand sellers of such articles during the period, December 21, 1945 to January 21, 1946, shall be the ceiling price specified for such sales by Maximum Price Regulation No. 111, before the issuance of this revised regulation, unless the article has a tag or label showing the OPA retail ceiling price under this revised regulation affixed by the manufacturer in accordance with section 18. If the article has such a tag or label, the retail ceiling price shall be the ceiling price established under this revised regulation and correctly shown on that tag or label.

(c) *Private brand sellers of other models.* The manufacturer or the private brand seller of any private brand model, the retail ceiling price of which has been established before June 27, 1946 under section 25, Appendix A or by an order under section 16 (c) of this regulation, is required to recalculate the retail ceiling price of every such article under the first applicable rule of the following contained in this paragraph:

Rule 4. If the retail ceiling price for a particular private brand model fixed by section 25, Appendix A or by an order under section 16 (c) before June 27, 1946 is 195 percent or less of the manufacturer's lowest f. o. b. factory ceiling price to the private brand seller exclusive of all adjustments except the 6 percent increase allowed by section 5 of this regulation, the retail ceiling price for sales of the model is the total, rounded to the nearest 25 cents, of the following:

(1) The retail ceiling price established before June 27, 1946 under the regulation for sales of the same model and

(2) The dollar-and-cent amount of any part of the "additional OPA industry adjustment" included in the manufacturer's f. o. b. factory price under this regulation for sales to the private brand seller.

Rule 5. If the retail ceiling price for a particular private brand model fixed by section 25, Appendix A or an order under section 16 (c) before June 27, 1946 is more than 195 percent of the manufacturer's lowest f. o. b. factory ceiling price to the private brand seller exclusive of all adjustments except the 6 percent increase allowed by section 5 of this regulation, the retail ceiling price for sales of the model shall be the higher of the following amounts:

(1) The ceiling price in effect prior to June 27, 1946, or

(2) The total rounded to the nearest 25 cents, of the following:

(i) 195 percent of the manufacturer's lowest f. o. b. factory ceiling price to the private brand seller exclusive of all adjustments except the 6 percent increase allowed by section 5 of the regulation, and

(ii) The dollar-and-cent amount of any part of the "additional OPA industry adjustment" included in the manufacturer's f. o. b. factory price to the private brand seller under this regulation.

Rule 6. If the manufacturer cannot determine the retail ceiling price under Rules 4 or 5 of this section he shall apply to the Office of Price Administration for the establishment of a retail ceiling price under this section.

An application under this rule shall be addressed to the Office of Price Administration, Washington 25, D. C., and shall state the name of the manufacturer of the article being priced, its model designation, the private brand sellers to whom the applicant proposes to sell the article, the ceiling prices he proposes for such sales, and a statement of the reasons he cannot use the other rules in this section.

(d) *Credit charges.* (1) Any person selling articles covered by this revised regulation to consumers, who, during the period October 1–15, 1941, collected a separately stated additional charge for the extension of credit on sales of such articles, may collect a charge for the extension of credit under this regulation, not exceeding such charge during the period October 1–15, 1941 on a similar sale on similar terms to the same class of purchaser. Dealers who did not so state and collect an additional charge may collect a charge for the extension of credit only on installment plan sales and the charge shall not exceed the separately stated additional charge for the extension of credit on a similar sale on similar terms to the same class of purchaser during the period October 1–15, 1941, by the dealer's closest competitor who made a separately stated charge.

An installment-plan sale as used in the above paragraph means a sale where the unpaid balance is to be paid in installments over a period of either (i) six weeks or more from the date of sale in the case of weekly installments, or (ii) eight weeks or more in the case of other than weekly installments.

(2) All charges for the extension of credit shall be quoted and stated separately. Any charge which is not quoted and stated separately or which otherwise does not conform to this subsection, shall, for the purposes of this regulation be considered to be part of the price charged for the article sold.

(3) No dealer may require as a condition of sale that the consumer must buy on credit.

(e) *Correction of retail ceiling prices improperly determined under this section.* If a manufacturer fails to determine properly under this section the retail ceiling prices applicable to a particular model he produces, this Office may issue an order under this section establishing the correct ceiling prices.

8. A new section 19a is added to read as follows:

SEC. 19a. *Notification.* A manufacturer who sells articles covered by this regulation at ceiling prices adjusted in accordance with section 5a of this regulation shall, at the time of, or prior to the first invoice to each purchaser for resale purchasing the articles at prices so adjusted, notify the purchaser of the retail ceiling price determined under section 16 for each model covered by the invoice.

9. A new section 19b is added to read as follows:

SEC. 19b. *Reporting.* Every manufacturer or private brand seller who redetermines the retail ceiling prices for an article covered by this regulation under section 16 of this regulation after June 26, 1946 must send a report to the Office of Price Administration, Washington 25, D. C., stating the model designation and retail ceiling price of every model which he sells or offers for sale at prices which include any part of the "additional OPA industry adjustment" This report must be filed within 10 days after the particular model is first sold or offered for sale by the manufacturer at prices so adjusted. If the prices so reported are incorrect this Office may issue an order establishing the correct ceiling prices under section 16.

10. Section 25, Appendix A is amended by changing the text preceding the table of models and retail prices therein to read as follows:

SEC. 25. *Appendix A—Ceiling prices for sales to consumers.* The ceiling prices for sales to consumers of the models listed below are the higher of either the applicable price listed in this appendix or the price properly computed by the manufacturer or private brand seller under the provisions of section 16 of this regulation or established by an order under that section.

This amendment shall become effective on the 27th day of June 1946.

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

Issued this 27th day of June 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-11336; Filed, June 27, 1946; 4:55 p. m.]

PART 1382—HARDWOOD LUMBER

[MPR 432,[1] Incl. Amdts. 1-9]

NORTHERN HARDWOOD FLOORING[2]

This compilation of Maximum Price Regulation 432 includes Amendment 9, effective July 3, 1946. The text amended by Amendment 9 is underscored.

In the judgment of the Price Administrator it is necessary and proper to establish specific maximum prices for the sale of northern hardwood flooring. The Price Administrator has ascertained and given due consideration to the prices of northern hardwood flooring prevailing between October 1 and October 15, 1941, and has made adjustments for such relevant factors as he has determined and deemed to be of general applicability. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation.

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.[3]

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

[Above paragraph added by Supplementary Order 61, 8 F.R. 12552, effective 9-11-43]

§ 1382.302 *Maximum prices for northern hardwood flooring.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, Maximum Price Regulation No. 432 (Northern Hardwood Flooring) which is annexed hereto and made a part hereof, is hereby issued.

ARTICLE I—SCOPE OF THE REGULATION

Sec.
1. Prices higher than ceiling prohibited.
2. What products, transactions and persons are covered.

[1] 8 F.R. 10079.

[2] Title amended by Am. 2, 9 F.R. 171, effective 1-8-44.

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

ARTICLE II—MAXIMUM PRICES AND TERMS OF SALE

Sec.
3. Maximum f. o. b. mill prices.
4. Delivered prices.
5. Grades, services, or extras not listed.

ARTICLE III—SPECIFIC DUTIES AND PRIVILEGES AND PROHIBITED PRACTICES

6. Adjustable pricing.
6a. Distributors' direct-mill sales.
7. Petitions for adjustment or amendment.
8. Prohibited practices.
8a. Statements as to "control relationship."
9. Records.
10. Enforcement.
10a. Licensing.
11. Imports.
12. Relation to other regulations.
13. [Revoked]

ARTICLE IV—PRICE TABLES

AUTHORITY: § 1382.302 issued under 56 Stat. 23, 765; 37 Stat. 566; Pub. Law 383, 78th Cong.; Pub. Law 108, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; E.O. 9599, 10 F.R. 10155; E.O. 9651, 10 F.R. 13467; E.O. 9697, 11 F.R. 1691.

ARTICLE I—SCOPE OF THE REGULATION

SECTION 1. *Prices higher than ceiling prohibited.* (a) On and after July 24, 1943, regardless of any contract or other obligation, no person shall sell or deliver and no person shall buy or receive in the course of trade or business, any hardwood flooring covered by this regulation for direct-mill shipment at prices higher than the maximum prices fixed by this regulation, and no person shall agree, offer, or attempt to do any of these things.

[Paragraph (a) amended by Am. 2, 9 F.R. 171, effective 1-8-44]

(b) Prices lower than the maximum prices may, of course, be charged and paid.

SEC. 2. *What products, transactions and persons are covered.* This regulation covers all direct-mill sales of unfinished and prefinished hardwood flooring produced from the species and in the regions indicated as follows:

Species	*Regions where produced*
Hard Maple and Birch.	Anywhere in the United States.
Beech and all other hardwood species except Hard Maple, Birch, Oak, Pecan, and Gum.	Northern, Northeastern (except Canada) and North Central, as those regions are described in Maximum Price Regulations 223, 308 and 166, respectively.

This regulation applies regardless of the kind of mill or plant in which the flooring is produced, and regardless of whether the particular item is specifically priced in the price tables or not. Any person who makes a direct-mill sale for himself or others is subject to this regulation.

NOTE: See Second Revised Maximum Price Regulation 215 for mark-ups and additions permitted on sales out of distribution yard stock.

[Sec. 2 amended by Am. 2, 9 F.R. 171, effective 1-8-44; Am. 8, 11 F.R. 3037, effective 3-22-46 and Am. 9, effective 7-3-46]

ARTICLE II—MAXIMUM PRICES AND TERMS OF SALE

SEC. 3. *Maximum f. o. b. mill prices.* (a) The maximum f. o. b. mill prices for maple, birch, and beech flooring are set forth in Article IV.

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

Quantity ordered:	*Addition per M'*
3000 to 4000 feet	$1.00
2000 to 2999 feet	2.00
1000 to 1999 feet	2.50
999 feet or less	3.00

SEC. 4. *Delivered prices*—(a) *Common or contract carrier.* When shipment is by common or contract carrier, the maximum delivered price of hardwood flooring under this regulation shall be an amount which is not greater than the permissible f. o. b. mill maximum price plus either (1) the actual transportation charges paid or owed by the seller to a common or contract carrier for shipment from the seller's mill to the point of delivery required by the purchaser except as stated in paragraph (b) below, or (2) transportation charges based upon estimated weights contained in the table below for shipment from the seller's mill to the point of delivery required by the purchaser except as stated in paragraph (b) below. Transportation charges based upon estimated weights shall be figured by multiplying the rail rate by the estimated weights given in the following table, evened out to the nearest quarter-dollar per 1000 feet board measure:

ESTIMATED WEIGHTS

	Weight per M'Bfl (pounds)
Tongued and grooved flooring:	
31/32 x 1½"	1,000
31/32 x 2"	1,000
1" x 1½"	1,400
1" x 2"	1,400
1" x 2¼"	1,400
5/4 x 1½"	1,600
5/4 x 2"	1,600
5/4 x 2¼"	1,600
25/32 x 1½"	2,000
25/32 x 2"	2,000
25/32 x 2¼"	2,000
25/32 x 3¼"	2,250
33/32 x 2"	2,250
33/32 x 2¼"	2,250
33/32 x 3¼"	2,400
33/32 x 4"	2,500
41/32 x 2¼"	2,500
41/32 x 3¼"	2,700
Jointed flooring:	
25/32 x 2½"	2,250
25/32 x 3½"	2,400
33/32 x 2½"	2,500
33/32 x 3½"	2,600

(b) *Trucking to rail head.* When a truck haul precedes rail shipment, as when a mill located away from the rail head hauls hardwood flooring by truck to the rail head, no addition may be made for the truck haul. However, in

the following two cases a mill may apply for special permission to make an addition:

(1) When the mill was located away from rail connection because it specialized in water-borne hardwood flooring and where shortage of shipping has forced it to operate by rail.

(2) When a mill's rail connection has been abandoned since September 5, 1941. (Note: The word "abandoned," means total and permanent abandonment.)

The application should be made by letter to the Lumber Branch, Office of Price Administration, Washington 25, D. C. No additions may be made on quotations or sales for trucking to a rail head until the Office of Price Administration has given the seller permission to make such additions.

[Sec. 4 amended by Am. 7, 10 F.R. 12118, effective 10-1-45]

SEC. 5. *Grades, services, or extras not listed.* (a) If a seller wishes to sell a grade or item which is not specifically priced in the price tables, he must apply to the Lumber Branch, Office of Price Administration, Washington, D. C., for a maximum price. He must provide the following information:

(1) The requested price;

(2) A complete description of the item to be priced;

(3) The price differential between it and the most comparable item in the price tables, in October 1941, from the seller's own records, or if that is impossible, from experience of the trade. If no established price differential which can be used for comparison existed, a detailed analysis of the calculation of the requested price should be furnished.

(b) As soon as the request has been filed, quotations and deliveries may be made at the requested price, but the final payment may not be made until the price has been approved. Action on the request may be by letter or telegram.

ARTICLE III—SPECIFIC DUTIES AND PRIVILEGES AND PROHIBITED PRACTICES

SEC. 6. *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of shipment; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after shipment. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration having authority to act upon the pending request for a change in price or to give the authorization.

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

[Sec. 6 amended by Supplementary Order 50, 8 F.R. 10568, effective 7-27-43]

SEC. 6a. *Distributors' direct-mill sales*—(a)—*Definitions*—(1) *Direct mill distributor.* A direct-mill distributor is a person who has been registered and assigned a registration number as required under paragraph (b) of this section, and who makes either a wholesale-type or commission-type sale of lumber covered by the regulation.

(2) *Wholesale-type sale.* A wholesale-type sale is a direct-mill sale in which the seller buys lumber from a mill or concentration yard or wholesaler and takes title to and delivers the lumber to the buyer in substantially the same form.

(3) *Commission-type sale.* A commission-type sale is a direct mill sale through a commission-man. For purposes of this section, a commission-man is a person who represents, and customarily sells lumber in carload quantities for, two or more independently owned mills or concentration yards, receives his compensation from the mills in the form of commission based on the amount of the lumber sold, and operates independently of both buyer and seller.

(b) *Application for and granting of registration as a direct-mill distributor*—(1) *Application.* All persons desiring to operate as direct-mill distributors must apply to the Lumber Branch of the Office of Price Administration, Washington 25, D. C., for, and receive, a registration number before charging or receiving the additions provided in paragraph (c) of this section. Applications shall contain all information relative to the applicant's connection with any saw mills, concentration yards or other lumber producers which may have any bearing on the question of "control relationship" as described in paragraph (c) (5) of this section, including specifically any financial interest, any arrangement for distribution of profits, any loan arrangement, family relationship by blood or marriage, past employer-employee relationship, and any other direct or indirect beneficial interest between the applicant and such other operation.

(2) *Registration.* Upon the filing of an application as set forth in (b) (1) of this section, the Office of Price Administration shall issue an order registering the applicant as a direct-mill distributor. The issuance of an order of registration is proof merely that an application has been filed, but does not constitute a finding by the Office of the existence or non-existence of a "control relationship" with a mill. Paragraph (b) (5) sets forth when an addition may not be made by a direct-mill distributor, even though registered.

(3) *Distribution yards.* Distribution yards subject to Second Revised Maximum Price Regulation 215 do not have to be registered and may charge the mark-up or receive the commission permissible on direct-mill distributors' sales when making a direct-mill sale, subject however to all the conditions and limitations set forth in paragraph (c) of this section on a sale by a registered direct-mill distributor.

(c) *Direct-mill distributors' additions*—(1) *Wholesale type sales.* Except as specified in subdivision (5) of this paragraph registered direct-mill distributors may add 5 percent to the basic f. o. b. mill prices established in or approved under this regulation on wholesale type direct-mill sales of lumber covered by the regulation. The distributor's addition must be evened out to the nearest quarter dollar per M'BM, or, in the case of plastering or fence lath, or shingles, to the nearest 5 cents per 1,000 pieces. For example, if the maximum price for a particular item is $32.00 f. o. b. mill, the ceiling price for a wholesale-type sale is $33.50. This mark-up applies only to carload quantities if shipped by rail, except that sales for resale purposes in less than carload quantities may carry a direct-mill distributors mark-up when shipped in a pool carload; or to quantities of 5 M'BM or more if shipped by truck or water.

(2) *Commission-type sales.* Except as specified in subparagraph (5) of this paragraph, the f. o. b. mill maximum price on commission-type direct-mill sales of lumber covered by this regulation and made through a registered direct-mill distributor is 3 percent higher than the basic f. o. b. mill prices established in or approved under this regulation. The f. o. b. mill price including the distributor's commission must be evened out to the nearest quarter dollar per M'BM, or, in the case of plastering or fence lath, or shingles, to the nearest 5 cents per 1,000 pieces. The mill must allow the direct-mill distributor making a commission-type sale a commission at least equal to the excess over the basic f. o. b. mill prices. For example, if the maximum price for a particular item is $35.00 the mill ceiling on a commission-type sale made through a registered direct-mill distributor is $36.00 and the mill must allow the distributor at least $1.00. This mark-up applies only to carload quantities if shipped by rail, except that sales for resale purposes in less than carload quantities may carry a direct-mill distributors mark-up when shipped in a pool carload; or to quantities of 5 M'BM or more if shipped by truck or water.

(3) *Mill's price or realization on commission type sales.* This section increases maximum prices only on sales by direct-mill distributors. The mill's price, or realization after deducting a commission of at least 3 percent may never be higher than the basic mill prices established in this regulation. The mill, of course, may sell at a price at which it will realize less than its regular ceiling.

(4) *Pyramiding prohibited.* The price additions permitted in this section may not be made more than once to the basic f. o. b. mill price in the regulation regardless of the number of persons participating in the transaction. For example: if direct-mill distributor making a "commission-type" sale sells a car of $30.00 lumber to a yard which, in turn, sells for direct-mill shipment to a consumer, the mill's ceiling price on the sale through the distributor is $31.00 (3 percent addition) and the yard's ceiling price to the consumer is $31.50 (5 percent addition) Note that the yard cannot add its 5 percent either to the $31.00 on a purchase through a direct-mill distributor making a commission-type sale, or to $31.50 if the purchase was from a direct-mill distributor making a "whole-

sale type" sale. In both cases, the 5 percent may be added only to the basic f. o. b. mill price of $30.00.

(5) *When additions may not be made by registered direct-mill distributors.* (i) On any sale for which the invoice from the mill or concentration yard does not contain the statement, "This mill has no control relationship with any direct-mill distributor."

(ii) On any sale which carries an addition for a direct-mill retail type sale.

(iii) On any sale of less than carload quantity when shipped by rail, except that sales for resale purposes in less than carload quantities may carry a direct-mill distributors mark-up when shipped in a pool carload; or of less than 5 M'BM when shipped by truck or water.

(iv) On any sale of lumber which originates from a mill or concentration yard which has a control relationship with a direct-mill distributor. However, where a sale is made to or through a direct-mill distributor under this section, and the invoice rendered by the mill contains the statement referred to in subdivision (i) of this paragraph, the direct-mill distributor may legally make the mark-up or addition unless the direct-mill distributor knows or has reason to know that the mill's statement is false.

A "control relationship" includes any of the following relationships:

(a) *Profit sharing, direct or indirect.* This means a financial interest by a direct-mill distributor in the profits, return or realization of a mill or concentration yard, or by a mill or concentration yard in the profits, return or realization of a direct-mill distributor, and includes common ownership or control of a mill and direct-mill distributor by a third person. It also includes any arrangement whereby a distributor or producer shares in the profits of the other, whether such arrangement is written or oral, direct or indirect. It does not include such interest as arises from a genuine indebtedness of such distributor or producer to the other where the obligation of the debtor is limited in amount to repayment of the loan plus a rate of interest no greater than the maximum legal rate of interest in the State where the loan is made, or no greater than 6%, if no maximum rate is prescribed.

Where a mill or concentration yard is a corporation, stock ownership of 10 percent or less of the total outstanding stock issue by a direct-mill distributor is not a "control relationship."

(It is to be noted that the section of the regulation which makes it unlawful to pay or receive any purchasing commission or other compensation over the permissible maximum prices, remains in effect. In this connection, the granting of a loan on unusually low rates of interest, or in any other unusually favorable terms, would ordinarily constitute additional compensation in violation of such prohibition.)

(b) *Family relationship.* A family relationship exists if an owner or any part-owner of a mill or concentration yard, or any member of his family, has any interest in a direct-mill distributor, (or vice versa) and such interest was acquired on or after January 1, 1942. Member of a family means any person related to an individual or his spouse by blood or marriage within the fifth degree.

(c) *Past employer-employee relationships which were terminated after December 31, 1945.*

(d) *Report of changes.* Where a direct-mill distributor has made an application for registration and any of the facts set forth in the application, have changed, or new facts have arisen since the filing of the application, having any bearing on the question of "control relationship," either before or after registration has been granted, he shall file a written report of such change or addition with the Lumber Branch of the Office of Price Administration, Washington 25, D. C., within 10 days after such a change. Reports shall be deemed filed on the date received, or, if sent by registered mail, on the date of mailing.

(e) *Suspension of licenses.* Any person making a sale under this regulation is subject to the provisions of Licensing Order No. 1. A violation of any provision of this regulation is a violation of the seller's license. Violations of the license or of this regulation may result in suspension of the license in accordance with the provisions of the Emergency Price Control Act of 1942, as amended.

(f) *Distributors' invoicing requirements.* The invoice on any distributors' direct-mill sale must be plainly marked "wholesaler's direct-mill sale," or "commission-man's direct-mill sale," or "distribution yard's direct-mill sale," as the case may be, and must show the name of the direct-mill distributor and his registration number.

[Sec. 6a added by Supplementary Order 150, 11 F.R. 2512, effective 3-8-46]

SEC. 7. *Petitions for adjustment or amendment*—(a) See Procedural Regulation No. 6[4] for adjustment provisions on certain government contracts or subcontracts.

[Paragraph (a) amended by Am. 2, 9 F.R. 171, effective 1-8-44 and Supplementary Order 83, 9 F.R. 973, effective 2-1-44]

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

(c) *Applications for adjustment*—(1) *When adjustment may be granted.* The Price Administrator may by order adjust the maximum prices established under this regulation for any seller of maple, birch and beech flooring whenever he finds that the seller's maximum prices are at such a level that (taking into account costs of production and the over-all profit position of the seller) production or supply of flooring is impeded or threatened.

(2) *Factors which may be considered.* The following factors are relevant to the consideration of whether maximum prices are at such a level that production or supply of the flooring is impeded or threatened:

[4] 9 F.R. 10628; 10 F.R. 1382, 9394.
[5] 9 F.R. 10476, 13715; 10 F.R. 11295.

(i) Whether, and by what amount, the maximum price is below or above unit manufacturing costs.

(ii) Whether, and by what amount, the maximum price is below or above total unit costs.

(iii) Whether, and by what amount, the seller's current over-all profits, before income and excess profits taxes, are greater or less than his average over-all profits during a normal base period, adjusted to reflect any change from the normal base period average investment.

(iv) Whether greater efficiency in production or merchandising can be reasonably expected so that an adjustment would not be necessary.

(v) Whether the seller previously sold the particular type of flooring under consideration at a price which was below his total unit costs.

(3) *Form and contents of applications.* Applications under this section must be filed in accordance with Revised Procedural Regulation No. 1, issued by the Office of Price Administration.

All applications must contain:

(i) Profit and loss statements, in the detail normally prepared by the applicant, covering the company's entire operations for the years 1936 through 1939, the last calendar or fiscal year preceding the filing of the application, the last quarter of such calendar or fiscal year and the available interim period for the current calendar or fiscal year.

(ii) Operating statements for maple, birch, and beech flooring operations only, for the last calendar or fiscal year preceding the filing of the application, the last quarter of such calendar or fiscal year and the available interim period for the current calendar or fiscal year.

(iii) A tabulation showing the production of maple, birch and beech flooring and each item within each grade for the last calendar or fiscal year preceding the filing of the application, the last quarter of such calendar or fiscal year and the available interim period for the current calendar or fiscal year.

Companies which have previously submitted any of the above-required data may omit such items from the data submitted with their applications.

[Paragraph (c) added by Am. 3, 9 F.R. 4476, effective 5-1-44; amended by Am. 4, 9 F.R. 7291, effective 6-23-44 and Am. 6, 9 F.R. 13846, effective 11-23-44]

SEC. 8. *Prohibited practices.* Any practice which is a device to get the effect of a higher-than-ceiling price without actually raising the dollars-and-cents price is as much a violation of this regulation as an outright over-ceiling price. This applies to changes in credit practices and cash discounts and to devices making use of commissions, services, transportation arrangements, premiums, special privileges, tying agreements, trade understandings and the like.

SEC. 8a. *Statements as to "control relationship."* A mill or concentration yard must make either one of the following two statements on all invoices issued by it, whichever statement is applicable:

1. This mill has no "control relationship" with any direct-mill distributor.

2. This mill has a "control relationship" with a direct-mill distributor.

If a mill or concentration yard makes a statement on an invoice that it has no control relationship with a direct-mill distributor, and such statement is false, the maximum prices at which the lumber, covered by such invoice, may be sold by it, is 5% less than the f. o. b. mill prices set forth in the price tables. However, the direct-mill distributor who makes the addition or mark up under this section shall not be considered as buying or selling above the ceiling prices where the mill's invoice bears a statement that it "has no control relationship with any direct-mill distributor" even though the mill's statement is false, unless the direct-mill distributor knows, or has reason to know, that such statement is false.

[Sec. 8a added by Supplementary Order 150, 11 F.R. 2512, effective 3-8-46]

SEC. 9. *Records.* All sellers and all buyers of hardwood flooring covered by this regulation for direct-mill shipment must retain a copy of the invoice covering each transaction or maintain records in other form containing a complete description of the flooring, name and address of the other party to the transaction, date of sale, and the price paid, including any special addition for extra service, working, or specification. These records must be retained for two years, for inspection by the Office of Price Administration.

[Above paragraph amended by Am. 2, 9 F.R. 171, effective 1-8-44]

SEC. 10. *Enforcement.* Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for suspension of licenses provided for by the Emergency Price Control Act of 1942, as amended.

SEC. 10a. *Licensing.* The provisions of Licensing Order No. 1,[6] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

[Sec. 10a added by Supplementary Order 72, 8 F.R. 13244, effective 10-1-43]

SEC. 11. *Imports.* The provisions of this regulation do not apply to the purchases, sales or deliveries of the commodities named in the regulation if they originate outside of and are imported into the United States. Sales, purchases and deliveries of such imported commodities are governed by the provisions of Second Revised Supplementary Regulation No. 14[7] to the General Maximum Price Regulation.

[Sec. 11 amended by Am. 9, effective 7-3-46]

[6] 8 F.R. 13240.

[7] 10 F.R. 1154, 2026, 2161, 2432, 2618, 3551, 4107, 7854, 8620, 9276, 9929, 10200, 10025, 11934, 13121, 14738; 11 F.R. 676, 1039, 2379, 2833, 3299, 3540, 3602, 3879, 4339, 4340, 5314, 5601, 6092, 6338, 6683.

SEC. 12. *Relation to other regulations.* Any sale or delivery covered by this regulation is not subject to the General Maximum Price Regulation.[8]

SEC. 13 [Revoked]

[Sec. 13 added by Am. 1, 8 F.R. 12180, effective 9-8-43; revoked by Am. 5, 9 F.R. 11274, effective 9-18-44]

ARTICLE IV—PRICE TABLES

The maximum prices, f. o. b. mill, for hard maple, birch and beech flooring are as follows:

Tables 1 and 2 apply to hard maple flooring produced anywhere in the United States.

Tables 3 and 4 apply to birch flooring produced anywhere in the United States.

Table 5 applies to beech flooring produced in the Northeastern, Northern and North Central hardwood lumber regions.

TABLE 1—HARD MAPLE FLOORING, TONGUED AND GROOVED, AND END MATCHED

Thickness, width and grade	Lengths	Maximum price per M feet BM
25/32 x 2¼"		
First	2-16'	$114.50
	2-5½'	107.50
	7-21"	86.50
Second	1½-16'	108.50
	1½-5½'	102.50
	7-21"	78.50
Second and Better	1½-16'	111.00
Third	1-16'	89.50
	2-16'	91.50
Third and Better	1-16'	104.50
25/32 x 1½"		
First	2-16'	98.00
	2-5½'	90.00
	7-21"	62.50
Second	1½-16'	79.00
	7-21"	56.50
Third	1-16'	68.00
25/32 x 2"		
First	2-16'	102.50
	2-5½'	93.50
	7-21"	70.00
Second	1½-16'	95.50
	1½-5½'	89.50
	7-21"	65.50
Third	1-16'	80.50
25/32 x 3¼"		
First	2-16'	110.00
	7-21"	83.00
Second	1½-16'	104.50
	7-21"	72.50
Second and Better	1½-16'	107.50
Third	1-16'	91.00
Third and Better	1-16'	101.50
33/32 x 2¼"		
First	2-16'	115.00
Second	1½-16'	109.00
	3-16'	113.00
Second and Better	1½-16'	112.00
Third	1-16'	87.50
Third and Better	1-16'	106.50
33/32 x 1½"		
First	2-16'	102.00
Second	1½-16'	78.00
Third	1-16'	61.00
33/32 x 2"		
First	2-16'	106.00
Second	1½-16'	100.00
Third	1-16'	83.50
33/32 x 3¼"		
First	2-16'	115.00
Second	1½-16'	107.00
Second and Better	1½-16'	111.50
Third	1-16'	90.00
Third and Better	1-16'	105.00
41/32 x 2¼"		
First	2-16'	119.00
Second	1½-16'	112.50
Second and Better	1½-16'	115.50
Third	1-16'	91.00
Third and Better	1-16'	110.00
41/32 x 3¼"		
First	2-16'	116.00
Second	1½-16'	110.00
Second and Better	1½-16'	113.00
Third	1-16'	91.00
Third and Better	1-16'	107.00

[8] 9 F.R. 1385, 5169, 6106, 8150, 10193, 11274.

TABLE 1—HARD MAPLE FLOORING, TONGUED AND GROOVED, AND END MATCHED—Continued

Thickness, width and grade	Lengths	Maximum price per M feet BM
53/32 x 2¼"		
First	2-16'	$121.50
Second	1½-16'	115.50
Second and Better	1½-16'	119.50
Third	1-16'	99.50
Third and Better	1-16'	115.00
53/32 x 3¼"		
First	2-16'	121.50
Second	1½-16'	115.50
Second and Better	1½-16'	119.50
Third	1-16'	99.50
Third and Better	1-16'	115.00
3/8 x 1½"		
First	2-16'	86.50
Second	1½-16'	73.50
Third	1-16'	34.00
3/8 x 2"		
First	2-16'	92.50
Second	1½-16'	79.50
Third	1-16'	39.00
5/8 x 1½"		
First	2-16'	83.00
Second	1½-16'	71.50
Second and Better	1½-16'	77.50
Third	1-16'	53.00
5/8 x 2¼"		
First	2-16'	100.50
Second	1½-16'	91.00
Second and Better	1½-16'	95.50
Third	1-16'	74.00

TABLE 2—JOINTED HARD MAPLE FLOORING

25/32 x 2½"		
First	2-16'	$113.50
Second	1½-16'	107.00
Second and Better	1½-16'	110.50
Third	1-16'	87.50
Third and Better	1-16'	104.50
25/32 x 3½"		
First	2-16'	103.50
Second	1½-16'	101.00
Second and Better	1½-16'	103.50
Third	1-16'	87.50
Third and Better	1-16'	102.00
33/32 x 2½"		
First	2-16'	119.50
Second	1½-16'	113.50
Second and Better	1½-16'	116.50
Third	1-16'	91.50
Third and Better	1-16'	111.00
33/32 x 3½"		
First	2-16'	124.00
Second	1½-16'	117.50
Second and Better	1½-16'	121.50
Third	1-16'	93.00
Third and Better	1-16'	114.50
25/32 x 2¼"		
Second and Better	1½-16'	100.00
Third and Better	1-16'	100.00

TABLE 3—BIRCH FLOORING, TONGUED AND GROOVED AND END MATCHED

25/32 x 2¼"		
First	2-16'	$111.50
	2-5½'	101.00
	7-21"	82.00
Second	1½-16'	104.00
	1½-5½'	98.00
	7-21"	71.50
Second and Better	1½-16'	108.00
Third	1-16'	85.50
Third and Better	1-16'	100.50
25/32 x 1½"		
First	2-16'	94.00
	2-5½'	90.50
	7-21"	59.50
Second	1½-16'	74.00
	7-21"	53.00
Third	1-16'	63.50
25/32 x 2"		
First	2-16'	94.00
Second	1½-16'	86.50
Third	1-16'	72.00
25/32 x 3¼"		
First	2-16'	108.00
	7-21"	88.00
Second	1½-16'	100.50
	7-21"	73.00
Second and Better	1½-16'	104.00
Third	1-16'	87.50
Third and Better	1-16'	97.00

TABLE 3—BIRCH FLOORING, TONGUED AND GROOVED AND END MATCHED—Continued

Thickness, width and grade	Lengths	Maximum price per M feet BM
3/8 x 1½"		
First	2-16'	$82 00
Second	1½-16'	67 50
Third	1-16'	29 00
3/8 x 2"		
First	2-16'	87 50
Second	1½-16'	73 00
Third	1-16'	34 00
5/8 x 1½"		
First	2-16'	78 50
Second	1½-16'	65 50
Third	1-16'	48 00
5/8 x 2¼"		
First	2-16	95 00
Second	1½-16'	85 50
Third	1-16'	68 50
33/32 x 2¼"		
First	2-16	103 50
Second	1½-16'	97 00
Second and Better	1½-16'	100 00
Third	1-16'	77 00
Third and Better	1-16	94 00

TABLE 4—JOINTED BIRCH FLOORING

25/32 x 3½"		
First	2-16'	$80 00
Second	1½ 16'	69 00
Third	1-16'	64 00

TABLE 5—BEECH FLOORING TONGUED AND GROOVED AND END MATCHED

25/32 x 2¼"		
First	2 16	$111.00
	2 5½'	103.50
	8-21"	82.00
Second	1½ 16'	104 50
	1½ 5½'	93 00
Second and Better	1½-16'	103.00
Third	1-16'	85 50
	1 5½'	84 00
	8 21"	62.00
Third and Better	1-16'	99 00
25/32 x 1½"		
First	2 16'	94 50
	2 5½'	92.00
	8-21"	68 00
Second	1½-16'	75 50
Third	1-16'	65.00
25/32 x 2"		
First	2-16'	97 00
Second	1½-16'	90 50
Third	1-16'	75 50
25/32 x 3¼"		
First	2-16'	104 50
Second	1½ 16'	99 00
Second and Better	1½-16'	102.00
Third	1-16'	80 00
Third and Better	1-16'	94 00
5/8 x 2¼"		
First	2 16'	95 00
Second	1½-16'	88 00
Third	1-16'	69 00

TABLE 5—BEECH FLOORING, TONGUED AND GROOVED AND END MATCHED—Continued

Thickness, width and grade	Lengths	Maximum price per M feet BM
33/32 x 2¼"		
First	2-16	$102 00
Second	1½-16'	96 50
Second and Better	1½-16'	99 00
Third	1-16'	76 50
Third and Better	1-16	91 50
33/32 x 3¼"		
Second and Better	1½-16'	98 50
Third	1-16'	79 00

TABLE 6—SPECIAL LENGTHS

When hard maple, birch or beech flooring of the standard grades for which maximum prices are established in Tables 1, 2, 3, 4, and 5 is ordered and furnished in the following special lengths, the following additions may be made to the maximum price for the same item in the standard lengths shown in the tables:

Special lengths (feet)	Grade	Size	Maximum addition to maximum price for standard length stock
4 to 16	First	Any	$4 00
4 to 16	Second	Any	6.00
4 to 16	Third	Any	9 00
4 to 16	Second and better	Any	5 50
4 to 16	Third and better	Any	7 00

Non-standard lengths (feet)	Grade	Size	Minimum deduction from maximum price for standard length stock
2 to 3½	First	Any	$11 00
1½ to 3½	Second	Any	9 00
1 to 3½	Third	Any	6.00

[Article IV amended by Am 3, 9 F.R 4476, 5925, effective 5-1-44; Am 6 9 F.R. 13816 effective 11-23-44 and Am 8, 11 F.R 3087, 4092, effective 3-22-46]

Effective date This regulation shall become effective July 24, 1943 [Maximum Price Regulation 432 originally issued July 19, 1943]

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

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

Issued this 28th day of June 1946

PAUL A PORTER,
Administrator

[F R Doc 46-11425; Filed, June 28, 1946; 11:44 a m]

PART 1373—PERSONAL AND HOUSEHOLD ACCESSORIES

[MPR 576 Amdt 4]

DRY BATTERIES

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 576 is amended in the following respects:

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

(b) This regulation covers sales at wholesale For the purpose of this regulation a "sale at wholesale" means a sale to a retailer by any person including a manufacturer or a "special brand wholesaler" (A 'special brand wholesaler means a person who sells dry batteries which bear his special brand name, all of which have been fabricated for him by another, and which he resells at wholesale) Sales by manufacturers to purchasers other than retailers remain under Maximum Price Regulation No 188 Sales by persons other than manufacturers to purchasers other than retailers remain under the General Maximum Price Regulation

2. Section 4 is redesignated section 5 and a new section 4 is added to read as follows:

SEC 4 *Adjustment of maximum retail prices in certain cases.* (a) This section provides for the adjustment of retailers' maximum prices for sales of dry batteries for which the manufacturer s price has been adjusted by more than 8% When the authorized increase in the manufacturer's maximum price is 8% or less, the maximum price established by section 3 of this regulation remains the retail ceiling price

If the authorized increase in the manufacturer's ceiling price exceeds 8%, the retail price established by section 3 of this regulation may be increased by the number of percentage points by which the manufacturer's adjustment exceeds 8%, rounded to the nearest cent

For example: If a manufacturer has been granted a 10% increase, the retail ceiling price may be increased by 2%

Manufacturers and special brand wholesalers who had published resellers' price lists or suggested retail prices in effect on February 15, 1945, may compute adjusted maximum prices in accordance with this section on the basis of those published list prices

(b) The provisions of this section supersedes the provision of any order granting an individual price adjustment to the extent that such order provides for the adjustment of retailers maximum prices for batteries covered by this order

3. Section 5 is redesignated section 7 and a new section 6 is added to read as follows:

SEC 6. *Adjusted maximum wholesale prices* This section provides for the adjustment of wholesalers' maximum prices Manufacturers and special brand wholesalers who had published resellers' price lists or suggested wholesalers' resale prices in effect on February 15, 1945, may compute adjusted maximum wholesale prices in accordance with this section on the basis of those list prices In all other cases wholesalers are required to compute their own adjusted maximum prices in accordance with this section They should also notify retailers of the conditions under which retail ceiling prices may be adjusted as provided in section 4

(a) If the authorized increase in the manufacturer s maximum price is 8% or less, the maximum price for sales at wholesale established under section 5 of this regulation may be increased by a dollars-and-cents amount determined by taking 70% of the dollar-and-cents increase in the wholesaler s cost

For example:

Previous cost to wholesaler	$1 00
Increase in wholesaler's cost (8%)	08
70% of 08= 056	
Wholesalers previous ceiling price	1 25
Add increase	056
New wholesale price to retailer	1.306

Note that in this case the retail ceiling price would remain the same

(b) If the authorized increase in the manufacturer's maximum price is more than 8%, the maximum price for sales at wholesale established under section 5 of this regulation may be increased by the amount permitted under paragraph (a) above, plus the number of percentage points by which the increase in the manufacturer's price exceeds 8%

For example:

Previous cost to wholesaler	$1.00
Previous ceiling price to retailer (MPR 576)	1.25
Manufacturer's increase is 10%—or 2% more than 8%.	
Wholesaler's increase permitted by paragraph (a)	.056
Increase in excess of 8%=2% of 1.25	.025
New maximum price to retailers	1.331

In this case the retailer's price to a consumer is increased by 2%.

(c) The provisions of this section supersede the provisions of any order granting an individual price adjustment to the extent that such order provides for the adjustment of wholesalers' maximum prices for batteries covered by this order.

4. Sections 6, 7, 8, 9, 10, 11, 12, 13 and 14 are redesignated sections 8, 9, 10, 11, 12, 13, 14, 15 and 16 respectively.

Effective date. This amendment shall be effective on the 28th day of June 1946.

Issued this 28th day of June 1946.

PAUL A. PORTER,
Administrator

[F. R. Doc. 46-11426; Filed, June 28, 1946; 11:44 a. m.]

PART 1374—FURS

[MPR 553,[1] Amdt. 1]

AUSTRALIAN AND NEW ZEALAND RABBIT SKINS AND HATTERS' FUR

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 553 is amended in the following respects:

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

(a) *What products and transactions are covered by this regulation.* This regulation applies to all sales, purchases and deliveries of raw rabbit skins imported or to be imported from Australia and New Zealand to the United States, to all sales, purchases and deliveries of such skins, dressed or dressed and dyed, and to all sales, purchases and deliveries of hatters' fur of "entire" and "unpulled" grades made from such skins.

2. Paragraph (a) of section 5 is revoked.

3. Paragraph (b) of section 5 is amended to read as follows:

(b) *Maximum prices for raw rabbit skins sold by primary or secondary dealers.* (1) The maximum price for a sale or delivery of raw rabbit skins by a primary or secondary dealer shall be the sum of the net invoice cost (as defined in subparagraph (2) below) of the raw rabbit skins to the primary dealer and the applicable cents per pound markup listed in Appendix A.

(2) "Net invoice cost" means the net price per pound actually paid for the skins by the primary dealer to the foreign seller or the agent of the foreign seller plus certain financing, importation and landing charges as specified below:

(i) Where the primary dealer purchased the skins f. o. b. Australian or New Zealand port of shipment, including export taxes, the seller may add to the net price paid, freight (including inland freight from port of entry when actually paid as an item separate from ocean freight) bank commissions, bank cable charges, customs brokerage, cartage, and marine and war risk insurance premiums which he actually paid; or

(ii) Where the primary dealer purchased the skins C. and F., the seller may add to the net price paid, inland freight when actually paid as an item separate from ocean freight, bank commissions, bank cable charges, customs brokerage, cartage, and marine and war risk insurance premiums which he actually paid; or

(iii) Where the primary dealer purchased the skins C. I. F., the seller may add to the net price, inland freight from port of entry when actually paid as an item separate from ocean freight, bank commissions, bank cable charges, customs brokerage, and cartage which he actually paid.

4. Section 6 is amended to read as follows:

SEC. 6. *Maximum prices for dressed rabbit skins sold by primary dealers or secondary dealers.* The maximum price for a sale or delivery of dressed rabbit skins by a primary dealer or a secondary dealer shall be the sum of (i) the net invoice cost (as defined in section 5 (b) (2)) of the raw rabbit skins to the primary dealer, (ii) the actual cost of dressing the raw rabbit skins, and (iii) the applicable cents per pound markup listed in Appendix A.

5. Section 7 is amended to read as follows:

SEC. 7. *Maximum prices for dressed and dyed rabbit skins sold by primary dealers or secondary dealers.* The maximum price for a sale or delivery of dressed and dyed rabbit skins by a primary dealer or a secondary dealer shall be the sum of (i) the net invoice cost (as defined in section 5 (b) (2)) of the raw rabbit skins to the primary dealer (ii) the actual cost of dressing and dyeing the raw rabbit skins and (iii) the applicable cents per pound markup listed in Appendix A.

6. Section 8 is amended to read as follows:

SEC. 8. *Maximum prices for sorted lots of dressed or dressed and dyed rabbit skins.* The maximum price for a sale or delivery of a particular grade of dressed or dressed and dyed rabbit skins sorted out of a lot of dressed or dressed and dyed rabbit skins shall be the applicable maximum price for the unsorted lot as determined under section 6 or 7 of this regulation increased by 10% of the applicable cents per pound markup listed in Appendix A. However, the total sum received for all the skins in the lot may not exceed the applicable maximum price for the entire lot if it were sold on an unsorted basis.

7. Section 10 is amended to read as follows:

SEC. 10. *Maximum prices for hatters' fur made from skins covered by this regulation.* The maximum price at which any person may sell, purchase or deliver entire or unpulled grades of hatters' fur made from skins covered by this regulation shall be the sum of the maximum price for the raw rabbit skins which a primary or secondary dealer may charge under section 5 (b) and the net maximum price which the seller has properly established under RMPR 165 for the service of processing raw rabbit skins into hatters' fur.

8. Section 11 (a) is amended to add item (7) at the end thereof to read as follows:

(7) The net invoice cost of each grade of the raw rabbit skins to the primary dealer, itemized as follows:

(i) The price actually paid exclusive of the financing, importation and landing charges specified in section 5 (b) (2) (i) (ii) or (iii),

(ii) The shipping terms (i. e., f. o. b. Australian or New Zealand port of entry, including export taxes, or C and F or C. I. F.)

(iii) A list of each item of financing, importation or landing charge actually paid by the primary dealer and permitted to be added under section 5 (b) (2) (i), (ii) or (iii).

9. Subdivisions (ii) and (iii) of item (5) in section 11 (b) are amended to read as follows:

(ii) The kinds and where sold in graded lots, the grades of dressed rabbit skins, and the quantity of each kind and grade (where the seller sells at a price per skin, he shall state, in addition to the number of skins of each grade in the lot, the number of pounds of such grade in the lot and his maximum price per pound for such grade),

(iii) The kinds and, where sold in graded lots, the grades of dressed and dyed rabbit skins, and the quantity of each kind and grade of dressed and dyed rabbit skins (where the seller sells at a price per skin or per dozen skins, he shall state, in addition to the number of skins of each grade in the lot, the number of pounds of each grade in the lot and his maximum price per pound, for such grade), and the dyer's name or trade mark identifying the dye process; and

10. Section 11 (b) is amended to add item (7) at the end thereof to read as follows:

(7) The net invoice cost of each grade of the raw rabbit skins to the primary dealer, itemized as follows:

(i) The price actually paid exclusive of the financing, importation and landing charges specified in section 5 (b) (2) (i) (ii) or (iii)

(ii) The shipping terms (i. e., f. o. b. Australian or New Zealand port of entry, including export taxes, or C and F or C. I. F.),

(iii) A list of each item of financing, importation or landing charge actually paid by the primary dealer and permitted to be added under section 5 (b) (2) (i), (ii) of (iii).

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[1] 9 F.R. 10773.

11. Appendix A is revoked and a new Appendix A is substituted to read as follows:

APPENDIX A

The cents per pound markups listed below are the maximum markups for the specified raw, dressed or dressed and dyed grades of rabbit skins for the designated type of seller. The maximum markup for any grade of rabbit skins not specifically listed in this section shall be the same cents per pound markup specified for the nearest related grade of rabbit skins listed.

Where a seller sells at a price per skin rather than at a price per pound he may determine his maximum price per skin by dividing the total maximum price (computed on a per pound basis) for each grade in the lot by the number of skins of such grade in the lot.

For example: A secondary dealer has a lot of 1,350 rabbit skins which are 1st Winter Pelts. The primary dealer's net invoice cost of these skins was $2.50 per pound raw and the lot weighs 300 pounds. The cost of dressing was 8½ cents per skin. Consequently, the second dealer's total maximum price (on a per pound basis) is the sum of

$750.00—total raw cost (per pound basis) to the primary dealer (300 lbs. times $2.50 per pound)
114.75—total dressing cost (1,350 skins times 8½¢ per skin)
117.18—secondary dealer's markup (850 × .5906 cents = $117.18)
1,041.93=total maximum price for the lot.

Therefore, the dealer's maximum price per skin is 77¢ per skin (1,041.93 divided by 1,350 skins).

(a) *Australian rabbit skins*—(1) *Maximum cents per pound markups for sleeved grades of raw rabbit skins of New South Wales (Sydney) and Tasmanian origin.*

AUSTRALIAN

Maximum Mark-ups (cents per pound, net weight)

Grades	Raw	Dressed		Dressed and dyed	
	Primary and secondary dealer	Primary dealer	Secondary dealer	Primary dealer	Secondary dealer
1st winter pelt	0.2570	0.4429	0.5905	0.7075	0.8844
1st winter pelt spotted	.2410	.4189	.5585	.6725	.8444
2d winter pelt	.2410	.4189	.5585	.6725	.8444
2d winter pelt spotted	.2330	.4059	.5425	.6595	.8244
1st late winter pelt	.2330	.4101	.5468	.6703	.8378
2d late winter pelt	.2220	.3951	.5268	.6603	.8123
3d winter pelt	.2330	.4101	.5468	.6703	.8378
1st winter	.2410	.4316	.5755	.7185	.8981
1st winter spotted	.2220	.4056	.5525	.6825	.8531
2d winter	.2230	.4078	.5438	.6993	.8700
2d winter spotted	.2170	.3888	.5318	.6513	.8516
1st late winter	.2220	.4110	.5480	.7040	.8500
2d late winter	.2040	.3825	.5100	.6900	.8625
3d winter	.2170	.4060	.5600	.6820	.8350
1st incoming pelt	.2330	.4101	.5468	.6703	.8378
1st incoming pelt spotted	.2180	.3876	.5168	.6403	.8003
2d incoming pelt	.2180	.3908	.5210	.6510	.8138
2d incoming pelt spotted	.1990	.3623	.4830	.6130	.7663
1st outgoing pelt	.2180	.3908	.5210	.6510	.8138
2d outgoing pelt	.1990	.3623	.4830	.6130	.7663
1st incoming	.2170	.4060	.5600	.6820	.8350
1st incoming spotted	.2040	.3825	.5100	.6900	.8625
2d incoming	.2040	.3889	.5185	.6375	.8204
2d incoming spotted	.1770	.3454	.4545	.6325	.7919

Grades	Raw	Dressed		Dressed and dyed	
	Primary and secondary dealer	Primary dealer	Secondary dealer	Primary dealer	Secondary dealer
1st outgoing	.2040	.3825	.5100	.6900	.8625
2d outgoing	.1770	.3454	.4605	.6225	.7785
Autumn pelt	.1990	.3623	.4830	.6130	.7663
Autumn pelt spotted	.1990	.3623	.4830	.6130	.7663
Autumn	.1770	.3454	.4545	.6325	.7919
Autumn spotted	.1990	.3623	.4830	.6130	.7663
Early autumn pelt	.1990	.3101	.4135	.5575	.6969
Early autumn	.1990	.3623	.4830	.6210	.7763
Rock pelt	.1990	.3105	.4200	.5780	.7225
Rock	.1990	.3420	.4560	.6040	.8050
1st milky	.1940	.3623	.4830	.6323	.7941
2d milky	.1990	.3433	.4578	.6073	.7591
3d milky	.1990				
4th milky	.1270				
5th milky	.1090				
¾ grown	.1410	.3225	.4300	.5500	.8375
½ grown	.1220				
Kittens	.0990				
1st damaged	.1090	.3225	.4300	.5500	.7075
2d damaged	.1510				
3d damaged	.1220				
4th damaged	.1090				
5th damaged	.0970				

(2) *Maximum cents per pound markups for butcher grades of New South Wales (Sydney) and Tasmania origin.* The maximum markup for butcher grades of rabbit skins of New South Wales (Sydney) and Tasmania origin shall be 80% of the maximum cents per pound markup permitted to the seller for the corresponding sleeved grade of rabbit skin of the same origin.

(3) *Maximum cents per pound markup for rabbit skins of Victoria (Melbourne) origin.* The maximum markup for sleeved grades of rabbit skins of Victoria (Melbourne) origin shall be 90% of the maximum cents per pound markup permitted to the seller for the same grade of rabbin skin listed in (1), above. The maximum markup for butcher grades of such rabbit skins shall be 80% of the maximum cents per pound markup permitted to the seller for sleeved grades, determined under this subparagraph.

(4) *Maximum cents per pound markup for rabbit skins of South Australia (Adelaide) origin.* The maxium markup for rabbit skins of South Australian (Adelaide) origin shall be 85% of the maximum cents per pound markup permitted to the seller for the same grade of rabbit skin listed in (1), above. The maximum markups for butcher grades of such rabbit skins shall be 80% of the maximum cents per pound markup permitted to the seller for sleeved grades, determined under this subparagraph.

(5) *Maximum cents per pound markup for Australian rabbit skins sold or delivered on an ungraded basis.* The maximum markup for Australian rabbit skins sold on an ungraded basis, or otherwise lacking in description as to grades, country or region of origin, shall be

(i) for raw rabbit skins sold or delivered by a primary or secondary dealer, .0630 cents per pound, net weight.

(b) *New Zeland rabbit skins—Maximum cents per pound markups for sleeved grades of raw rabbit skins of New Zealand origin.*

NEW ZEALAND

Maximum Mark-ups (cents per pound, net weight)

Grades	Raw	Dressed		Dressed and dyed	
	Primary and secondary dealer	Primary dealer	Secondary dealer	Primary dealer	Secondary dealer
1st winter buck	0.2070	0.4547	0.6063	0.7103	0.8260
1st early winter buck	.2570	.4597	.6303	.6928	.8710
2d winter buck	.2420	.4219	.5625	.6705	.8494
2d early winter buck	.2330	.4069	.5425	.6595	.8244
Spotty winter buck	.2220	.3919	.5225	.6505	.7994
1st late winter buck	.2040	.3624	.4845	.6015	.7510
1st spring buck	.1710	.3171	.4223	.5423	.6523
1st outgoing buck	.1710	.3171	.4223	.5423	.6523
2d outgoing buck	.1150	.2301	.3068	.4203	.5373
1st winter doe	.2520	.4513	.6018	.7513	.9391
1st early winter doe	.2430	.4378	.5838	.7293	.9103
2d winter doe	.2280	.4200	.5600	.7100	.8840
2d early winter doe	.2070	.3990	.5200	.6760	.8420
Spotty winter doe	.1990	.3750	.5000	.6500	.8250
1st late winter doe	.1800	.3465	.4620	.6180	.7725
1st spring doe	.1410	.2880	.3840	.5400	.6720
1st outgoing doe	.1410	.2912	.3883	.5207	.6583

Grades	Raw	Dressed		Dressed and dyed	
	Primary and secondary dealer	Primary dealer	Secondary dealer	Primary dealer	Secondary dealer
2d outgoing doe	.1270	.2702	.3603	.5203	.6035
1st incoming	.2220	.4000	.5330	.7210	.9020
2d incoming	.2120	.3820	.5090	.6940	.8670
1st late autumn	.2120	.3820	.5090	.6940	.8670
1st early autumn	.1990	.3620	.4825	.6575	.7994
Dawny autumn	.1970	.3124	.4165	.5505	.7019
Prime and light rock	.1510	.3225	.4300	.5450	.8075
Summer buck and doe	.1150				
Runner	.1090				
Sucker	.0970				
1st winter broken	.1090	.2625	.4035	.3475	.6431
2d broken	.1410	.2316	.3705	.5155	.6431
3d broken	.1150				
Summer broken	.0970				
1st milky	.1410	.2316	.3705	.5155	.6431
2d milky	.1270				
3d milky	.1090				

(2) *Maximum cents per pound markups for bloodstained and crutch-gutted and factory grades of New Zealand rabbit skins.* The maximum markup for bloodstained and crutch-gutted grades of New Zealand rabbit skins shall be 85% of the maximum cents per pound markups for the corresponding sleeved grade set forth in subparagraph (1) of this paragraph.

(3) *Maximum cents per pound markups for New Zealand rabbit skins purchased on an ungraded basis.* The maximum markup for New Zealand rabbit skins sold on an ungraded basis, or otherwise lacking in description as to grade, country or region or origin, shall be as follows:

(i) For raw rabbit skins sold or delivered by a primary or secondary dealer, .0720 cents per pound, net weight.

12. Appendix B is revoked.

This amendment shall become effective June 27, 1946.

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

Issued this 27th day of June 1946.

PAUL A. PORTER,
Administrator

[F. R. Doc. 46-11340; Filed, June 27, 1946; 4:54 p. m.]

PART 1400—TEXTILE FABRICS: COTTON, WOOL, SILK, SYNTHETICS AND ADMIXTURES

[MPR 39,[1] Amdt. 14]

WOVEN DECORATIVE FABRICS

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.

Maximum Price Regulation No. 39 is amended in the following respects:

1. Section 1400.161(a) is amended in the following respects:

a. Subparagraphs (2) and (3) are amended to read as follows:

(2) "Manufacturer" means (i) any person who owns, operates or controls a factory, plant or mill in which woven decorative fabrics are manufactured; (ii) any person who supplies yarn to a factory, plant or mill for weaving and finishing into a woven decorative fabric on a commission basis; (iii) any person who supplies yarn to a factory, plant or mill and purchases woven decorative fabrics therefrom; (iv) any person who supplies yarn to a factory, plant or mill and purchases the grey fabric therefrom which he finishes or causes to be finished into woven decorative fabrics or which he supplies to a converter or finishing plant and repurchases in a finished state for resale as a woven decorative fabric; (v) any person who supplies to a finishing plant grey fabrics woven by him to be finished for his own account into a woven decorative fabric; or (vi) any person who manufactures grey fabrics, supplies them to a converter or finishing plant, and repurchases them or any portion of them in a finished state for resale as a woven decorative fabric.

(3) "Converter" means a person who purchases textile fabrics other than woven decorative fabrics and resells them in a substantially different state as woven decorative fabrics after finishing them or causing them to be finished for his account and includes any agent of the converter and includes any person who sells grey goods to another person and repurchases woven decorative fabrics which the latter has finished or caused to be finished.

b. The first unnumbered paragraph of subparagraph (11) is amended to read as follows:

(11) "Reseller" means a person (other than a retailer) who sells woven decorative fabrics in substantially the same state (except for cutting) as that in which they were purchased and includes the following types of sellers among others:

c. Subparagraph (13) is added to read as follows:

(13) "Base period" means the period from July 11 to September 10, 1941, inclusive, when used in connection with sales by manufacturers, and the period from September 11 to November 10, 1941, inclusive, when used in connection with sales by converters or resellers.

2. Section 1400.163 (a) (2) is amended to read as follows:

(2) No seller shall discontinue or alter to the prejudice of a purchaser any discount, differential or service granted or rendered to purchasers of the same class during the base period.

3. Section 1400.164 is amended to read as follows:

§ 1400.164 *Appendix B: Maximum prices for sales of woven decorative fabrics by the converter thereof*—(a) *Terms and conditions of sale.* The provisions of § 1400.163 (a) (1) shall apply to the maximum prices established herein. No person making a sale covered by paragraph (d) (1) (ii) of this section shall discontinue or alter to the prejudice of a purchaser any discount, differential (other than for quantity) or service granted or rendered to purchasers of the same class during the base period. In all other sales, the terms of sale shall be not less favorable to the purchaser than 2/10/60 extra. A converter shall allow the same discount for substandard goods which he allowed in the base period.

(b) *Maximum price formula for converters.* The maximum price for a pattern of any specific construction of a woven decorative fabric sold by the converter thereof shall be, except as provided in (d) (2) below, the sum of the net invoice price of the grey fabric and the price of the finishing operation used in producing the woven decorative fabric, multiplied by the applicable percentage factor set forth in paragraph (d) of this section. To the product resulting therefrom the converter may add the incoming grey freight and the allowance for shrinkage but he may not add such cost factors as those of seconds, remnants, put-up, designing, screen-cutting or engraving.

(c) *Explanation of terms used in the pricing formula*—(1) *Net invoice price.* With the following exceptions, the "net invoice price" of the grey fabric means the price to the converter less all available discounts and allowances. If the converter purchases the fabric in other than the grey state, the "net invoice price" means the applicable maximum price for the fabric if sold in the grey less all available discounts and allowances.

(2) *Imported grey fabric.* If the grey fabric is imported, the converter shall use as his maximum price for the grey fabric the maximum price applicable to the most nearly comparable domestic grey fabric or the landed cost of the fabric at port of entry, whichever is lower.

(3) *Price of the finishing operation.* The "price of the finishing operation" shall be the net price paid by the converter not in excess of the maximum price established therefor in accordance with Maximum Price Regulation No. 128,[2] except that in the case of machine-printed fabrics the price of the finishing operation shall be calculated on a base quantity of not less than 8,000 yards, and in the case of piece-dyed fabrics, upon a base quantity of not less than 500 yards. Furthermore, a converter whose principal business is that of a decorative service wholesaler may use the actual cost of piece-dyeing where the yardage to be converted does not exceed 100 yards and the finishing operation is performed at the express order of the purchaser.

(4) *Grey freight.* (i) The grey freight which may be included in computing the maximum price for the finished fabric shall be no higher than the actual transportation charges paid by the converter (not absorbed by the finisher) for the transportation of the grey fabric to the plant where the finishing process was begun.

(ii) In the event the grey fabric is transported in a conveyance owned or operated by the converter, or the finisher,[3] or by a person controlling, controlled by, or under common control with the converter or the finisher and the charges are not absorbed by the finisher, the freight charge shall not exceed the charge which would be applicable to an identical shipment from the same point of shipment to the same receiving point at the lowest available commercial transportation rate.

(iii) Where fabrics are shipped from the grey mill to a point other than the finishing plant where the finishing process is begun, only the actual freight (which is not absorbed by the finisher) incurred in the final shipment from such other point to the finishing plant where the finishing process is begun may be used in determining the maximum price under this section.

(iv) Where fabrics are trans-shipped from one finishing plant to another

[1] 7 F.R. 5243, 5512, 6774, 8946; 8 F.R. 7622, 17426; 9 F.R. 458, 14067; 10 F.R. 1662, 11663, 14063, 14659; 11 F.R. 5438.

[2] 7 F.R. 3117, 4659, 6615, 8948; 9 F.R. 1907, 2667.

[3] The term "finisher" as used herein refers to a person other than the converter who performs the finishing operation such as dyeing or printing.

(after the fabrics are partially or wholly finished) the freight charges on such trans-shipments shall not be included in computing the maximum price under this section: *Provided,* That if partially finished fabrics are trans-shipped from one finishing plant to another for the purpose of screen printing, flock printing, lacquer printing, embossing, or moireing at the second plant, then the freight charges on such trans-shipment may be included in computing the maximum price under this section.

(5) *Allowance for shrinkage.* (i) If the fabric is finished by a job finisher the converter shall use as the working allowance in determining the maximum price under this section the actual figure specified by the finisher in his contract: *Provided,* That if the working allowance specified in the contract shall exceed the actual shrinkage of the fabric by more than 2%, then such actual shrinkage plus such 2% tolerance shall constitute the maximum working allowance to be used in determining the maximum price for the finished piece goods.

(ii) If the converter does his own finishing he shall use the actual shrinkage resulting from finishing the fabric.

(iii) In the event that there is a net yardage gain as a result of the finishing process, such gain must be deducted from the net invoice price of the grey fabric under paragraph (b) of this section.

(d) *Percentage factors for converters*—(1) *Percentage factors for sales of woven decorative fabrics by the converter thereof who sold such fabrics during the base period*—(i) *Converters with average percentage factors of from 105% to 189.9%, inclusive, selling machine-printed or piece-dyed woven decorative fabrics in piece quantities.* Converters with average percentage factors of from 105% to 189.9% inclusive, shall sell machine-printed or piece-dyed woven decorative fabrics in piece quantities as set forth below. These percentage factors apply only to sales of woven decorative fabrics by the converter thereof who during the base period sold woven decorative fabrics which he converted.

Range of average percentage factors	Applicable percentage factor [1] for determining the maximum price	
	Sales to department stores for stock A	Sales to resellers and to producers [4] B
105% to 144.9%	125%	120%
145% to 154.9%	135%	There are no applicable percentage factors for these types of sale. The maximum price for sales to resellers and to producers is the maximum price for sales to department stores for stock, less 5%.
155% to 164.9%	145%	
165% to 189.9%	155%	

[1] The *applicable percentage factor* for the determination of a maximum price is the percentage factor in Column A or B, whichever is appropriate, listed opposite the percentage range within which the *average* percentage factor falls.

(ii) *Other sales by such converters.* In all other sales of woven decorative fabrics by the converter thereof who sold such fabrics during the base period, the converter shall determine his applicable percentage factor by reducing that portion of his appropriate average percentage factor which exceeds 100% by 20% in sales of machine-printed or piece-dyed fabrics and by 10% in sales of hand-printed fabrics.

(2) *Percentage factors for sales of woven decorative fabrics by the converter thereof who did not sell such fabrics during the base period or who cannot determine his percentage factors because of a lack of records.* The applicable percentage factor in the sale of woven decorative fabrics by the converter thereof who did not sell such fabrics during the base period or who cannot determine his applicable percentage factor because of a lack of records, except as provided in §1400.155 (b) shall be 125% in sales to department stores for stock and other retailers and 120% in sales to resellers and producers.[4] If the maximum price for the finishing operation exceeds 25 cents per linear yard, the applicable percentage factor shall be applied to the sum of the maximum price for the grey goods plus 25 cents. To the result the converter may add the amount by which the maximum price for the finishing operation exceeds 25 cents per linear yard, the incoming grey freight, and the allowance for shrinkage.

(e) *How to compute the average percentage factor.* (1) Each converter shall determine an average percentage factor for each of the following categories of sales which he made during 1941.

(i) Piece-length sales of machine-printed or piece-dyed woven decorative fabrics.

(ii) Piece-length sales of hand-printed woven decorative fabrics.

(iii) Cut-length sales of machine-printed or piece-dyed woven decorative fabrics.

(iv) Cut-length sales of hand-printed woven decorative fabrics.

(2) The converter shall compute his average percentage factor for his sales in each of the above categories in the following manner:

(i) For each category of sale he shall determine from each of the ten constructions of woven decorative fabrics which he converted and of which he delivered the largest linear yardage in 1941, the pattern of which he delivered the largest linear yardage in 1941. (If he has delivered less than ten constructions, he shall use all his construction)

(ii) For each of these patterns he shall then divide the "price of the finished fabric" by the sum of his highest invoiced cost of the grey fabric and the highest price he paid (or the highest price he incurred) for the finishing operation used in producing the pattern during the period from January 1 to November 10, 1941, inclusive, and this shall be his percentage factor for that pattern. The "price of the finished fabric"[5] shall be his highest list price in effect during the base period for the particular category of sale to the class of purchaser first listed below. If he had no price list in effect during the base period, he shall use his highest invoiced price for that category of sale to that class of purchaser during the base period:

Full-piece sales:
Sales to department stores for stock.
Sales to large quantity purchasers.
Sales to resellers.
Cut-length sales:
Sales to interior decorators.
Sales to upholsterers.
Sales to other retailers.

(iii) He shall then compute the simple arithmetical average of the percentage factors for the ten (or less)[6] patterns of specific constructions and this shall be his average percentage factor for the particular category of sale.

4. Section 1400.165 is amended in the following manner:

a. Paragraph (a) is amended to read as follows:

(a) The provisions of paragraph (a) (1) of § 1400.163 shall apply to the maximum prices established herein. For sales of woven decorative fabrics by decorative service wholesalers, terms and discounts shall be not less favorable than those granted to purchasers of the same class during the period from September 11 to November 10, 1941, inclusive. For sales by converter-jobbers, terms of sale shall be 2/10/net 70. Terms for sales of such fabrics by all other resellers shall be not less favorable to the purchaser than 2/10/net 30.

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

(7) For a reseller who does not qualify as one of the specific types of resellers defined in § 1400.161 (a) (11) 125%, except that the factor shall be 120% on sales to a second reseller by such a reseller who with respect to the fabric performed the function of a converter-jobber and who did not sell and deliver woven decorative fabrics as a converter-jobber during 1941.

c. Subparagraph (c) (3) is added to read as follows:

(3) 125% of the net invoice price paid by the reseller (exclusive of cost of freight) in his resales of substandard goods.

This amendment shall become effective June 28, 1946.

Issued this 28th day of June 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-11415; Filed, June 28, 1946; 11:42 a. m.]

[4] The term "producers" as used in this regulation refers to producers of furniture, draperies, slip-covers, bedspreads and other similar products in which woven decorative fabrics are used.

[5] It should be noted that there can be no more than one "price of the finished fabric" for each pattern of a specific construction in any one category of sale set forth in subparagraph (1) of this paragraph.

[6] Ordinarily this will be an average of the percentage factor for ten patterns of specific constructions. However, an exception is provided for in subdivision (i) of this subparagraph where the converter has less than ten constructions of which he made the particular category of sale during the base period.

PART 1400—TEXTILE FABRICS: COTTON, WOOL, SILK, SYNTHETICS AND ADMIXTURES

[MPR 127[1] Amdt. 49]

FINISHED PIECE GOODS

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.

Maximum Price Regulation No. 127 is amended in the following respects:

1. Section 1400.82 (Z) (3) is amended to read as follows:

(3) To the extent only that under Revised Supplementary Order No. 114[2] he permissibly reserved the right in an adjustable pricing contract, a reseller (jobber, converter-jobber acting as a jobber thereof, wholesaler, wholesaling-jobber, or Pacific Coast jobber) who has been required to pay an additional sum on goods purchased from his supplier pursuant to subparagraph (2) above, may charge with respect to those goods, if delivered by him during the period August 7, 1945 through February 26, 1946, an additional amount not to exceed the difference between the amount previously collected and the ceiling price for the goods computed by using the appropriate division factors in effect on February 26, 1946.

2. Section 1400.82 (b) (2) (ii) (*e*) is amended by adding the following sentence: "However, sales of grey goods which are required to be set aside and delivered in the grey for industrial or agricultural purposes pursuant to the Civilian Production Administration's Supplementary Order No. M-317A, as amended, shall not be considered sales for the purposes of this subdivision (*e*) "

3. Section 1400.82 (b) (11) is amended by deleting therefrom the words "Supplementary Order No. M-317A, as amended, issued by the Civilian Production Administration on April 1, 1946" which appear at the end of the paragraph and substituting therefor the phrase "the Civilian Production Administration's Supplementary Order No. M-317A in its present form or as hereafter amended."

This amendment shall become effective July 3, 1946.

Issued this 28th day of June 1946.

PAUL A. PORTER,
Administrator

[F R. Doc. 46-11418; Filed, June 28, 1946; 11:42 a. m.]

PART 1499—COMMODITIES AND SERVICES

[SR 14E, Amdt. 49]

LEVERS, RASCHEL AND BARMEN LACES

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

1. Table I in section 2.13 (a) is amended as follows:

a. The heading of column C is amended to read as follows: "Sales of finished lace by manufacturers and jobbers (other than jobbers' sales to retailers) "

b. The heading of column E is amended to read as follows: "Sales to retailers by jobbers."

c. In column E, the figures 4½ and 6 are changed to 4⅞ and 6⅜, respectively.

2. That part of section 2.13 (a) preceding paragraph (1) is amended to read as follows:

(a) Manufacturers of levers, raschel and barmen laces (excluding veilings, hair-nets, and hosiery mesh) and jobbers of these laces may change a price not in excess of the following:

This amendment shall become effective July 3, 1946.

Issued this 28th day of June 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-11414; Filed, June 28, 1946; 11:42 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[SR 2, Amdt. 5]

CIGARETTES IN HAWAII

A statement of the considerations involved in the issuance of this amendment to Supplementary Regulation No. 2 has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Section 3 of Supplementary Regulation No. 2 to the General Maximum Price Regulation for the Territory of Hawaii is amended to read as follows:

SEC. 3. *Maximum prices for sales of cigarettes*—(a) *Wholesalers.* The maximum prices for sales at wholesale by any person shall be the seller's maximum prices established under the General Maximum Price Regulation for the Territory of Hawaii plus $0.25 per thousand cigarettes. For all cash and carry sales at wholesale, the wholesaler is required to give the retailer a discount which shall be the same as the percentage discount earned by the wholesaler for prompt payment.

(b) *Retailers.* The maximum price for a single package of cigarettes is the particular retailer's maximum price for a single package of such cigarettes as established under the General Maximum Price Regulation for the Territory of Hawaii and is therefore no higher after the effective date of this Supplementary Regulation that it was before. For sales of two or more packages of cigarettes a retailer may add one-half cent per package to his former maximum price.

The maximum price for a vending machine seller of cigarettes shall be his maximum price established under the General Maximum Price Regulation for the Territory of Hawaii plus one cent per package.

This amendment shall become effective as of June 5, 1946.

Issued this 28th day of June 1946.

PAUL A. PORTER,
Administrator

[F. R. Doc. 46-11430; Filed June 28, 1946; 11:56 a. m.]

Chapter XVIII—Office of Economic Stabilization

[Directive 94, Amdt. 2]

PART 4004—PRICE STABILIZATION: MAXIMUM PRICES

1946 SOUTHERN PINE LUMBER

Pursuant to the authority vested in me by the Stabilization Act of 1942, as amended, and by Executive Order 9250 of October 3, 1942 (7 F.R. 7871), Executive Order 9328 of April 8, 1943 (8 F.R. 4681) Executive Order 9599 of August 18, 1945 (10 F.R. 10155) Executive Order 9651 of October 30, 1945 (10 F.R. 13487), Executive Order 9697 of February 14, 1946 (11 F.R. 1691) and Executive Order 9699 of February 21, 1946 (11 F.R. 1929), *It is hereby ordered.*

Directive 94 (11 F.R. 1155), Amendment No. 1 (11 F.R. 1549) is hereby amended by the addition of the following paragraph:

Whenever the Price Administrator finds that adequate production of car materials is not being achieved he is further authorized and directed to make such price adjustments as in his judgment will aid in securing adequate production. Such adjustments are authorized even if they should necessitate exceeding the average discretionary increase of $3.25 per thousand board feet originally authorized in this directive.

Issued and effective this 27th day of June 1946.

CHESTER BOWLES,
Director

[F. R. Doc. 46-11334; Filed, June 27, 1946; 4:39 p. m.]

Chapter XXIII—War Assets Administration

[SPA Rev. Reg. 5,[1] Revocation of Order 7]

PART 8305—SURPLUS NONINDUSTRIAL REAL PROPERTY

AUTHORITY TO FEDERAL WORKS AGENCY TO NEGOTIATE A LEASE FOR FIVE YEARS WITH OPTION TO PURCHASE FOR CERTAIN INSTITUTIONAL PROPERTY IN SOUTH CAROLINA

Surplus Property Administration Revised Regulation 5, Order 7, December 18, 1945, entitled "Authority to Federal Works Agency to Negotiate a Lease for Five Years with Option to Purchase for Certain Institutional Property in South Carolina" (10 F. R. 15305), is hereby revoked and rescinded.

The property was not disposed of under the order referred to above, and is now available for disposition under the regular procedure.

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[1] 10 F.R. 14507, 14628, 15006; 11 F.R. 1783, 2075, 2224, 2986, 3863, 4339, 4541, 5120, 5542.

[2] 10 F.R. 9875, 11296, 12849, 13072; 11 F.R. 2593, 3533, 4583, 4605, 5223.

[1] SPA Rev. Reg. 5 (11 F.R. 2644, 3301, 4096).

This revocation shall become effective June 25, 1946.

E. B. GREGORY,
Administrator

JUNE 25, 1946.

[F. R. Doc. 46-11405; Filed, June 28, 1946; 11:30 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[Rev. S. O. 340, Amdt. 2]

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 27th day of June, A. D. 1946.

Upon further consideration of Revised Service Order No. 340 (10 F.R. 13827), as amended (11 F.R. 562), and good cause appearing therefor: *It is ordered*, That:

Revised Service Order No. 340, as amended, be, and it is hereby, further amended by substituting the following paragraph (d) for paragraph (d) thereof:

(d) *Expiration date.* This order shall expire at 11:59 p. m., October 31, 1946, unless otherwise modified, changed, suspended or annulled by order of this Commission. (40 Stat. 101, sec. 402; 41 Stat. 476, sec. 4; 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

It is further ordered, That this amendment shall become effective at 12:01 a. m., June 30, 1946; that a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 46-11407; Filed, June 28, 1946; 11:33 a. m.]

[S. O. 381, Amdt. 2]

PART 95—CAR SERVICE

BAUXITE ORE CONCENTRATES FROM MOBILE, ALA.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 27th day of June A. D. 1946.

Upon further consideration of Service Order No. 381 (10 F.R. 14575), as amended (11 F.R. 2327) and good cause appearing therefor: *It is ordered*, That:

Service Order No. 381, as amended, be, and it is hereby, further amended by substituting the following paragraph (g) for paragraph (g) thereof:

(g) *Expiration date.* This order shall expire at 11:59 p. m., October 31, 1946, unless otherwise modified, changed, suspended or annulled by order of this Commission.

It is further ordered, That this amendment shall become effective at 12:01 a. m., June 30, 1946; that a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 46-11409; Filed, June 28, 1946; 11:33 a. m.]

[S. O. 454, Amdt. 1]

PART 95—CAR SERVICE

PREFERENCE FOR EXPORT WHEAT, CORN, MEAT AND OTHER ESSENTIAL FOODS

At a Session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 27th day of June, A. D., 1946.

Upon further consideration of Service Order No. 454 (11 F.R. 1748) and good cause appearing therefor: *It is ordered*, That:

Service Order No. 454 be, and it is hereby, amended by substituting the following paragraph (f) for paragraph (f) thereof:

(f) *Expiration date.* This order shall expire at 11:59 p. m., October 31, 1946 unless otherwise modified, changed, suspended or annulled by order of this Commission. (40 Stat. 101, sec. 402, 418; 41 Stat. 476, 485, secs. 4, 10; 54 Stat. 901; 49 U.S.C. 1, (10)-(17), 15 (4))

It is further ordered, That this amendment shall become effective at 12:01 a. m., June 30, 1946; that a copy of this order and direction shall be served upon each state railroad regulatory body, and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 46-11410; Filed, June 28, 1946; 11:33 a. m.]

[S. O. 461, Amdt. 1]

PART 96—JOINT USE OF TERMINALS

SALT LAKE AND UTAH RAILROAD

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 27th day of June, A. D. 1946.

Upon further consideration of Service Order No. 461 (11 F.R. 2226) and good cause appearing therefor: *It is ordered*, That:

Service Order No. 461 be, and it is hereby, amended by substituting the following paragraph (e) for paragraph (e) thereof:

(e) *Expiration date.* This order shall expire at 11:59 p. m., e. s. t., October 31, 1946, unless otherwise modified, changed, suspended, or annulled by order of this Commission. (40 Stat. 101, sec. 402, 418; 41 Stat. 476, 485, sec. 4, 10; 54 Stat. 901, 912; 49 U.S.C. 1 (10)-(17) 15 (4))

It is further ordered, That this amendment shall become effective at 12:01 a. m., June 30, 1946; that a copy of this order and direction shall be served upon the Public Service Commission of Utah and upon the Association of American Railroads, Car Service Division; as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 46-11411; Filed, June 23, 1946; 11:33 a. m.]

[S. O. 523, Amdt. 1]

PART 96—JOINT USE OF TERMINALS

PITTSBURG, SHAWMUT & NORTHERN RAILROAD CO.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 27th day of June, A. D. 1946.

Upon further consideration of Service Order No. 523 (11 F.R. 5747) and good cause appearing therefor: *It is ordered*, That:

Service Order No. 523 be, and it is hereby, amended by substituting the following paragraph (b) in lieu of paragraph (b) thereof:

(b) *Protection of through routes and joint rates required:* In view of the fact that on those portions of the Pittsburg, Shawmut & Northern Railroad Company via which operations have been authorized to be suspended by the court, namely, north of Bolivar, N. Y., and south of Hyde, Penna., various through routes and joint rates exist, among which through routes is one with the Pittsburg & Shawmut Railroad via Erie Junction, Penna., one with the Baltimore & Ohio Railroad Company via Brockway, Penna., two with the Erie Railroad via

Friendship and Hornell, N. Y., and one with the Delaware, Lackawanna & Western Railroad Company via Wayland, N. Y., which through routes and joint rates will not apply because of such cessation of operations, leaving available junctions with the Pennsylvania Railroad Company via Olean, N. Y., and St. Marys, Penna., and with the Erie Railroad Company at Olean, N. Y., and Hyde, Penna., said receivers of the P S. & N. R. R. Co. shall protect the presently published rate via said remaining available junctions, and shall collect no other or different charge than they would have collected if in fact the traffic had moved through the junction points via which service is suspended; this requirement to apply as to both inbound and outbound traffic.

It is further ordered, That this amendment shall become effective at 12:01 a. m., June 28, 1946; that a copy of this order and direction shall be served upon the Public Service Commission of New York, Albany, N. Y., and the Pennsylvania Public Utilities Commission, Harrisburg, Pa., and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement, and upon the receivers of the P S. & N. R. R. Co., the Pittsburg & Shawmut Railroad Co., the B. & O. R. R. Co., the Erie R. R. Co., the Pennsylvania R. R. Co., and the D. L. & W R. R. Co., 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.

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

[F. R. Doc. 46-11412; Filed, June 28, 1946; 11:33 a. m.]

Notices

TREASURY DEPARTMENT.

Fiscal Service: Bureau of the Public Debt.

[1st Rev. Dept. Circ. 696, 1946, Amdt. 1]

REDEMPTION OF TREASURY SAVINGS NOTES, SERIES C

JUNE 24, 1946.

1. Section V Paragraph 6, of the First Revision of Department Circular No. 696, dated November 20, 1943, which provides that payment of any savings note, either at maturity or on redemption before maturity, will be made only by the Federal Reserve Bank or Branch or the Treasury Department, as the case may be, that issued the note, is hereby amended to provide that the note may be redeemed by any Federal Reserve Bank or Branch or the Treasury Department following clearance with the agent of issue.

[SEAL] O. MAX GARDNER, *Acting Secretary of the Treasury.*

[F. R. Doc. 46-11393; Filed, June 28, 1946; 10:31 a. m.]

DEPARTMENT OF AGRICULTURE.

Rural Electrification Administration.

[Administrative Order 1093]

ALLOCATION OF FUNDS FOR LOANS

JUNE 13, 1946.

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

Project designation:	*Amount*
Wyoming 14K Laramie	$540,000

[SEAL] CLAUDE R. WICKARD, *Administrator.*

[F. R. Doc. 46-11400; Filed, June 28, 1946; 11:29 a. m.]

[Administrative Order 1094]

ALLOCATION OF FUNDS FOR LOANS

JUNE 14, 1946.

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

Project designation:	*Amount*
Alabama 19C Athens Public	$435,000
Arizona 13A Navajo	56,000

[SEAL] CLAUDE R. WICKARD, *Administrator*

[F. R. Doc. 46-11401; Filed, June 28, 1946; 11:29 a. m.]

[Administrative Order 1092]

ALLOCATION OF FUNDS FOR LOANS

JUNE 14, 1946.

I hereby amend:

(a) Administrative Order No. 1077, dated May 24, 1946, by reducing the allocation of $600,000 therein made for "Alabama 29E Greene" by $1,000 so that the reduced allocation shall be $599,000;

(b) Administrative Order No. 1075, dated May 24, 1946, by reducing the allocation of $360,000 therein made for "Kansas 14E Sumner-Cowley" by $37,000 so that the reduced allocation shall be $323,000;

(c) Administrative Order No. 1073, dated May 23, 1946, by reducing the allocation of $685,000 therein made for "Mississippi 39N Jackson" by $71,000 so that the reduced allocation shall be $614,000;

(d) Administrative Order No. 1073, dated May 23, 1946, by reducing the allocation of $73,000 therein made for "North Carolina 21P Sampson" by $5,000 so that the reduced allocation shall be $68,000;

(e) Administrative Order No. 1085, dated June 5, 1946, by reducing the allocation of $50,000 therein made for "Pennsylvania 20S Blair" by $2,000 so that the reduced allocation shall be $48,000.

[SEAL] CLAUDE R. WICKARD, *Administrator*

[F. R. Doc. 46-11399; Filed, June 28, 1946; 11:29 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket Nos. 6013, 6175, 6177-6179, 6182, 7217-7234]

WBNX BROADCASTING CO. ET AL.

ORDER WAIVING CERTAIN FILING REQUIREMENTS

In re applications of WBNX Broadcasting Company, New York City, Docket No. 6013, File No. B1-PH-85; News Syndicate Company, Inc., New York City, Docket No. 6175, File No. B1-PH-87; WMCA, Inc., New York City, Docket No. 6177, File No. B1-PH-89; Greater New York Broadcasting Corporation, New York City, Docket No. 6179, File No. B1-PH-95; Debs Memorial Funds, Inc., New York City, Docket No. 6178, File No. B1-PH-112; Frequency Broadcasting Corporation, Brooklyn, New York, Docket No. 6182, File No. B1-PH-47; American Broadcasting Company, Inc., New York City, Docket No. 7217, File No. B1-PH-182; Hearst Radio, Inc., New York City, Docket No. 7218, File No. B1-PH-222; Bernard Fein, New York City, Docket No. 7219, File No. B1-PH-370; WLIB, Inc., New York City, Docket No. 7220, File No. B1-PH-402; Peoples Radio Foundation, Inc., New York City, Docket No. 7221, File No. B1-PH-563; Supreme Broadcasting System, Inc., New York City, Docket No. 7222, File No. B1-PH-567; New York Sun Broadcasting Co., Inc., New York City, Docket No. 7223, File No. B1-PH-618; Metropolitan Broadcasting Service, New York City, Docket No. 7224, File No. B1-PH-637; National Maritime Union Broadcasting Co., Inc., New York City, Docket No. 7225, File No. B1-PH-649; Amalgamated Broadcasting System, Inc., New York City, Docket No. 7226, File No. B1-PH-647; Book-of-the-Month-Club Broadcasting Corp., New York City, Docket No. 7227, File No. B1-PH-646; Unity Broadcasting Corporation of New York City, New York City, Docket No. 7228, File No. B1-PH-651, Elias I. Godofsky, Brooklyn, New York, Docket 7229, File No. B1-PH-499; North Jersey Radio, Inc., Newark, New Jersey, Docket No. 7230, File No. B1-PH-358; International Union, United Automobile, Aircraft and Agricultural Implement Workers of America (UAW-CIO) Newark, New Jersey, Docket No. 7231, File No. B1-PH-442; Radio Projects, Inc., Newark, New Jersey, Docket No. 7232, File No. B1-PH-648; Atlantic Broadcasting Company, Newark, New Jersey, Docket No. 7233, File No. B1-PH-130; North Jersey Broadcasting Co., Inc., Paterson, New Jersey, Docket No. 7234, File No. B1-PH-145; for construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 20th day of June 1946;

It appearing, that a consolidated hearing on the above-entitled applications is scheduled at New York, New York, on Monday, the eighth day of July 1946; that on June 17, the Commission in writing advised each of the above-entitled applicants that certain additional engineering data would be required; that in all docket cases § 1.73 of the Commission's rules requires the filing of a petition for leave to amend and § 1.141 of the said rules requires the

filing of an original and fourteen copies of all such petitions; that with the filing of any petition for leave to amend, the actual amendment (an original and two copies, two of which must be duly executed) is required to be filed simultaneously with the petition; and

It appearing, that the interval of time between the Commission's notice of requirement of the additional engineering data, and the hearing on said applications, is so short that compliance with §§ 1.73 and 1.141 of the rules would appear to constitute an unreasonable burden upon said applicants; and

It appearing further, that, in any event, if all parties were permitted to present their said amendments directly to the presiding officer of the consolidated hearing on the above-entitled applications, all parties at the said hearing would have an opportunity to make any objections, if any they might have; and that public interest would be served by waiving the provisions of §§ 1.73 and 1.141 of said rules, and by giving the said presiding officer authority to accept said amendments; now, therefore, *It is ordered:*

1. That §§ 1.73 and 1.141 of the Commission's rules of practice and procedure, be, and they are hereby, waived, for the purpose only of permitting amendments relating solely to the additional data requested by the Commission in connection with the above-entitled applications, to be filed directly with the presiding officer of the consolidated hearing thereon;

2. That said presiding officer of the consolidated hearing on the above-entitled applications be, and he is hereby, authorized to accept for filing all such amendment which comply with § 1.74 of the Commission's rules, and where no objection thereto is made by any party;

3. That in the event of objection by any party to such amendment, said presiding officer be, and he is hereby, directed to refer said amendment to the Commission for action by the Motions Commissioner.

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

[F. R. Doc. 46-11239; Filed, June 27, 1946; 10:20 a. m.]

[Docket No. 6875]

SEAMAN AND COLLINS

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re application Bleeker P. Seaman and Carr P. Collins, Jr., d/b as Seaman and Collins, El Paso, Texas; for construction permit; Docket No. 6875, File No. B3-P-4129.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 13th day of June 1946;

The Commission having under consideration the above-entitled application as amended requesting a construction permit for a new standard broadcast station to operate on 1340 kc, with 250 w power, unlimited time, at El Paso, Texas;

It is ordered, That the said application be, and it is hereby, designated for hearing in a consolidated proceeding with the applications of Sunland Broadcasting Co. (File No. B3-P-4290, Docket No. 7073) and Del Norte Broadcasting Company, Inc. (File No. B3-P-4700, Docket No. 7534) requesting the same facilities, upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant partnership and the partners to construct and operate the proposed station.

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

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with the services proposed in any pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations.

7. To determine on a comparative basis which, if any, of the applications in this consolidated proceedings should be granted.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-11221; Filed, June 27, 1946; 10:17 a. m.]

[Docket Nos. 6940, 7186]

RADIO WISCONSIN, INC. AND OHIO BROADCASTING CO. (WHEC)

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING

In re applications of Radio Wisconsin, Incorporated, Madison, Wisconsin, for construction permit; Docket No. 6940, File No. B4-3809; The Ohio Broadcasting Company (WHEC) Canton, Ohio, for construction permit; Docket No. 7186, File No. B2-P-3939.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 24th day of May 1946;

The Commission having under consideration the above application of Radio Wisconsin, Incorporated, requesting a construction permit for a new standard broadcast station at Madison, Wisconsin, to operate on the 1480 kilocycles frequency, with 1 kilowatt power, unlimited time using directional antenna at night, and of The Ohio Broadcasting Company, requesting a construction permit to increase the power of Station WHEC, operating at Canton, Ohio, on the 1480 kilocycle frequency, from 1 kilowatt to 5 kilowatts, unlimited time with directional antenna at night, to install new transmitter and directional antenna and to change its transmitter location, which applications have heretofore been designated for hearing in a consolidated proceeding; and

The Commission also having under consideration the petition of The Ohio Broadcasting Company for severance of its application from the consolidated proceeding and for reconsideration and grant thereof without hearing thereon, which petition was this day granted;

And it appearing, that public interest, convenience and necessity will be served by a continuance of the hearing on the application of Radio Wisconsin, Incorporated, now scheduled to be heard May 29, 1946, at Madison, Wisconsin;

It is ordered, on the Commission's own motion, that the hearing on the said application of Radio Wisconsin, Incorporated be, and it is hereby, continued to July 30, 1946, at Washington, D. C., and

It is further ordered, That the said application be heard in a consolidated proceeding with the application of Edwin Mead (File No. B4-P-4729, Docket No. 7599) requesting a construction permit for a new standard broadcast station at Rockford, Illinois, to operate on 1480 kilocycles, 1 kilowatt power, unlimited time, on the issues heretofore defined in a Notice of Hearing dated December 28, 1945, and addressed to Central Broadcasting Company, the then applicant in the matter of the above entitled application of Radio Wisconsin, Incorporated.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-11226; Filed, June 27, 1946; 10:19 a. m.]

[Docket No. 7055]

JAMES VALLEY BROADCASTING CO.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re application of James Valley Broadcasting Company, Huron, South Dakota, for construction permit; Docket No. 7055, File No. B4-P-4223.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 13th day of June 1946;

The Commission having under consideration the above-entitled application, as amended, requesting a construction permit for a new standard broadcasting station to operate on 1340 kc, with 250 w

power, unlimited time, at Huron, South Dakota;

It is ordered, That the said application be, and it is hereby, designated for hearing in a consolidated proceeding with the application of Big Sioux Broadcasting Company (File No. B4-P-4734) requesting a construction permit for a new standard broadcast station to operate on 1340 kc, with 250 w power, unlimited time, at Sioux Falls, South Dakota, upon the following issues:

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

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

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with the services proposed in the pending application of Big Sioux Broadcasting Company (File No. B4-P-4734) or in any other pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations.

7. To determine on a comparative basis which, if either, of the applications in this consolidated proceeding should be granted.

By the Commission.

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

[F. R. Doc. 46-11222; Filed, June 27, 1946; 10:17 a. m.]

[Docket No. 7057]

TELEGRAM PUBLISHING CO.

ORDER DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES

In re the application of Telegram Publishing Company, Salt Lake City, Utah, for construction permit; Docket No. 7057, File No. B5-P-4180.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 13th day of June 1946:

The Commission having under consideration the petition of Telegram Publishing Company, filed March 18, 1946, for immediate consideration and grant of the above listed application for a construction permit for a standard broadcast station in Salt Lake City, Utah, using 1230 kc, 250 watts, unlimited time;

It is ordered, That said petition be and it is hereby denied insofar as it requests a grant of the said application without a hearing; and

It is further ordered, That said application be and it is hereby designated for hearing upon the following issues:

1. To determine the legal technical, financial, and other qualifications of the applicant to construct and operate the proposed station.

2. To determine the areas and populations which would gain primary service through the operation of the proposed station and what other broadcast services are available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the areas and populations proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with the service of stations KOVO or KVNU, or with any other existing or proposed broadcast service and the nature and extent of any such interference and the availability of other broadcast service to such areas and populations.

5. To determine the identity of the officers, directors, and stockholders of the applicant and of corporations owning stock in the applicant, and the interests or official relationships of any such persons to Radio Service Corporation of Utah, licensee of station KSL, or to the licensee of any other standard broadcast station and the amount of stock held or voted by each of them in the applicant, applicant's corporate stockholders and Radio Service Corporation of Utah.

6. To determine the connections and relationships, direct and indirect and the nature, extent and effect thereof existing between the applicant or its officers, directors, or stockholders and the licensee of Station KSL or its officers, directors, and stockholders.

7. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's Rules and Standards of Good Engineering Practice concerning standard broadcast stations.

It is further ordered, That KOVO Broadcasting Company (KOVO) and Cache Valley Broadcasting Company (KVNU) be and they are hereby made parties to this proceeding.

By the Commission.

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

[F. R. Doc. 46-11223; Filed, June 27, 1946; 10:17 a. m.]

[Docket No. 7073]

SUNLAND BROADCASTING CO.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re application of Sunland Broadcasting Co., El Paso, Texas, for construction permit; Docket No. 7073, File No. B3-P-4290.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C. on the 13th day of June 1946;

The Commission having under consideration the above-entitled application requesting a construction permit for a new standard broadcast station to operate on 1340 kc, with 250 w power, unlimited time, at El Paso, Texas;

It is ordered, That the said application be, and it is hereby designated for hearing in a consolidated proceeding with applications of Bleecker P Seaman and Carr P Collins, Jr., d/b as Seaman and Collins (File No. B3-P-4129, Docket No. 6875) and Del Norte Broadcasting Company, Inc. (File No. B3-P-4700, Docket No. 7534) requesting the same facilities, upon the following issues:

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

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

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with the services proposed in any pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations.

7. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

By the Commission.

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

[F. R. Doc. 46-11238; Filed, June 27, 1946; 10:20 a. m.]

[Docket Nos. 7086, 7156, 7355, 7652]

RADIO BROADCASTING INC. (KTHS) ET AL.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of Radio Broadcasting, Inc., (KTHS) West Memphis, Arkansas, for construction permit; File No.

B3-P-3814, Docket No. 7086; Radio Broadcasting, Inc., Hot Springs, Arkansas, for construction permit; File No. B3-P-3915, Docket No. 7156; W. Wright Esch, Daytona Beach, Florida, for construction permit; File No. B3-P-4320, Docket No. 7355; Hot Springs Broadcasting Company, Hot Springs, Arkansas, for construction permit; File No. B3-P-4601, Docket No. 7652.

At a session of the Federal Communications Commission held at its offices in Washington, D. C. this 20th day of June 1946;

The Commission having under consideration the petition of Radio Broadcasting, Inc., to enlarge Issue No. 3 in the proceeding upon its above-entitled application (B3-P-3814) to include determination of the service proposed by petitioner to the areas and populations which may be deprived of service from KTHS if its application to increase power and move that station should be granted.

It is ordered, That the petition to enlarge issues be, and it is hereby denied, and

It is further ordered, That the application of Radio Broadcasting, Inc., for construction permit for a new standard broadcast station at Hot Springs, Arkansas to operate on frequency 550 kc with 5 kw power days and 1 kw nights be, and it is hereby consolidated for hearing commencing June 25, 1946 with the applications of Radio Broadcasting, Inc., (KTHS) West Memphis, Arkansas, W Wright Esch, Daytona Beach, Florida, and Hot Springs Broadcasting Company, Hot Springs, Arkansas, upon the following issues:

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

2. To determine the areas and populations which may be expected to gain or lose primary service from the operation of the proposed station and the extent and character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast station, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with services proposed in any pending applications for broadcast facilities, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

By the Commission.

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

[F. R. Doc. 46-11234; Filed, June 27, 1946; 10:19 a. m.]

[Docket Nos. 7086, 7156, 7355, 7652]

RADIO BROADCASTING, INC. (KTHS) ET AL.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of Radio Broadcasting, Inc., (KTHS), West Memphis, Arkansas, for construction permit; File No. B3-P-3814, Docket No. 7086; Radio Broadcasting, Inc., Hot Springs, Arkansas, for construction permit; File No. B3-P-3915, Docket No. 7156; W. Wright Esch, Daytona Beach, Florida, for construction permit; File No. B3-P-4320, Docket No. 7355; and Hot Springs Broadcasting Company, Hot Springs, Arkansas, for construction permit; File No. B3-P-4601, Docket No. 7652.

At a session of the Federal Communications Commission held at its offices in Washington, D. C. this 20th day of June 1946;

The Commission having under consideration the petition of Hot Springs Broadcasting Company requesting that its application for construction permit (File No. B3-P-4601) for a new standard broadcast station at Hot Springs, Arkansas to operate on frequency 1090 kc with 50 kw power, unlimited time, directional antenna at night, be consolidated for hearing with the above-entitled applications of Radio Broadcasting, Inc. (KTHS), West Memphis, Arkansas (File No. B3-P-3814; Docket No. 7086) and W. Wright Esch, Daytona Beach, Florida (File No. B3-P-4320; Docket No. 7355).

It is ordered, That the said application of Hot Springs Broadcasting Company be, and it is hereby, designated for hearing in consolidation with the above-entitled applications upon the following issues:

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

2. To determine the areas and populations which may be expected to gain or lose primary service from the operation of the proposed station and the extent and character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with services proposed in any pending applications for broadcast facilities, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

8. To determine whether operation of the proposed station would be consistent with the terms of the North American Regional Agreement.

By the Commission.

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

[F. R. Doc. 46-11235; Filed, June 27, 1946; 10:19 a. m.]

[Docket No. 7534]

DEL NORTE BROADCASTING CO., INC.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re application of Del Norte Broadcasting Company, Inc., El Paso, Texas; for construction permit; Docket No. 7534, File No. B3-P-4700.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 13th day of June 1946;

The Commission having under consideration the above-entitled application requesting a construction permit for a new standard broadcast station to operate on 1340 kc, with 250 w power, unlimited time, at El Paso, Texas;

It is ordered, That the said application be, and it is hereby, designated for hearing in a consolidated proceeding with the applications of Bleecker, P. Seaman and Carr P. Collins, Jr., d/b as Seaman and Collins (File No. B3-P-4129, Docket No. 6875) and Sunland Broadcasting Company (File No. B3-P-4290, Docket No. 7073) requesting the same facilities, upon the following issues:

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

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

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any

existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with the services proposed in any pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populatons affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and standards of good engineering practice concerning standard broadcast stations.

7. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

By the Commission.

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

[F. R. Doc. 46-11224; Filed, June 27, 1946; 10:17 a. m.]

[Docket No. 7599]

EDWIN MEAD

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re application of Edwin Mead, Rockford, Illinois, for construction permit; Docket No. 7599, File No. B4-P-4729.

At a session of the Federal Communications Commission held at its offices in Washington, D. C. on the 24th day of May 1946;

The Commission having under consideration the above entitled application of Edwin Mead requesting a construction permit for a new standard station at Rockford, Illinois, to operate on 1480 kilocycles, 1 kilowatt, unlimited time, with directional antenna day and night;

And the Commission also having under consideration a petition of the said Edwin Mead for leave to intervene in a consolidated hearing on the applications of Radio Wisconsin, Incorporated, Madison, Wisconsin (File No. B4-P-3809, Docket No. 6940) and The Ohio Broadcasting Company (WHBC) Canton, Ohio (File No. B2-P-3939, Docket No. 7186) the latter application having this day been granted;

And it appearing, that it will be necessary for the said application of Radio Wisconsin, Incorporated, to remain in a hearing status because of interference problems, involving in particular the proposed operations of Station KTBS, Shreveport, Louisiana (File No. B3-P-4720) and a new proposed station at Beloit, Wisconsin (File No. B4-P-4151) and that the hearing thereof at Madison, Wisconsin, has this day been continued to July 30, 1946, at Washington, D. C.

And it further appearing, that there will be mutual interference problems between the operations proposed in the said applications of Edwin Mead and Radio Wisconsin, Incorporated;

It is ordered, That the said application of Edwin Mead be designated for hearing in a consolidated proceeding with the aforesaid application of Radio Wisconsin, Incorporated, on the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant to construct and operate the proposed station.

2. To determine the areas and populations which would gain or lose primary service through the operation of the proposed station and what other broadcast services are available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the areas and populations proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with the service of any existing broadcast station, with particular reference to Stations WHBC, Canton, Ohio, and WRDW Augusta, Georgia, the nature and extent of any such interference, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with the service of stations proposed in any pending applications, the nature and extent of any such interference, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning Standard Broadcasting Stations.

7. To determine on a comparative basis, which, if either, of the applications in this consolidated proceeding should be granted.

It is further ordered, That the said petition of Edwin Mead for leave to intervene in the aforesaid consolidated proceeding be, and it is hereby, dismissed.

By the Commission.

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

[F. R. Doc. 46-11225; Filed, June 27, 1946; 10:17 a. m.]

[Docket No. 7609]

RADIO PEORIA, INC.

ORDER DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES

In re application of Radio Peoria, Inc., Peoria, Illinois, for construction permit; Docket No. 7609, File No. B4-P-4177.

At a session of the Federal Communications Commission held at its offices in Washington, D. C. on the 24th day of May 1946;

The Commission having under consideration the above application of Radio Peoria, Inc., for a construction permit for a new standard broadcast station to operate on the 970 kilocycle frequency, with 1 kilowatt power, using directional antenna, unlimited time, at Peoria, Illinois;

It is ordered, That the said application be designated for hearing on the following issues:

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

2. To obtain full information with respect to the corporate structure of which the applicant is a part, the character and extent of control to be exercised respectively by the proposed licensee corporation and the two parent corporations over the proposed station, and whether other subsidiaries comparable to the applicant are contemplated for future expansion in the radio broadcasting industry.

3. To determine the areas and populations which would gain primary service through the operation of the proposed station and what other broadcast services are available to those areas and populations.

4. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the areas and populations proposed to be served.

5. To determine whether the operation of the proposed station would involve objectionable interference with any existing or proposed broadcast service, with particular reference to Stations WAVE, Louisville, Kentucky, and WHA, Madison, Wisconsin, the nature and extent thereof, the areas and populations affected thereby and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

By the Commission.

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

[F. R. Doc. 46-11226; Filed, June 27, 1946; 10:17 a. m.]

[Docket No. 7628]

BEAUMONT BROADCASTING CORP. (KFDM)

ORDER DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES

In re application of Beaumont Broadcasting Corporation (KFDM), Beaumont, Texas, for construction permit; File No. B3-P-4241, Docket No. 7628.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 13th day of June 1946;

The Commission having under consideration the above-entitled application of Beaumont Broadcasting Corporation (KFDM) for a construction permit to increase power from 1 kw to 5 kw, install a new transmitter, change the transmitter location, and install a directional antenna for nighttime use, on its present frequency 560 kc, unlimited time, at Beaumont, Texas;

It is ordered, That the said application be designated for hearing upon the following issues:

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

2. To determine the areas and populations which may be expected to gain or lose primary service from the operation of station KFDM as proposed and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of station KFDM as proposed would involve objectionable interference with stations KGKO at Dallas, Texas, KTSA at San Antonio, Texas, and KALB at Alexandria, Louisiana, or with any other existing broadcast stations, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of station KFDM as proposed would involve objectionable interference with the operation of station WJLS at Beckley, West Virginia, as proposed in the pending application of Joe L. Smith, Jr. (File No. B2-P-3943) or with any other pending applications for broadcast facilities, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of station KFDM as proposed would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

By the Commission.

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

[F. R. Doc. 46-11227; Filed, June 27, 1946; 10:18 a. m.]

[Docket No. 7632]

BIG SIOUX BROADCASTING CO.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re application of Big Sioux Broadcasting Company, Sioux Falls, South Dakota, for construction permit; Docket No. 7632; File No. B4-P-4734.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 13th day of June 1946;

The Commission having under consideration the above-entitled application requesting a construction permit for a new standard broadcast station to operate on 1340 kc, with 250 w power, unlimited time, at Sioux Falls, South Dakota;

It is ordered, That the said application be, and it is hereby, designated for hearing in a consolidated proceeding with the application of James Valley Broadcasting Company (File No. B4-P-4228, Docket No. 7055) requesting a construction permit for a new standard broadcast station to operate on 1340 kc, with 250 w power, unlimited time, at Huron, South Dakota, upon the following issues:

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

2. To determine the areas and populations which may be expected to gain or lose primary service from the operation of the proposed station and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with stations KWLM at Willmar, Minnesota and KSCJ at Sioux City, Iowa, or with any other existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with the services proposed in the pending application of James Valley Broadcasting Company (File No. B4-P-4228, Docket No. 7055) or in any other pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations.

7. To determine on a comparative basis which, if either, of the applications in this consolidated proceeding should be granted.

By the Commission.

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

[F. R. Doc. 46-11228; Filed, June 27, 1946; 10:18 a. m.]

[Docket No. 7633]

SANTA MONICA BROADCASTING CO.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re application Santa Monica Broadcasting Company, Santa Monica, California; for construction permit; Docket No. 7633, File No. B5-P-4792.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 13th day of June 1946;

The Commission having under consideration the above-entitled application requesting a construction permit for a new standard broadcast station to operate on 1190 kc, with 1 kw power, daytime only, at Santa Monica, California;

It is ordered, That the said application be, and it is hereby, designated for hearing in a consolidated proceeding with the application of Robert Burdette (File No. B5-P-4799) requesting a construction permit for a new standard broadcast station to operate on 1190 kc, with 1 kw power, daytime only, at San Fernando, California, upon the following issues:

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

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

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with the services proposed in the pending application of Robert Burdette (File No. B5-P-4799) or in any other pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and population.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations.

7. To determine on a comparative basis which, if either, of the applications in this consolidated proceeding should be granted.

By the Commission.

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

[F. R. Doc. 46-11229; Filed, June 27, 1946; 10:18 a. m.]

[Docket No. 7634]

ROBERT BURDETTE

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re application Robert Burdette, San Fernando, California; for construction permit; Docket No. 7634, File No. B5-P-4799.

At a session of the Federal Communications Commission, held at its offices

in Washington, D. C., on the 13th day of June 1946;

The Commission having under consideration the above-entitled application requesting a construction permit for a new standard broadcast station to operate on 1190 kc, with 1 kw power, daytime only, at San Fernando, California;

It is ordered, That the said application be, and it is hereby, designated for hearing in a consolidated proceeding with the application of Santa Monica Broadcasting Company (File No. B5-P-4792) requesting a construction permit for a new standard broadcast station to operate on 1190 kc, with 1 kw power, daytime only, at Santa Monica, California, upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant to construct and operate the proposed station.

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

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with the services proposed in the pending application of Santa Monica Broadcasting Company (File No. B5-P-4792) or in any other pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standard of Good Engineering Practice Concerning Standard Broadcast Stations.

7. To determine on a comparative basis which, if either, of the applications in this consolidated proceeding should be granted.

By the Commission.

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

[F. R. Doc. 46-11238; Filed, June 27, 1946; 10:18 a. m.]

[Docket No. 7635]

RADIO KENTUCKY, INC.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re application Radio Kentucky, Incorporated, Louisville, Kentucky, for construction permit; Docket No. 7635. File No. B2-P-4765.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 13th day of June 1946;

The Commission having under consideration the above-entitled application requesting a construction permit for a new standard broadcast station to operate on 900 kc, with 1 kw power, daytime only, at Louisville, Kentucky;

It appearing, that the Commission on May 15, 1946, designated for hearing in a consolidated proceeding the applications of I. And E. Broadcasting Company (File No. B2-P-4659; Docket No. 7586) requesting a construction permit for a new standard broadcast station to operate on 900 kc, with 1 kw power, daytime only, at Dayton, Ohio, and Paul F. Braden (File No. B2-P-4680, Docket No. 7587) requesting a construction permit for a new standard broadcast station to operate on 910 kc, with 1 kw power, daytime only, at Middletown, Ohio;

It is ordered, That the said application of Radio Kentucky, Incorporated be, and it is hereby, designated for hearing in the above consolidated proceeding upon the following issues:

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

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

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with stations WENR and WLS, at Chicago, Illinois, or with any other existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with the services proposed in the pending applications of I. and E. Broadcasting Company (File No. B2-P-4659, Docket No. 75860 and Paul F Braden (File No. B2-P-4680, Docket No. 7587) or in any other pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's Rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations.

7. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

It is further ordered, That the orders heretofore issued designating for hearing in a consolidated proceeding the applications of I. and E. Broadcasting Company and Paul F Braden, be, and the same hereby are, amended to include the application of Radio Kentucky, Incorporated (File No. B2-P-4765)

By the Commission.

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

[F. R. Doc. 46-11231; Filed, June 27, 1946; 10:18 a. m.]

[Docket Nos. 7640-7646]

WDAS BROADCASTING STATION, INC., ET AL.

ORDER DESIGNATING APPLICATIONS FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of WDAS Broadcasting Station, Inc., Philadelphia, Pennsylvania; Docket No. 7640, File No. B2-PH-128; Amalgamated Broadcasting System, Inc., Philadelphia, Pennsylvania; Docket No. 7641, File No. B2-PH-673; Crescent Broadcasting Corporation, Philadelphia, Pennsylvania; Docket No. 7642, File No. B2-PH-675; Unity Broadcasting Corp. of Penn., Philadelphia, Pennsylvania; Docket No. 7643, File No. B2-PH-731, Percy B. Crawford, Philadelphia, Pennsylvania; Docket No. 7644, File No. B2-PH-777; Independence Broadcasting Company, Philadelphia, Pennsylvania; Docket No. 7645, File No. B2-PH-806; Patrick Joseph Stanton, Philadelphia, Pennsylvania; Docket No. 7646, File No. B2-PH-967; for construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 13th day of June 1946;

The Commission having under consideration the above-entitled applications for construction permit for new metropolitan FM broadcast stations in the Philadelphia, Pennsylvania, area.

It is ordered, That the above-entitled applications be designated for consolidated hearing upon the following issues:

1. To determine the legal, technical, financial and other qualifications of the applicant to operate and construct the proposed station.

2. To obtain full information with respect to the nature and character of the proposed program service.

3. To determine the areas and populations which may be expected to receive service from the proposed station.

4. To determine on a comparative basis which is any of the applications in this consolidated proceeding should be granted.

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

[F. R. Doc. 46-11233; Filed, June 27, 1946; 10:18 a. m.]

[Docket No. 7636]

WEST CENTRAL BROADCASTING CO.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re application of West Central Broadcasting Company, Peoria, Illinois, for construction permit; Docket No. 7636, File No. B4-PH-984.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 13th day of June 1946;

The Commission having under consideration the above-entitled application for construction permit for a new FM metropolitan broadcast station in Peoria, Illinois:

It is ordered, That this application be designated for hearing to be consolidated with the hearings on the applications of Peoria Broadcasting Company et al. (Docket Nos. 7102-7106; 7408 and 7588 inclusive) for construction permits for new FM stations in the Peoria, Illinois, area, designated for consolidated hearing, upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant to operate and construct the proposed station.
2. To obtain full information with respect to the nature and character of the proposed program service.
3. To determine the areas and populations which may be expected to receive service from the proposed station.
4. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

It is further ordered, That the orders heretofore issued in the consolidated proceedings for Docket Nos. 7102-7106; 7408 and 7588 inclusive be, and they are hereby amended to include the application of the West Central Broadcasting Company, Peoria, Illinois (File No. B4-PH-984, Docket No. 7636)

By the Commission.

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

[F. R. Doc. 46-11232; Filed, June 27, 1946; 10:18 a. m.]

[Docket No. 7648]

FT. WAYNE BROADCASTING CO., INC.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re application of Ft. Wayne Broadcasting Company, Inc., Ft. Wayne, Indiana, for construction permit; Docket No. 7648, File No. B4-PH-1004.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 20th day of June 1946;

The Commission having under consideration the above-entitled application for construction permit for a new FM metropolitan broadcast station in Ft. Wayne, Indiana;

It is ordered, That this application be designated for hearing to be consolidated with the hearings on the applications of Midwest FM Network et al (Docket Nos. 7083, 7084 and 7085), for construction permits for new FM stations in the Ft. Wayne area, designated for consolidated hearing, upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant to operate and construct the proposed station.
2. To obtain full information with respect to the nature and character of the proposed program service.
3. To determine the areas and populations which may be expected to receive service from the proposed station.
4. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

It is further ordered, That the orders heretofore issued in the consolidated proceedings for Docket Nos. 7083, 7084 and 7085 be, and they are hereby, amended to include the application of Ft. Wayne Broadcasting Company, Inc., of Ft. Wayne, Indiana (File No. B4-PH-1004, Docket No. 7648)

By direction of the Commission.

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

[F. R. Doc. 46-11237; Filed, June 27, 1946; 10:19 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S.O. 354, Amdt. 3]

REROUTING OF TRAFFIC; EMPLOYEES STRIKE ON T. P. & W. R. R.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 27th day of June A. D. 1946.

Upon further consideration of Service Order No. 354 (10 F.R. 12534), as amended (10 F.R. 13598, 15482), and good cause appearing therefor: *It is ordered,* That:

Service Order No. 354 as amended, be, and it is hereby, further amended by substituting the following paragraph (e) for paragraph (e) thereof:

(e) *Expiration date.* This order shall expire at 11:59 p. m., October 31, 1946, unless otherwise modified, changed, suspended or annulled by order of this Commission. (40 Stat. 101, sec. 402, 418; 41 Stat. 476, 485, sec. 4, 10; 54 Stat. 901, 912; 49 U.S.C. 1 (10)-(17))

It is further ordered, That this order shall become effective at 12:01 a. m., June 30, 1946; that a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

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

[F. R. Doc. 46-11408; Filed, June 28, 1946; 11:33 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 64, Order 395]

JOHNSON-CLAFLIN 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 section 11 of Maximum Price Regulation No. 64; *It is ordered.*

(a) This order establishes maximum prices for sales at retail of the one model of gas range listed below manufactured by the Johnson-Claflin Corporation, 293 Lincoln Street, Marlboro, Massachusetts. For sales in each zone by retail dealers to ultimate consumers, the maximum prices, including the Federal excise tax, but not including any state or local taxes imposed at the point of sale are those set forth below:

Model	Article	Maximum prices for sales to ultimate consumers			
		Zone 1	Zone 2	Zone 3	Zone 4
NEM 19	Combination range.	$300.25	$304.25	$308.75	$315.25

These prices include delivery and installation. If the retail dealer does not provide installation, he shall compute his maximum price by deducting $9.00 from the maximum price shown above for his sales on an installed basis. In all other respects these prices are subject to each seller's customary terms, discounts, allowances (other than trade-in allowances) and other price differentials in effect on sales of similar articles.

(b) The manufacturer shall, before delivering any range covered by this order, after the effective date thereof, attach securely to the inside oven door panel a label which plainly states the applicable OPA retail maximum prices established by this order for sales of the range to ultimate consumers in each zone together with a list of the states included in each zone. The label shall also state that the retail prices shown thereon include the Federal excise tax, delivery and installation, and that if the seller does not provide installation, the maximum price is $9.00 less than the price shown on the label.

(c) For purposes of this order Zone 1, 2, 3, and 4 comprise the following states:

Zone 1. Massachusetts, Connecticut, and Rhode Island.

Zone 2. Maine, New Hampshire, Vermont, New York, New Jersey, Pennsylvania, Delaware, Maryland, West Virginia, Virginia, Kentucky, Tennessee, North Carolina, South Carolina, Mississippi, Alabama, Georgia, Florida, Michigan, Illinois, Indiana, Ohio and the District of Columbia.

Zone 3. Wisconsin, Minnesota, Iowa, Missouri, Arkansas, Louisiana, North Dakota, South Dakota, Nebraska, Kansas, Oklahoma.

Zone 4. Texas, New Mexico, Colorado, Wyoming, Montana, Idaho, Utah, Arizona, Nevada, WashingKton, Oregon and California.

(d) *Relationship to Maximum Price Regulation No. 64.* All the provisions of Maximum Price Regulation No. 64 continue to apply to sales of articles covered by this order, except to the extent, that they are modified by this order. The ceiling prices established by this order have been determined in accordance with Section 11b of that regulation and may not, therefore, be increased under that section.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 28th day of June 1946.

Issued this 27th day of June 1946.

PAUL A. PORTER,
Administrator

[F. R. Doc. 46-11293; Filed, June 27, 1946; 11:43 a. m.]

[RMPR 86, Order 65]

THE MAYTAG CO.

APPROVAL OF CEILING PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 14 of Revised Maximum Price Regulation No. 86; *It is ordered.*

(a) This order establishes ceiling prices for sales of the models of washing machines listed below manufactured by The Maytag Company, Newton, Iowa by distributors who purchase washers from the manufacturer in carload lots, stock them for resale to dealers in less than carload lots, provide the dealers with financing, where necessary, and are located in those areas in the manufacturer's Zone 1 retail price zone not allotted to city distributors operating in large metropolitan areas. The ceiling prices for sales to dealers by the class of distributor defined above of the models of washing machines listed below are as follows:

Model	Ceiling prices for sales to dealers	
	Lots of 1 to 9	Lots of 10 to 49
E2L	$92.36	$90.36
E2LP	95.87	93.87
E2M	107.57	105.57
E2MP	111.07	109.07
J2L	73.65	71.65
J2LP	77.16	75.16
J2M	88.86	86.86
J2MP	92.36	90.36
N2L	61.42	59.42
N2LP	64.93	62.93
N2M	76.62	74.62
N2MP	80.14	78.14

These ceiling prices include delivery but the seller may add to the applicable ceiling price shown above, the freight charge for shipment of the machine from the nearest Maytag Company shipping point to the purchasing dealer's place of business. The Maytag Company's shipping points are Newton, Iowa; Philadelphia, Pennsylvania; Indianapolis, Indiana; Kansas City, Missouri; and Minneapolis, Minnesota. If any of the above machines are sold equipped with a direct current motor the seller may add $5.84 to the ceiling prices shown above. If any of the above machines are sold equipped with an Odd Cycle alternating current motor, the seller may add $2.91 to the ceiling prices shown above.

(b) At the time of, or prior to the first invoice to each distributor of the type covered by this order, the manufacturer shall notify him in writing of the ceiling prices fixed by this order for resales by the distributor. This notice may be given in any convenient form.

(c) All the provisions of Revised Maximum Price Regulation No. 86 continue to apply to all sales and deliveries of articles 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 Revised 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.

(f) This order shall become effective on the 28th day of June, 1946.

Issued this 27th day of June 1946.

PAUL A. PORTER,
Administrator

[F. R. Doc. 46-11295; Filed, June 27, 1946; 11:43 a. m.]

[RMPR 86, Order 68]

EDISON GENERAL ELECTRIC CO.

APPROVAL OF CEILING PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 14 of Revised Maximum Price Regulation No. 86, *It is ordered:*

(a) This order establishes ceiling prices for sales of four models of wringer-type washing machines listed in subparagraphs (1) and (2) below, made by Edison General Electric Appliance Company, Inc., 5600 West Taylor Street, Chicago, Illinois.

(1) For sales by distributors to dealers the ceiling prices are those set forth below:

Article	Model No.	Ceiling prices for sales by distributors to dealers
		Each
Wringer-type washing machine.	LW-5	$56.74
	LWP-5	63.59
	LW-4	48.58
	LWP-4	55.60

These prices are f. o. b. seller's warehouse. When, however, shipment is made directly from factory to dealer pursuant to the distributor's order the above prices are f. o. b. the dealer's city. In the case of sales by a distributor to a non-servicing dealer the seller may add to the ceiling price shown above his customary differential of $5.00 whichever is lower. For purposes of this order a non-servicing dealer is one who relies on the distributor to supply the consumer with delivery and any services necessary to fulfill the one year warranty on the washing machines covered by this order. In all other respects these prices are subject to each seller's customary terms, discounts, allowances and other price differentials in effect on sales of similar articles.

(2) For sales by dealers to ultimate consumers the ceiling prices are those set forth below:

Article	Model No.	Ceiling prices for sales by dealers to ultimate consumers
		Each
Wringer-type washing machine.	LW-5	$84.50
	LWP-5	94.50
	LW-4	70.00
	LWP-4	80.00

(b) At the time of, or prior to, the first invoice to each distributor, the manufacturer shall notify the distributor of the ceiling prices established by this order for his resales.

(c) All provisions of Revised 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 Revised Maximum Price Regulation No. 86 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 27th day of June, 1946.

Issued this 27th day of June 1946.

PAUL A. PORTER,
Administrator

[F. R. Doc. 46-11296; Filed, June 27, 1946; 11:44 a. m.]

[MPR 188, Order 5055]

BOYLE MIDWAY, 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 Boyle Midway Incorporated of 22 East 40th Street, New York 16, 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: Black flag aerosol super spray and insecticide combination (Model No. 8788)	*Each*
Maximum prices for sales by manufacturer to all classes of purchasers	$0.90
Maximum prices for sales by jobbers to dealers	1.05
Maximum prices for sales by any seller to consumers	1.50

These maximum prices are for the articles described in the manufacturer's application dated June 17, 1946.

(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 for sales by manufacturers are f. o. b. destination and are 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, under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$1.50 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 28th day of June 1946.

Issued this 27th day of June 1946.

PAUL A. PORTER,
Administrator

[F. R. Doc. 46-11297; Filed, June 27, 1946; 11:44 a. m.]

[MPR 188, Order 5056]

SILAS SNIDER & CO., INC.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain article manufactured by Silas Snider and Company, Inc., 525 Union Avenue, Brooklyn 11, 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:

Articles	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
		Each	*Each*	*Each*
Sculptured bronze statuary table lamp with mahogany platform and custom made, hand painted parchment shade.	JH-45-1	$8.00	$9.60	$14.45
	MH-45-1	74.00	87.13	129.85
	CS-45-1	74.00	87.13	129.85
	HR-45-1	97.00	114.70	209.65
	MBK-45-1	98.00	115.60	208.65
	TIM-45-1	98.00	116.42	209.65

These maximum prices are for the articles described in the manufacturer's application dated May 23, 1946.

(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 days. 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 28th day of June 1946.

Issued this 27th day of June 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-11298; Filed, June 27, 1946; 11:44 a. m.]

[MPR 188, Order 5057]

NOVELTY INDUSTRIES

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Novelty Industries, 4876 Argus Drive, Los Angeles 41, 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.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
15" wood and plastic juvenile novelty night lamp with animal cut-out decorations	1	*Each* $7.00	*Each* $8.82	*Each* $15.00

These maximum prices are for the articles described in the manufacturer's application dated May 2, 1946.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 1% 10 days, net 30 days. 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 28th day of June, 1946.

Issued this 27th day of June 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-11299; Filed, June 27, 1946; 11:44 a. m.]

[MPR 188, Order 5058]

H. C. THOMPSON CLOCK 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 H. C. Thompson Clock Company, 38 Federal Street, Bristol, Conn.

(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:

Model No.	Brand name	Description		
Thompson	Thompson Clock Co.	Acoustic portable phone spring wound motor, manual, nickel finish tone arm and reproducer, leatherette covered case 14¾" x 12" x 6¾"		
		Ceiling prices to—		
		Distributor	Dealer	Consumer
		$6.85	$8.56	$14.95

Ceiling price to the consumer includes the Federal excise tax. Terms are 2 percent 10 days, net 30 days, f. o. b. factory.

These maximum prices are for the articles described in the manufacturer's application dated June 3, 1946.

(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.

(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—$14.95
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 28th day of June 1946.

Issued this 27th day of June 1946.

PAUL A. PORTER,
Administrator

[F. R. Doc. 46-11300; Filed, June 27, 1946; 11:45 a. m.]

[MPR 478, Order 180]

INMAN MILLS

APPROVAL OF MAXIMUM PRICES

For reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 10 of Maximum Price Regulation 478, *It is ordered:*

(a) The maximum price for sales by converters or wholesalers of the following coated fabric converted by the Inman Mills, Inman, South Carolina, shall be as follows:

Commodity and for sales to manufacturers

40" 56 x 56 3.60 sheeting feeler motion, bleached, coated with 3.5 dry ounces of pyroxylin coating (H. S. Roxite) $0.45102 per linear yard.

(b) With or prior to the first delivery of the coated fabrics covered by this order to a wholesaler, the seller shall notify such person in writing of the specific maximum price applicable to his resale of this coated fabric to manufacturers which is the maximum price set forth in paragraph (a) above.

(c) All provisions of Maximum Price Regulation 478 not inconsistent with this order shall apply to sales covered by this order.

(d) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 28, 1946.

Issued this 27th day of June, 1946.

[SEAL] PAUL A. PORTER,
Administrator

[F. R. Doc. 46-11301; Filed, June 27, 1946; 11:45 a. m.]

[MPR 591, Order 683]

A. L. CALDWELL CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 9 of Maximum Price Regulation No. 591, *It is ordered.*

(a) The maximum net prices, f. o. b. point of shipment, for sales by any person of the following Alco deep freezer manufactured by the A. L. Caldwell Company of Erie, Pennsylvania, and as described in the application which is on file with the Mechanical Building Equipment Price Branch, Office of Price Administration, Washington 25, D. C., shall be:

	On sales to—		
	Distributors	Dealers	Consumers
18 cu. ft. ½ hp. condensing unit	$275.00	$330.00	$550.00

(b) The maximum net prices established in (a) above may be increased by the following amount to each class of purchaser to cover the cost of crating when crating is actually supplied: $6.00.

(c) The maximum net prices established by this order shall be subject to discounts and allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of similar commodities in the same general category on October 1, 1941.

(d) On sales by a distributor or dealer the following charges may be added to the maximum prices established in (a) above:

(1) The actual amount of freight paid to obtain delivery to his place of business. Such charges shall not exceed the lowest common carrier rates.

(2) Crating charges actually paid to his supplier but in no instance exceeding the amount specified in (b) above.

(e) Each seller covered by this order, except a dealer, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established by this order for each such seller as well as the maximum prices established for purchasers upon resale, except dealers including allowable transportation and crating charges.

(f) The A. L. Caldwell Company shall stencil on the Alco deep freezer covered by this order, substantially the following:

OPA Maximum Retail Price—$_____

Plus freight and crating as provided in Order No. 683 under Maximum Price Regulation No. 591.

(g) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 28, 1946.

Issued this 27th day of June 1946.

PAUL A. PORTER,
Administrator

[F. R. Doc. 46-11302; Filed, June 27, 1946; 11:46 a. m.]

[MPR 591, Order 688]

STAINLESS STEEL WATER HEATER 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 prices, excluding Federal excise tax, for sales by any person to consumers of the following electric water heaters manufactured by Stainless Steel Water Heater Company of Chicago, Ill., and described in its application dated May 7, 1946, shall be:

"Jiffy" electric water heater, single element, 9-gallon capacity, stainless steel tank, insulated: $61.70.

(b) The maximum net LCL price, excluding federal excise tax, f. o. b. point of shipment, for sales by any person shall be the maximum price specified in (a) above less the following discounts:

1. On sales to dealers in quantities of 4 heaters or less, a discount of 33⅓ percent.

2. On sales to dealers in quantities of 5 or more heaters, a discount of 40 percent.

3. On sales to jobbers, a discount of 50 percent.

(c) The maximum prices established by this order are subject to such further cash discounts, transportation allowances and price differentials at least as favorable as those which each seller extended or rendered or would have extended or rendered during March 1942 on sales of commodities in the same general category.

(d) The maximum prices on an installed basis of the commodities covered by this order shall be determined in accordance with Revised Maximum Price Regulation No. 251.

(e) 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 prices established by this order for each such seller as well as the maximum prices established for purchasers, except dealers, upon resale.

(f) Stainless Steel Water Heater Company shall attach to each heater covered by this order a tag containing the following:

OPA Maximum Retail Price—Not Installed, Including Actual Federal Excise Tax Paid at Source—$_____

(Do Not Detach)

(g) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 28, 1946.

Issued this 27th day of June 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-11303; Filed, June 27, 1946; 11:46 a. m.]

[MPR 591, Order 689]

INDIANA BRASS CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 9 of Maximum Price Regulation No. 591, *It is ordered:*

(a) The maximum net prices, f. o. b. point of shipment, for sales by any person of the following lavatory supply fittings manufactured by The Indiana Brass Company, Frankfort, Ind., and as described in its application dated June 8, 1946, shall be:

Catalog No.	Description	On sales to— Plumbing and heating jobbers	On sales to— Plumbing and heating contractors, installers and commercial and industrial users
601	Concealed chrome plated lavatory supply fitting (4" centers) for shelf type lavatories complete with pop-up drain and metal plug	$5.70	$3.84
605	Concealed chrome plated lavatory supply fitting (4" centers) for flat top lavatories complete with pop-up drain and metal plug	5.70	6.84
602	Concealed chrome plated lavatory supply fitting (4" centers) for shelf type lavatories with chain stay and rubber stopper	4.18	5.02
606	Concealed chrome plated lavatory supply fitting (4" centers) for flat top lavatories with chain stay and rubber stopper	4.18	5.02
635	Exposed chrome plated lavatory supply fitting (4" centers) complete with pop-up drain and metal plug	5.89	7.07
636	Exposed chrome plated lavatory supply fitting (4" centers) with chain stay and rubber stopper	4.37	5.24

(b) The maximum net prices established by this order shall be subject to cash 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.

(c) The maximum prices on an installed basis of the commodities covered in this order shall be determined in accordance with the provisions of Revised Maximum Price Regulation No. 251, as amended.

(d) Each seller covered by this order, except a dealer, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order of the maximum prices established by this order for each such seller as well as the maximum prices established for purchasers upon resale.

(e) The maximum prices approved under this order include all price increases authorized by section 2.6 of Order 48 under Maximum Price Regulation No. 591 as of the date of this order.

(f) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 28, 1946.

Issued this 27th day of June 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-11304; Filed, June 27, 1946; 11:46 a. m.]

[MPR 591, Order 690]

DOB ENGINEERING AND MFG. CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 9 of Maximum Price Regulation No. 591, *It is ordered:*

(a) The maximum net prices, f. o. b. point of shipment, for sales by any person to plumbing and heating contractors, installers and commercial and industrial users of the following brass chrome plated shower head manufactured by Dob Engineering and Manufacturing Company, Los Angeles, California, and as described in its application dated May 11, 1946, shall be:

"A-Just-So" Brass Chrome Plated Shower Head—$2.50

(b) On sales by any person to jobbers, the maximum net price, f. o. b. point of shipment, shall be the maximum list prices specified in (a) above less successive discounts of 20 and 5 percent.

(c) The maximum price specified in (a) and (b) above for sales by the Dob Engineering and Manufacturing Company shall be, f. o. b. point of manufacture with freight allowance not exceeding $1.50 per cwt. on shipments of 100 pounds or more.

(d) The maximum net price established by this order shall be subject to cash 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 on an installed basis of the commodity covered in this order shall be determined in accordance with the provisions of Revised Maximum Price Regulation No. 251, as amended.

(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) The maximum prices approved under this order include all price increases authorized by section 2.6 of Order 48 under Maximum Price Regulation No. 591 as of the date of this order.

(h) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 28, 1946.

Issued this 27th day of June 1946.

PAUL A. PORTER,
Administrator

[F. R. Doc. 46-11305; Filed, June 27, 1946; 11:47 a. m.]

[MPR 591, Order 691]

RHEEM MFG. CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 9 of Maximum Price Regulation No. 591, *It is ordered.*

(a) The maximum prices, excluding federal excise tax, for sales by any person to consumers of the following gun filters manufactured by Rheem Manufacturing Company of New York, New York, and described in its application dated May 21, 1946, shall be:

Gum Filter, when sold as an integral part of any gas water heater by Rheem Manufacturing Company: $0.80.

(b) The maximum net LCL price, f. o. b. point of shipment, excluding federal excise tax, for sales by any person shall be the maximum price specified in (a) above less the following discounts:

1. On sales to dealers, a discount of 5 percent.

2. On sales to jobbers, successive discounts of 5 and 5 percent.

(c) The maximum price for sales by any person to consumers of the following gum filters manufactured by Rheem Manufacturing Company of New York, New York; and described in its application dated May 21, 1946, shall be:

Gum Filter, when sold separately as a repair or replacement part: $1.00.

(d) The maximum net LCL price, f. o. b. point of shipment, for sales by any person shall be the maximum price specified in (c) above less the following discounts:

1. On sales to a dealer, a discount of 25 percent.

2. On sales to a jobber, successive discounts of 25 and 20 percent.

(e) The maximum prices established by this order are subject to such further cash discounts, transportation allowances and price differentials at least as favorable as those which each seller extended or rendered or would have extended or rendered during March 1942 on sales of commodities in the same general category.

(f) The maximum prices on an installed basis of the commodities covered by this order shall be determined in accordance with Revised Maximum Price Regulation No. 251.

(g) 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 prices established by this order for each such seller as well as the maximum prices established for purchasers, except dealers, upon resale.

(h) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 28, 1946.

Issued this 27th day of June 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-11306; Filed, June 27, 1946; 11:47 a. m.]

[MPR 591, Order 692]

VOUGHT PRE-CAST PRODUCTS

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 prices, excluding federal excise tax, for sales by any person to consumers of the following electric water heaters manufactured by Vought Pre-Cast Products of Silverton, Oregon, and described in its application dated February 19, 1946, shall be:

Model V-1, 10 Gallon Water Heater, Pressure Type, Single Element, Galvanized Tank, Insulated: $59.25.

(b) The maximum net LCL price, f. o. b. point of shipment, excluding federal excise tax, for sales by any person shall be the maximum price specified in (a) above less the following discounts:

1. On sales to a dealer, a discount of 25 percent.

2. On sales to a jobber, a discount of 40 percent.

(c) The maximum prices established by this order are subject to such further cash discounts, transportation allowances and price differentials at least as favorable as those which each seller extended or rendered or would have extended or rendered during March 1942 on sales of commodities in the same general category.

(d) The maximum prices on an installed basis of the commodities covered by this order shall be determined in accordance with Revised Maximum Price Regulation No. 251.

(e) 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 prices established by this order for each such seller as well as the maximum prices established for purchasers, except dealers, upon resale.

(f) Vought Pre-Cast Products shall attach to each heater covered by this order a tag containing the following:

OPA Maximum Retail Price—not installed, including actual Federal Excise Tax paid at source $_____.

(Do Not Detach)

(g) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 28, 1946.

Issued this 27th day of June 1946.

PAUL A. PORTER,
Administrator

[F. R. Doc. 46-11307; Filed, June 27, 1946; 11:47 a. m.]

[MPR 598, Amdt. 1 to Order 9]

ADMIRAL CORP.

APPROVAL OF CEILING PRICES

For the reasons set forth in an opinion and issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 13 of Maximum Price Regulation No. 598; *It is ordered:*

That Order 9 under Maximum Price Regulation No. 598 be amended in the following respects:

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

(a) This order establishes ceiling prices for sales by distributors to dealers of the Models CS 746, CD 746, CS 946 and CD 946 household mechanical refrigerators manufactured by the Admiral Corporation, 3800 Cortland Street, Chicago 47, Illinois.

(1) A distributor's ceiling prices for sales in each zone of each model to servicing dealers (dealers who furnish installation and delivery and all the services which must be supplied the ultimate consumer in connection with the sale of the refrigerator) shall be the price which will yield the distributor the same proportion of the total dollar margin between the manufacturer's price to him and the dealer's price for resales to ultimate consumers in that zone as he received during the period October 1-15, 1941 in connection with the sale of the most comparable model produced by the Stewart-Warner Corp. to the same class of purchasing dealer.

(2) If a distributor cannot determine his ceiling prices for sales of a particular model to servicing dealers under subparagraph (1) above, his ceiling price for that sale is the ceiling price established under this order for the sale by his "closest seller of the same class." A distributor's "closest seller of the same class" is a distributor who (a) has established a ceiling price for his sales of the identical model to servicing dealers, and (b) is located nearer to the distributor than any other distributor who has such a ceiling price.

(3) If a distributor cannot determine his ceiling price for sales of a particular model to a servicing dealer under the provisions of subparagraph (1) or (2) above, he shall determine his ceiling

price in accordance with the provisions of section 14 of Maximum Price Regulation No. 598, as amended.

(4) A distributor who, at the request of a dealer, provides the consumer with delivery, installation and first year service on behalf of the dealer (a non-servicing dealer) may add to the ceiling price he determined under subparagraph (1) (2) or (3) above for sales to servicing dealers an additional charge per refrigerator (which must be separately stated) no greater than the amount set forth below opposite each model:

Model:	*Additional charge which may be added*
CS 746	$8.25
CD 726	10.95
CS 946	10.95
CD 946	11.61

This amendment shall become effective on the 28th day of June, 1946.

Issued this 27th day of June, 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-11308; Filed, June 27, 1946; 11:45 a. m.]

[MPR 599, Order 24]

GENERAL MOTORS CORP.

APPROVAL OF CEILING 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 11a of Maximum Price Regulation No. 599; *It is ordered:*

(a) This order establishes ceiling prices for sales of automobile radios sold by the Oldsmobile Division of General Motors Corporation which are designed to be installed in motor cars of its manufacture.

(b) The ceiling prices for sales by Oldsmobile Division of General Motors Corporation and its dealers, of the radios listed below are the prices set forth opposite each radio for sale to each class of purchaser under the terms and conditions of sale specified.

Article	Model No.	Ceiling prices for sales to—		
		Distributors and key point dealers	Dealers	Consumers
Radio	982376	[1] $30.62 [2] 32.14 [3] 30.48 [4] 29.85	[1] $33.08 [2] 34.72 [3] 32.88 [4] 32.18	[1] $56.41 [5] 59.00 -------- --------

[1] For sales of single radio sold at the same time the car is sold.
[2] Single radio sold separately from the car.
[3] Sold separately from the car in lots of 5-24.
[4] Sold separately from the car in lots of 25 and over.
[5] Sold separately from the car, but the price includes all Federal excise taxes.

These ceiling prices are subject to the same terms and conditions of sale including provisions for transportation charges to which ceiling prices of extra or optional equipment or accessories sold by the Oldsmobile Division of General Motors Corporation are subject under the provisions of Maximum Price Regulation No. 594, 452, and 453, and orders thereunder. These ceiling prices are for the uninstalled radio and antenna, but do not cover charges for installation of either the radio or antenna.

(c) The ceiling prices fixed by this order are exclusive of Federal excise taxes except in the case of the ceiling price established for sales of the radio when sold separately from the car to consumers. In addition to these ceiling prices each seller may collect the amount of the Federal excise taxes. The ceiling price fixed for sales of the radio when sold separately from the car to consumers includes all Federal excise taxes; no addition may be made to that price for such taxes. In the case of all ceiling prices established by this order including the ceiling price established for sales of the radio when sold separately from the car to consumers, state and local taxes may be collected in addition to such prices.

(d) Sellers of the radio covered by this order are not required to comply with the tagging requirements of Maximum Price Regulation No. 599 but at the time of or prior to the first invoice to a purchaser for resale of such radio each seller shall notify the purchaser of the ceiling prices, terms and conditions of sale established by the order.

(e) *Description.* (1) Radio, Model No. 982376 is a 6 tube, 1 band, battery power radio with an 8" electro-dynamic speaker, all in a metal case, 9 1/5" x 9 27/32" x 4 29/32" designed for installation in automobiles manufactured by the Oldsmobile Division of General Motors Corporation.

This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 28th day of June 1946.

Issued this 27th day of June 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-11309; Filed, June 27, 1946; 11:47 a. m.]

[MPR 64, Amdt. 1 to Rev. Order 238]

FLORENCE STOVE CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and filed with the Division of the Federal Register; and pursuant to section 11 of Maximum Price Regulation No. 64; *It is ordered,* That Revised Order No. 238 under section 11 of Maximum Price Regulation No. 64, be and it hereby is amended in the following respects:

1. The table of maximum prices in paragraph (a) is amended to read as follows:

Model and article	Maximum prices for sales to ultimate consumers		
	Zone 1	Zone 2	Zone 3
A 871, combination range	$220.00	$225.00	$232.75
A 871-0, combination range	207.75	212.00	219.50

2. Paragraph (c) is amended to read as follows:

(c) For the purposes of this order, Zones 1, 2, and 3 comprise the following states:

Zone 1. Massachusetts, Connecticut, Rhode Island, Illinois, Tennessee, Mississippi, Alabama, Georgia, South Carolina, North Carolina, Virginia, West Virginia, Kentucky, Indiana, Ohio, Michigan, Pennsylvania, New York, Vermont, New Hampshire, Maine, New Jersey, Delaware, Maryland, and the District of Columbia.

Zone 2. Florida, Louisiana, Arkansas, Missouri, Iowa, Minnesota, Wisconsin, North Dakota, South Dakota, Nebraska, Kansas, and Oklahoma

Zone 3. Montana, Wyoming, Colorado, New Mexico, Texas, Arizona, Utah, Idaho, Washington, Oregon, Nevada, and California.

This amendment shall become effective on the 28th day of June 1946.

Issued this 27th day of June 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-11232; Filed, June 27, 1946; 11:43 a. m.]

[MPR 64, Order 206]

JAMES GRAHAM 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 section 11 of Maximum Price Regulation No. 64; *It is ordered:*

(a) This order establishes maximum prices for sales at retail of the two models of gas ranges listed below manufactured by the James Graham Manufacturing Company, Newark, California. For sales in each zone by retail dealers to ultimate consumers, the maximum prices, including the Federal excise tax but not including any state or local taxes imposed at the point of sale, are those set forth below:

Model	Article	Maximum prices for sales to ultimate consumers			
		Zone 1	Zone 2	Zone 3	Zone 4
5186 A	Gas range	$139.00	$142.25	$144.00	$147.25
6023-A-BK	Combination range	180.00	184.00	186.50	191.25

These prices include delivery and installation. If the retail dealer does not provide installation, he shall compute his maximum price by deducting $9.00 in the case of combination ranges and $6.00 in the case of gas ranges not of the combination type from the maximum price shown above for his sales on an installed basis. If the retailer sells a stove equipped with any of the items listed

below, he may add to the applicable ceiling price for the stove shown above an amount no greater than that set forth below opposite that item of equipment:

Additional equipment:	*Amount which may be added*
Lamp	$6.50
Signal timer clock	14.75
Minute minder clock	6.00
Automatic clock	33.25
Automatic oven lighting with safety pilot	8.25
Griddle	8.25

In all other respects these prices are subject to each seller's customary terms, discounts, allowances (other than trade-in allowances) and other price differentials in effect on sales of similar articles.

(b) The manufacturer shall, before delivering any range covered by this order, after the effective date thereof, attach securely to the inside oven door panel a label which plainly states the applicable OPA retail maximum prices established by this order for sales of the range to ultimate consumers in each zone together with a list of the states included in each zone. The label shall also state that the retail prices shown thereon include the Federal excise tax, delivery and installation, and that if the seller does not provide installation, the maximum price is $9.00 less than the price shown on the label if the range is of the combination type and $6.00 less than the price shown on the label if the range is not of the combination type.

(c) For purposes of this order Zones 1, 2, 3, and 4 comprise the following areas:

Zone 1. Nevada and the state of California with the exception of the following nine counties: Kern, Santa Barbara, Los Angeles, Ventura, Orange, Riverside, San Diego, Imperial and San Bernardino.

Zone 2. The nine counties of California not included in Zone 1.

Zone 3. Oregon and Washington.

Zone 4. Arizona.

(d) *Relationship to Maximum Price Regulation No. 64.* All the provisions of Maximum Price Regulation No. 64 continue to apply to sales of articles covered by this order, except to the extent, that they are modified by this order. The ceiling prices established by this order have been determined in accordance with section 11b of that regulation and may not, therefore, be increased under that section.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 28th day of June 1946.

Issued this 27th day of June 1946.

PAUL A. PORTER,
Administrator

[F. R. Doc. 46-11294; Filed, June 27, 1946; 11:43 a. m.]

[Rev. SO 119, Order 271]

GREEN RIVER CHAIR CO.

ADJUSTMENT OF CEILING 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 15 and 16 of Revised Supplementary Order No. 119; it is ordered:

(a) *Manufacturer's ceiling prices.* Green River Chair Company, Livermore, Kentucky, may compute its adjusted ceiling prices for all articles of finished wood chairs which it manufactures, as follows:

(1) For an article in its line during October 1941, the adjusted ceiling price is the highest price charged during that month to each class of purchaser increased by 37 percent.

(2) For an article not in its line during October 1941, but which has a properly established ceiling price, in effect before the effective date of this order, the adjusted ceiling price is the article's properly established ceiling price for the particular sale (exclusive of all permitted increases or adjustment charges) increased by the percentage determined in accordance with "Note 3" in section 8 of Revised Supplementary Order No. 119.

(3) For an article which is first offered for sale after the effective date of this order, the adjusted ceiling price is the maximum price hereafter properly determined or established in accordance with Maximum Price Regulation No. 188; and prices so fixed may not be increased under this order.

(4) The manufacturer's adjusted ceiling price fixed in accordance with this order is his new ceiling price if it is higher than his previously established ceiling price including all increases and adjustments otherwise authorized for him individually or for his industry.

(b) *Resellers' ceiling prices.* Resellers of an article which the manufacturer has sold at an adjusted ceiling price determined under this order shall determine their maximum prices as follows:

(1) A retailer who must determine his ceiling price under Maximum Price Regulation No. 580, and a wholesaler who must determine his ceiling prices under Maximum Price Regulation No. 590, shall compute their ceiling prices in the manner provided by those regulations. However, if the supplier's invoice states both an "unadjusted maximum price" and a ceiling price, the reseller shall compute his ceiling prices under those regulations as they have been modified by Order No. 4800 under § 1499.159b of Maximum Price Regulation No. 188.

(2) A reseller who determines his maximum resale price under the General Maximum Price Regulation, and whose supplier's invoice states both an "unadjusted maximum price" and a selling price, shall compute his ceiling prices under that regulation as modified by Order No. 4800 under § 1499.159b of Maximum Price Regulation No. 188.

If his supplier's invoice does not state an "unadjusted maximum price," the reseller shall calculate his ceiling price by adding to his invoice cost the same percentage mark-up which he has on the "most comparable article" for which he has a properly established ceiling price. For this purpose, the "most comparable article" is the one which meets all of the following tests:

(i) It belongs to the narrowest trade category which includes the article being priced.

(ii) Both it and the article being priced were purchased from the same class of supplier.

(iii) Both it and the article being priced belong to a class of article to which, according to customary trade practices, an approximately uniform percentage mark-up is applied.

(iv) Its net replacement cost is nearest to the net cost of the article being priced.

The determination of a ceiling price in this way need not be reported to the Office of Price Administration; however, each seller must keep complete records showing all the information called for by OPA Form 620-759 with regard to how he determined his ceiling price, for so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

If the maximum resale price cannot be determined under the above method, the reseller shall apply to the Office of Price Administration for the establishment of a ceiling price under § 1499.3 (c) of the General Maximum Price Regulation. Ceiling prices established under that section will reflect the supplier's prices as adjusted in accordance with this order.

(3) The provisions of Supplementary Order No. 153 shall not apply to the determination of ceiling prices for resales of articles covered by this order.

(c) *Terms of sale.* Ceiling prices adjusted by this order are subject to each seller's terms, discounts, and allowances on sales to each class of purchaser in effect during March 1942, or thereafter, properly established under OPA regulations.

(d) *Notification.* At the time of, or prior to the first invoice to a purchaser for resale on and after the effective date of this order, showing prices adjusted in accordance with this order, the seller shall notify the purchaser in writing of the method established in paragraph (b) of this order for determining adjusted maximum prices for resale of the articles. This notice may be given in any convenient form.

(e) All requests for adjustment of maximum prices not specifically granted by this order are hereby denied.

(f) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 27, 1946.

Issued this 27th day of June 1946.

PAUL A. PORTER,
Administrator

[F. R. Doc. 46-11344; Filed, June 27, 1946; 4:56 p. m.]

[Rev. SO 119, Order 272]

UNITED STOVE CO.

ADJUSTMENT OF CEILING 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 15 and 16 of Revised Supplementary Order No. 119, it is ordered:

(a) *Manufacturer's ceiling prices.* United Stove Company, Ypsilanti, Michigan, may increase its ceiling prices under Maximum Price Regulation No. 64 (exclusive of all adjustments except the increase allowed by section 3 of that regulation) for each article in the lines of kerosene hot plates, kerosene ranges, and kerosene heaters which it manufactures, as follows:

Product line:	*Percent increase*
Kerosene hot plates	16.6
Kerosene ranges	22.1
Kerosene heaters	16.6

(b) *Wholesaler's ceiling prices.* A wholesaler shall determine his ceiling prices for any article which he has purchased at ceiling prices adjusted under this order as follows:

(1) If he has ceiling prices established before October 8, 1945 for sales of the same article produced by the same manufacturer he shall calculate his ceiling price under this order as follows:

Step 1. He shall deduct from his invoice cost (not to exceed the manufacturer's ceiling price to him under this order) any amount included therein on account of the Federal excise tax.

Step 2. He shall deduct from the result of Step 1, 10.2 percent of his invoice cost exclusive of the Federal excise tax.

Step 3. He shall add to the result of Step 2 the same percentage mark-up which he had before October 8, 1945 on the same article or, if he did not sell the same article, on the "most comparable article" produced by the same manufacturer.

Step 4. He shall add to the result of Step 3, 86 percent of the amount he deducted in Step 2.

Step 5. He shall add to the result of Step 4 the amount included in his invoice cost on account of the Federal excise tax. The result is the wholesale reseller's ceiling price under this order.

The determination of a ceiling price under this paragraph of this order need not be reported to the Office of Price Administration. Each seller, however, must keep complete records showing all the information called for by OPA Form 620-789 with regard to how he determined his ceiling price, for so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

(2) If a purchaser for resale at wholesale cannot establish his ceiling price under subparagraph (1) above, he shall adopt as his ceiling price, the ceiling price of his "closest seller of the same class" for the identical model of stove produced by the same manufacturer. The "closest seller of the same class" of a reseller at wholesale is a reseller who (a) has established a ceiling price under subparagraph (1) above for sales of the identical model of stove produced by the same manufacturer to the same class of purchaser, and (b) is the same general type and class of seller, and (c) is located nearer to the seller than any other seller who meets requirements (a) and (b) of this subparagraph.

(3) If a reseller at wholesale cannot otherwise find his ceiling price for a particular sale he shall apply to the Office of Price Administration for the establishment of a ceiling price under § 1499.3 (c) of the General Maximum Price Regulation or § 1372.101 (d) of Maximum Price Regulation No. 210, whichever is applicable. Ceiling prices set under either of those sections will reflect the supplier's prices as adjusted in accordance with this order diminished in accordance with subparagraph (1) above.

(c) *Retailers' ceiling prices.* A retailer shall determine his ceiling prices for resales of any article which he had purchased at a ceiling price adjusted under this order as follows:

(1) If he has a ceiling price established before October 8, 1945 for sales of the same article produced by the same manufacturer he shall increase that ceiling price by 5.5 percent if the article is a kerosene hot plate, by 8.5 percent if the article is a kerosene range, or 5.0 percent if the article is a kerosene heater.

(2) If he cannot establish his ceiling price under subparagraph (1) above because he did not sell the same article between March 1, 1942 and October 7, 1945 but he has a ceiling price determined under this paragraph for a comparable article produced by the same manufacturer, he shall determine his ceiling price for the article being priced in accordance with the provisions of § 1499.3 (a) of the General Maximum Price Regulation using as his ceiling price for the "most comparable article" his ceiling price as adjusted under this order and using as his unit replacement cost for the "most comparable article" its cost to him as adjusted under this order.

The determination of a ceiling price under this paragraph of this order need not be reported to the Office of Price Administration. Each seller, however, must keep complete records showing all the information called for by OPA Form 620-789 with regard to how he determined his ceiling price, for so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

(3) If he cannot establish his ceiling price under subparagraph (a) above he shall adopt as his ceiling price, the ceiling price of his "closest competitive seller" for the same article produced by the same manufacturer. A retailer's "closest competitive seller" is a retailer who (a) has established a ceiling price under this paragraph for sales of the identical model of stove produced by the same manufacturer to the same class of purchaser, and (b) is the same general type and class of seller, and (c) is located nearer to the seller than any other seller who meets requirements (a) and (b) of this subparagraph.

(4) If a retailer cannot otherwise find his ceiling price for a particular sale he shall apply to the Office of Price Administration for the establishment of a ceiling price under § 1499.3 (c) of the General Maximum Price Regulation or § 1372.101 (d) of Maximum Price Regulation No. 210, whichever is applicable. Ceiling prices set under either of those sections will be set in line with those of retailers whose ceiling prices have been determined under subparagraphs (1) or (2) above.

(d) *Definition of "most comparable article"* For purposes of this order the "most comparable article" is the one which meets all the following tests:

(1) It is manufactured by the United Stove Company.

(2) It belongs to the narrowest trade category which includes the article being priced.

(3) Both it and the article being priced were purchased from the same class of supplier.

(4) Both it and the article being priced belong to a class of article to which, according to customary trade practices, an approximately uniform percentage markup is applied.

(5) Its net unit replacement cost is nearest to the net cost of the article being priced.

(e) *Notification.* At the time of, or prior to the first invoice to a purchaser for resale of articles sold at ceiling prices adjusted under this order, the seller shall notify the purchaser in writing of the method of establishing ceiling prices set by this order for resales by the purchaser. This notice may be given in any convenient form.

(f) *Relationship of this order to Maximum Price Regulation No. 64, Maximum Price Regulation No. 210, the General Maximum Price Regulation and Orders No. L-6 and 49 under Supplementary Order No. 119.* The ceiling prices established by this order supersede those established by Orders L-6 and No. 49 under Supplementary Order No. 119 with respect to articles sold by the manufacturer at ceiling prices determined under this order.

All the provisions of Maximum Price Regulation No. 64, Maximum Price Regulation No. 210 and the General Maximum Price Regulation continue to apply to all sales of articles covered by this order except to the extent that they are modified by this order.

(g) This order may be revoked or amended by the Price Administrator at any time.

(h) This order shall become effective on the 27th day of June, 1946.

Issued this 27th day of June 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-11345; Filed, June 27, 1946; 4:55 p. m.]

[SO 133, Amdt. 1 to Order 55]

CONTINENTAL FURNITURE CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to Supplementary Order No. 133, *It is ordered:* That Order No. 55 under Supplementary Order No. 133 be amended in the following respect:

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

(a) *Manufacturer's maximum prices.* Continental Furniture Company, High Point, North Carolina, may increase its maximum prices properly established under Maximum Price Regulation No. 188 (exclusive of any adjustment charges) for articles of wood bedroom furniture which it manufactures by 16% of each such maximum price.

This amendment shall become effective on the 27th day of June 1946.

Issued this 27th day of June 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-11348; Filed, June 27, 1946; 4:54 p. m.]

[MPR 580, Amdt. 4 to Order 71]

NORTH STAR WOOLEN MILLS CO.

ESTABLISHMENT OF MAXIMUM PRICE

Maximum Price Regulation 580, Amendment 4 to Order 71. Establishing ceiling prices at retail for certain articles; Docket No. 6063-580-13-706.

For the reasons set forth in the opinion issued simultaneously herewith, Order 71 issued under section 13 of Maximum Price Regulation 580 on application of North Star Woolen Mill Company, 218 South 2d Street, Minneapolis 1, Minnesota, is amended in the following respects:

1. Paragraph (a) is amended by increasing the retail ceiling price established for the following article in California, Washington and Oregon:

Blankets

Brand name	Style	Size	Manufacturer's selling price	Retail ceiling price except in California, Washington and Oregon	Retail ceiling price in California, Washington and Oregon
North Star	Shasta	80 x 90	$10.17	$16.95	$17.95

This amendment shall become effective June 28, 1946.

Issued this 27th day of June 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-11341; Filed, June 27, 1946; 4:57 p. m.]

[SO 94, Revocation of Order 85]

CERTAIN STORAGE BATTERIES

SPECIAL MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and in accordance with section 11 of Supplementary Order 94, it is ordered:

(a) *Revocation of Order 85, as amended.* Order 85, as amended, under Supplementary Order 94 be and is hereby revoked.

This order of revocation shall become effective June 28, 1946.

Issued this 28th day of June 1946.

PAUL A. PORTER,
Administrator

[F. R. Doc. 46-11427; Filed, June 28, 1946; 11:44 a. m.]

[MPR 580, Amdt. 5 to Order 202]

AUGUSTA KNITTING CORP.

ESTABLISHMENT OF MAXIMUM PRICES

Maximum Price Regulation 580, Amendment 5 to Order 202. Establishing ceiling prices at retail for certain articles; Docket No. 6063-580-13-703.

For the reasons set forth in the opinion issued simultaneously herewith Order No. 202 issued under section 13 of Maximum Price Regulation 580 on application of Augusta Knitting Corporation, 180 Madison Avenue, New York, New York is amended in the following respect:

1. Paragraph (a) is amended to include the following:

MEN'S UNDERWEAR

Brand name	Manufacturer's selling price (per dozen)	Ceiling price at retail (per unit)
Jones Quality Health Underwear	$16.80	$2.15
Jones Quality Health Underwear	20.95	2.70
Jones Quality Health Underwear	23.60	3.00
Jones Quality Health Underwear	28.35	3.60

This amendment shall become effective June 28, 1946. Issued this 27th day of June 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-11342; Filed, June 27, 1946; 4:57 p. m.]

[MPR 580, Amdt. 3 to Order 283]

KLEINERT'S

ESTABLISHMENT OF MAXIMUM PRICE

Maximum Price Regulation 580, Amendment 3 to Order 283. Establishing ceiling prices at retail for certain articles; Docket No. 6063-580-13-708.

For the reasons set forth in the opinion issued simultaneously herewith, Order 283 issued under section 13 of Maximum Price Regulation 580 on application of Kleinert's, 485 Fifth Avenue, New York, New York is amended in the following respects:

1. Paragraph (a) is amended by deleting all styles of dress shields listed therein.

2. A new paragraph (h) is added to read as follows:

(h) On or before July 10, 1946, Kleinert's shall send a copy of Amendment 3 to every purchaser for resale to whom, subsequent to the issuance of this order, it delivered any style of dress shield for which a uniform ceiling price at retail was established in Paragraph (a)

This amendment shall become effective June 28, 1946.

Issued this 27th day of June 1946.

PAUL A. PORTER,
Administrator

[F. R. Doc. 46-11343; Filed, June 27, 1946; 4:57 p. m.]

[SO 94, Order 129]

WAC JACKETS

SPECIAL EXEMPTION OF SALES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and in accordance with section 11 of Supplementary Order 94, *It is ordered.*

(a) Notwithstanding the provisions of any regulation or order issued prior to the effective date of this order by the Office of Price Administration, sales by all persons of the new WAC jackets hereinafter described which have been or may be sold by the War Assets Administration or any other United States Government agency are exempt from price control.

Description of jackets. WAC jacket, officers, summer, regulation cotton khaki material, long sleeve, form fitted, 2 breast pockets with button flap, 2 slice side pockets, single breasted, 4 button model, 2" folding collar.

WAC jacket, summer, cotton khaki army twill, 8.2 oz. with 4 buttons, 4 pockets and standard back.

(b) This order may be revoked or amended at any time.

This order shall become effective June 29, 1946.

Issued this 28th day of June 1946.

PAUL A. PORTER,
Administrator

[F. R. Doc. 46-11428; Filed, June 28, 1946; 11:45 a. m.]

[MPR 61, Order 15]

LEATHER WELTING

MAXIMUM PRICES FOR PRODUCERS' SALES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 4 of Maximum Price Regulation 61, *It is ordered.*

(a) On or after June 27, 1946, the maximum price, f. o. b. seller's shipping point at which a producer may sell or deliver welting produced entirely from leather shall be as follows:

(1) *Number 1 or "A" grade welting*—

(i) *Double shoulder goodyear welting*—

(a) *Base size.* The maximum price of leather welting produced from double shoulders, for the base size ½ inch wide by ⅛ inch substance, shall be as set forth in Table A.

TABLE A

Type of finish and maximum price per yard ½ inch width x ⅛ inch substance

Pigment or natural: 7 cents.
White surface: 7½ cents.

(b) *Differentials in price for variations from base size width.* The additions or

deductions listed in Table B, below, shall be added to or deducted from (as indicated) the maximum price established for base size welting in subdivision (*a*) above:

TABLE B

Variations in width from base size and differential above or below base price

For each 1/32 inch wider than 1/2 inch: 1/2 cent may be added.

For each 1/32 inch narrower than 1/2 inch (but not narrower than 7/16 inch) 1/4 cent shall be deducted.

For each 1/32 inch narrower than 7/16 inch (but not narrower than 19/32 inch) 1/3 cent shall be deducted.

(*c*) *Differentials in price for variations from base size substance.* The additions or deductions listed in Table C, below, shall be added to or deducted from (as indicated) the maximum price established for base size welting in subdivision (*a*) above:

TABLE C

Substance and differential above or below base price

5/32 inch; 1 cent may be added.
9/64 inch: 1/2 cent may be added.
1/6 inch: 1/4 cent shall be deducted.
3/32 inch and lighter: 1/2 cent shall be deducted.

(ii) *Side leather welting.* The maximum prices for side leather welting, all substances, shall be as set forth in Table D:

TABLE D

[Prices in cents per yard]

Width in inches	Pigment or natural finish	White surface finish
9/16	7 1/2	8
17/32	7	7 1/2
1/2	6 1/2	7
15/32	6 1/4	6 3/4
7/16	6	6 1/2
13/32	5 7/8	6 3/8
3/8	5 3/4	6 1/4
11/32	5 5/8	6 1/8
5/16	5 1/2	6

(2) *Number 2 or "B" grade welting.* For welting produced from short lengths of leather or from leather of inferior fiber, 1/2 cent per yard shall be deducted from applicable prices determined in accordance with Tables A, B, C and D.

(b) The maximum prices established herein shall include all charges for grooving or bevelling or otherwise processing the welting specified in this order.

(c) The maximum prices specified in paragraph (a) above, for sales or deliveries of the leather specified in this order shall supersede any maximum prices previously established for such sales or deliveries.

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

(e) Maximum prices for producers' sales or deliveries of leather welting other than that specified in this order, shall be established upon application filed pursuant to section 14 of Maximum Price Regulation 61.

(f) This order shall terminate on September 1, 1946.

This Order No. 15 shall become effective June 27, 1946.

Issued this 27th day of June 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-11335; Filed, June 27, 1946; 4:56 p. m.]

[MPR 188, Order 5054]

DRY CELL BATTERIES

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.159b of Maximum Price Regulation No. 188, it is ordered:

SECTION 1. *Purpose of this order.* This order, issued under § 1499.159b of Maximum Price Regulation No. 188, provides for increases in maximum prices of dry cell batteries for sales by manufacturers and by resellers whose prices are under the GMPR.

SEC. 2. *Articles and persons covered by this order.* (a) This order covers all dry batteries (including dry cells activated by water before use) except military surplus, salvage or scrap dry batteries which are covered by orders under Supplementary Order No. 94 or by section 3.1 of Supplementary Regulation No. 14J. For the purpose of this order a "dry battery" means any type of primary dry cell or combination of primary dry cells used as a source of electrical energy. A storage battery or "wet cell" battery is not a dry battery under this order. Some of the types of batteries covered by this order are: flashlight batteries, radio batteries, hearing aid batteries, No. 6 cells, "hot shot" batteries, lantern batteries, fence control batteries and mine blasting batteries.

(b) This order applies to sales by manufacturers, "special brand wholesalers" and by all other resellers whose prices are governed by the GMPR. It does not apply to sales at retail as that term is defined in MPR 576.

(c) A "special brand wholesaler" is a person who sells dry batteries which bear his special brand name, the entire output of which has been fabricated for him by another, and which he resells at wholesale.

SEC. 3. *Determination of maximum prices.* Sellers covered by this order shall continue to determine their maximum prices for sales of new or changed dry batteries under the same regulations and pricing provisions applicable before this order was issued, as modified by this order.

SEC. 4. *Adjusted maximum prices for sales by "manufacturers" and "special brand wholesalers"* The adjusted maximum price of a dry battery for sale by a manufacturer or a special brand wholesaler to each class of purchaser other than a sale at retail is the higher of the following:

(a) 108% of the seller's maximum price to wholesalers established under the provisions of Maximum Price Regulation No. 188 or the General Maximum Price Regulation, exclusive of any authorized adjustment.

(b) The manufacturer's or special brand wholesaler's maximum price adjusted under any individual adjustment order issued by the Office of Price Administration. However, in no case may a maximum price for a sale to a retailer determined under this section exceed the price which is established by MPR 576 for resellers' sales of the article to retailers.

SEC. 5. *Adjusted maximum prices for sales at wholesale by certain resellers.* Resellers at wholesale of the dry batteries covered by this order, whose maximum prices are governed by the GMPR rather than by MPR 576 may increase those maximum prices (exclusive of any authorized adjustment) to each class of purchaser by the dollar-and-cents amount of the increase charged by his supplier pursuant to this order.

SEC. 6. *Notification.* At the time of or prior to the first invoice, each manufacturer and special brand wholesaler shall notify a purchaser for resale of the amount of the adjustment granted by this order. This notice may be given in any convenient form. Manufacturers and special brand wholesalers who published resellers' list prices or resellers' suggested list prices in effect on the effective date of this order shall compute resellers' new ceiling prices in accordance with MPR 576.

SEC. 7. *Terms of sale.* Maximum prices adjusted by this order are subject to the seller's customary terms, discounts and allowances and other price differentials on sales to each class of purchaser in effect during March 1942, or which have subsequently been properly established under Office of Price Administration regulations and orders, except where inconsistent with the provisions of this order.

SEC. 8. *Relationship between this order and other regulations.* The provisions of this order supersede the provisions of Maximum Price Regulation No. 188, of the General Maximum Price Regulation and of orders granting individual adjustments to the extent that they are inconsistent with the terms of this order.

SEC. 9. *Revision of maximum prices.* Any maximum price adjusted under this order may be revised under this section by an order issued by the Office of Price Administration when such adjusted maximum price is not in-line with the level of prices established by this order.

SEC. 10. *Modification of the provisions of this order.* The provisions of this order, as applicable to articles and persons subject hereto, may be modified by orders of general applicability issued under this section.

SEC. 11. *Revocation and amendment.* This order may be revoked or amended by the Price Administrator at any time.

Effective date. This order shall become effective on the 28th day of June 1946.

Issued this 28th day of June 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-11422; Filed, June 23, 1946; 11:43 a. m.]

[MPR. 188, Corr. to Order 13]

AWNINGS

MAXIMUM PRICES FOR SALES

Order No. 13 under § 1499.159e of Maximum Price Regulation No. 188 is corrected as follows:

The reference to § 1499.3 (a) of the General Maximum Price Regulation in section 7 (b) is corrected to read "§ 1499.3 (c)"

This correction order is effective June 28, 1946.

Issued this 28th day of June 1946.

PAUL A. PORTER,
Administrator

[F. R. Doc. 46-11421; Filed, June 28, 1946; 11:43 a. m.]

Regional and District Office Orders.

[Region III Order G-17 Under MPR 592]

CONCRETE BUILDING BLOCK IN HOLLAND, MICH., AREA

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to section 17 of Maximum Price Regulation No. 592 and the Emergency Price Control Act of 1942, as amended, it is hereby ordered:

(a) *What this order does.* This order establishes adjusted maximum prices for concrete building block produced by manufacturers located in the Holland, Michigan, Area. The maximum prices of resellers are also adjusted herein.

(b) *Area covered.* The Holland, Michigan, Area, as used herein, includes all that territory within the corporate limits of Holland, Michigan, as well as all surrounding territory located within fourteen miles from said corporate limits of Holland, Michigan.

(c) *Adjusted maximum prices of producers.* All producers located in the Holland, Michigan, Area are hereby authorized to increase their maximum net prices in effect immediately prior to the effective date of this order, to each class of purchaser, by 5% on all concrete building block produced by them.

(d) *Adjusted maximum prices of resellers.* Adjusted maximum prices of resellers of concrete building block produced in the Holland, Michigan, Area shall be determined by adding to the maximum net prices in effect immediately prior to the effective date of this order, to each class of purchaser, the percentage amount of increase in their net invoiced cost resulting from the adjustment granted the producers by this order.

(e) *Discounts, allowances and extra charges.* All sellers described in this order must continue to maintain discounts, allowances and other price differentials, to each class of purchaser, at least as favorable as those which were in effect immediately prior to the effective date of this order and are permitted to add to the adjusted maximum prices provided herein such charges for extras as were customarily added immediately prior to the effective date of this order.

(f) *Notification.* The producers described herein, at or prior to the first billing reflecting the adjustment herein granted shall send to each purchaser who resells the products covered by this order, a notice of the adjustment authorized by this order. Such notice shall contain substantially the following:

Order No. G-17 under section 17 of Maximum Price Regulation No. 592 provides for an adjustment of the maximum prices of concrete building block made by producers located in the Holland, Michigan, Area. Resellers may add to their maximum net prices in effect immediately prior to the effective date of this order, to each class of purchaser, the percentage amount of any increase in their net invoiced cost resulting from the adjustment granted the producers in this order.

(g) *Amendment and revocation.* This order may be modified, amended or revoked at any time by the Office of Price Administration.

This order shall become effective June 11, 1946.

Issued June 11, 1946.

JOHN F. KESSEL,
Regional Administrator.

[F. R. Doc. 46-11311; Filed, June 27, 1946; 12:09 p. m.]

[Region III Order G-22 Under SO 142]

LEWIS T. KLINE CO. ET AL.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to section 2 of Supplementary Order No. 142 and the Emergency Price Control Act of 1942, as amended, it is hereby ordered:

(a) *What this order does.* This Order No. G-22 under section 2 of Supplementary Order No. 142 provides for an adjustment of the maximum prices of all machinery and parts, covered by Revised Maximum Price Regulation No. 136, manufactured by the Lewis T. Kline Company of Alpena, Michigan, hereinafter referred to as the manufacturer, and all services covered by Maximum Price Regulation No. 581, performed by the said manufacturer.

(b) *Manufacturer's adjusted maximum prices.* (1) The adjusted maximum prices for sales by the manufacturer of all machinery and parts manufactured by it shall be its maximum net prices in effect immediately preceding the effective date of this order, to each class of purchaser, increased by 3.5%.

(2) The adjusted maximum hourly rates for industrial services performed by the manufacturer shall be as follows:

Service	*Adjusted maximum rate per hour*
Industrial service—machinery	$3.20
Industrial service—welding	4.15

(3) The manufacturer shall maintain, on all sales hereby affected, all cash and quantity discounts, allowances and other price differentials which it had in effect immediately prior to the effective date of this order.

(c) *Resellers' adjusted maximum prices.* (1) Any reseller of products for which an adjustment is granted the manufacturer in (b) above may add to his maximum prices in effect immediately prior to the effective date of this order, to each class of purchaser, the actual dollars-and-cents amount of increase in his net invoiced cost resulting from the adjustment granted the manufacturer by this order.

(2) Resellers' maximum prices adjusted under this paragraph are subject to each reseller's discounts, allowances and other price differentials for sales to each class of purchaser.

(d) *Notification.* The manufacturer at or prior to the first billing reflecting the adjustment herein granted, shall send to each purchaser who resells the products covered by this order, a notice of the adjustment authorized by this order. Such notice shall substantially contain the following:

Order No. G-22 under Section 2 of Supplementary Order No. 142 provides a certain specified percentage increase in the maximum net prices of all types of machinery and parts manufactured by the Lewis T. Kline Company of Alpena, Michigan, and covered by Revised Maximum Price Regulation No. 136. Resellers may add to their maximum prices in effect immediately prior to the effective date of this order, to each class of purchaser, the actual dollars-and-cents amount of any increase in their net invoiced cost resulting from the adjustment granted the manufacturer by this order.

(e) *Revocation and amendment.* This order may be modified, amended or revoked at any time by the Office of Price Administration.

This order shall become effective May 28, 1946.

Issued May 28, 1946.

JOHN F KESSEL,
Regional Administrator

[F. R. Doc. 46-11324; Filed, June 27, 1946; 12:20 p. m.]

[Region VIII Order G-11 Under MPR 592]

READY-MIXED CONCRETE IN SEATTLE, WASH.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to authority vested in the Regional Administrator by section 17 of Maximum Price Regulation No. 592; *It is hereby ordered:*

(a) The adjusted maximum charge for delivery of ready-mixed concrete within the city limits of Seattle, Washington by producers located in that city, shall be $2.25 per cubic yard.

(b) All sales are subject to seller's customary trade terms, discounts and price differentials.

(c) This order may be corrected, amended or revoked at any time.

This order shall become effective June 6, 1946.

Issued this 27th day of May 1946.

BEN C. DUNIWAY,
Regional Administrator

[F. R. Doc. 46-11330; Filed, June 27, 1946; 12:25 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register June 25, 1946.

Region I

Concord Order 1-D, Amendment 4, covering butter and cheese in the New Hampshire area. Filed 9:42 a. m.

Region II

Buffalo Order 6-F Amendment 21, covering fresh fruits and vegetables in Rochester, East Rochester, Fairport and Pittsford, New York. Filed 9:42 a. m.

Albany Orders 3-C and 7-O, covering poultry and eggs in Albany, Schenectady and Rensselaer counties. Filed 9:56 a. m. and 9:57 a. m.

Wilmington Order 5-F Amendment 21, covering fresh fruits and vegetables in the State of Delaware. Filed 9:57 a. m.

Wilmington Orders 3-C and 5-O, covering poultry and eggs in the State of Delaware north of the Delaware and Chesapeake Canal. Filed 9:57 a. m.

Region III

Charleston Order 7-F, Amendment 68, covering fresh fruits and vegetables in certain areas in West Virginia. Filed 9:57 a. m.

Charleston Order 9-F, Amendment 68, covering fresh fruits and vegetables in Cabell county and the city of Huntington in Wayne county, West Virginia. Filed 9:58 a. m.

Charleston Order 10-F Amendment 68, covering fresh fruits and vegetables in certain counties in West Virginia. Filed 9:58 a. m.

Charleston Order 11-F Amendment 68, covering fresh fruits and vegetables in Berkeley, Jefferson and Morgan counties, West Virginia. Filed 9:58 a. m.

Charleston Order 15-F Amendment 65, covering fresh fruits and vegetables in certain counties in West Virginia. Filed 9:58 a. m.

Charleston Order 16-F, Amendment 65, covering fresh fruits and vegetables in Boone, Fayette, Kanawha, Putnam and Raleigh counties, West Virginia. Filed 9:59 a. m.

Charleston Order 17-F Amendment 64, covering fresh fruits and vegetables in certain counties in West Virginia. Filed 9:50 a. m.

Region V

Dallas Order 6-F, Amendment 37, covering fresh fruits and vegetables in McLennan county, Texas. Filed 9:46 and 9:47 a. m.

Dallas Order 8-F, Amendment 6, covering fresh fruits and vegetables in certain counties in Texas. Filed 9:46 a. m.

Dallas Orders 4-C and 10-O, covering poultry and eggs in cities of Dallas, and University Park and town of Highland Park, Texas. Filed 9:46 a. m.

Fort Worth Order 21, Amendment 8, covering dry groceries sold by Groups 3 and 4 stores. Filed 9:45 a. m.

Houston Order 4-F, Amendments 47, 48, and 49, covering fresh fruits and vegetables in certain cities and towns of Texas. Filed 9:45 a. m.

Houston Order 7-F Amendments 5, 6, and 7, covering fresh fruits and vegetables in Chambers, Hardin, Jefferson, Liberty and Orange counties, Texas. Filed 9:44 a. m.

Houston Order 8-F Amendments 5, 6, and 7, covering fresh fruits and vegetables in Jasper, Newton, and Tyler counties, Texas. Filed 9:44 and 9:43 a. m.

Houston Order 9-F Amendments 6 and 7, covering fresh fruits and vegetables in Galveston county, Texas. Filed 9:43 a. m.

Houston Order 10-F, Amendments 5, 6, and 7, covering fresh fruits and vegetables in certain areas in Texas. Filed 9:43 and 9:42 a. m.

Houston Order 12-F covering fresh fruits and vegetables in certain areas in Texas. Filed 9:50 a. m.

Houston Orders 2-C and 4-O, covering poultry and eggs in Harris county, Texas. Filed 9:47, 9:48, 9:49 and 9:50 a. m.

Houston Orders 3-C and 5-O, covering poultry and eggs in Orange and Jefferson counties, Texas. Filed 9:38 and 9:49 a. m.

Houston Orders 4-C and 6-O, covering poultry and eggs in Galveston county, Texas. Filed 9:37, 9:38, and 9:49 a. m.

Kansas City Order 4-F Amendment 50, covering fresh fruits and vegetables in Johnson and Wyandotte counties, Kansas; Jackson county, Missouri and the City of North Kansas City, Missouri. Filed 9:37 a. m.

Kansas City Order 9-F Amendment 34, covering fresh fruits and vegetables in Buchanan county, Missouri. Filed 9:41 a. m.

Kansas City Order 10-F, Amendment 34, covering fresh fruits and vegetables in Greene county, Missouri. Filed 9:41 a. m.

Kansas City Order 11-F, Amendment 34, covering fresh fruits and vegetables in Jasper county, Missouri. Filed 9:40 a. m.

Kansas City Order 14-F, Amendment 2, covering fresh fruits and vegetables in certain areas in Missouri. Filed 9:40 a. m.

Kansas City Order 15-F Amendment 2, covering fresh fruits and vegetables in certain counties in Missouri. Filed 9:40 a. m.

Kansas City Orders 9-C and 11-O, covering poultry and eggs in counties of Johnson and Wyandotte, Kansas; City of North Kansas City, Jackson and Buchanan counties, Missouri. Filed 9:40 a. m.

Kansas City Orders 10-C and 12-O, covering poultry and eggs in Greene and Jasper counties, Missouri. Filed 9:39 a. m.

New Orleans Orders 33-C and 7-O, covering poultry and eggs in certain areas in Louisiana. Filed 9:51 a. m.

New Orleans Order 33, Amendments 5 and 6, covering dry groceries sold by Groups 3 and 4 stores and 3A and 4A stores. Filed 9:51 a. m.

New Orleans Order 33, Amendment 9, covering dry groceries sold by Groups 3A and 4A stores. Filed 9:52 a. m.

New Orleans Order 32, Amendment 6, covering dry groceries. Filed 9:52 a. m.

New Orleans Order 6-W Amendment 6, covering dry groceries. Filed 9:50 a. m.

Oklahoma City Order 14-F, Amendment 2, covering fresh fruits and vegetables in Garfield, Oklahoma and Pottawatomie counties, Oklahoma. Filed 9:50 a. m.

Oklahoma City Order 15-F, Amendment 2, covering fresh fruits and vegetables in Muskogee and Tulsa counties, Oklahoma. Filed 9:54 a. m.

Oklahoma City Order 16-F, Amendment 2, covering fresh fruits and vegetables in certain counties in Oklahoma. Filed 9:54 a. m.

Oklahoma City Order 17-F, Amendment 2, covering fresh fruits and vegetables in certain counties in Oklahoma. Filed 9:54 a. m.

Oklahoma City Order 18-F, Amendment 1, covering fresh fruits and vegetables. Filed 9:53 a. m.

Oklahoma City Orders 2-C and 1-O, covering poultry and eggs in Oklahoma, Tulsa, and Muskogee counties, Oklahoma. Filed 9:53 a. m.

San Antonio Order 6-F, Amendment 48, covering fresh fruits and vegetables in Bexar county, Texas. Filed 9:53 a. m.

San Antonio Order 8-F, Amendment 49, covering fresh fruits and vegetables in Corpus Christi, Texas. Filed 9:52 a. m.

San Antonio Order 9-F, Amendment 37, covering fresh fruits and vegetables in Culberson, El Paso, Hudspeth and Presidio counties, Texas. Filed 9:52 a. m.

San Antonio Order 11-F, Amendment 6, covering fresh fruits and vegetables in certain counties in Texas. Filed 9:56 a. m.

San Antonio Order 12-F, Amendment 6, covering fresh fruits and vegetables in Travis county, Texas. Filed 9:56 a. m.

San Antonio Orders 6-C and 3-O, covering poultry and eggs in Bexar county, Texas. Filed 9:56 and 9:55 a. m.

St. Louis Orders 3-C and 2-O, covering poultry and eggs in the city of St. Louis and county of St. Louis, Missouri. Filed 9:53 a. m.

Wichita Order 13-F, Amendment 32, covering fresh fruits and vegetables in Sedgwick county, Kansas. Filed 9:55 a. m.

Wichita Order 15-F, Amendment 32, covering fresh fruits and vegetables in Chase, Coffey, Greenwood, Lyon, Marion and Morris counties, Kansas. Filed 9:55 a. m.

Wichita Order 16-F, Amendment 32, covering fresh fruits and vegetables in Reno county, Kansas. Filed 9:55 a. m.

Wichita Order 17-F, Amendment 32, covering fresh fruits and vegetables in Shawnee county, Kansas. Filed 9:54 a. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 46-11277; Filed, June 27, 1946; 11:40 a. m.]

[Buffalo Order G-2 Under MPR 154]

HETZLER BROS. ICE CO., INC.

ADJUSTMENT OF MAXIMUM PRICES

For reasons set forth in the accompanying opinion and under the authority vested in the Buffalo District Office of Region II of the Office of Price Administration, by the Emergency Price Control Act of 1942, as amended, and by the Regional Administrator of Region II, and pursuant to § 1393.8 (a) of MPR 154, as amended, and of Revised Procedural Regulation No. 1, *It is ordered.*

1. The present maximum prices of Hetzler Bros. Ice Co., Inc., for the sales of all ice except "sized ice," are hereby increased by 6.1%.

2. Distributors and peddlers who purchase ice from Hetzler Bros. Ice Co., Inc. for resale, may add to their maximum prices for all ice so purchased, except "sized ice" the dollars and cents increase in cost resulting from the increase herein granted to Hetzler Bros. Ice Co., Inc. At or before the first sale after the date hereof, to any reseller, Hetzler Bros. Ice Co., Inc., shall notify such resellers in writing of the change in its own maximum prices and in the maximum prices of such reseller resulting from this order.

3. Hetzler Bros. Ice Co., Inc. and all resellers affected hereby shall remain subject to all applicable provisions of MPR 154, as amended, and any other applicable regulation issued by the Office of Price Administration and shall maintain all customary discounts, allowances and other price differentials on all sales affected by this order.

4. Within fifteen days following the expiration of three months after the effective date of this order, Hetzler Bros. Ice Co., Inc., shall submit a financial statement covering the said three months' period, which statement shall contain the segregation of sales in all ice categories as well as a list of ceiling prices for each category.

5. All prayers of the application of Hetzler Bros. Ice Co., Inc. not granted herein, are denied.

6. To the extent which the prayers of its application are denied, Hetzler Bros. Ice Co., Inc. may, within sixty days after the effective date of this order, file with this office a request for review by the Regional Administrator of the partial denial of its application.

7. A copy of this order has been filed with the Division of the Federal Register where it is open for inspection by the public.

8. This order may be revoked or amended by the Price Administrator, the Regional Administrator, or the Buffalo District Director at any time.

This order shall become effective immediately.

Issued this 24th day of June 1946.

THOMAS J. REESE,
District Director

[F. R. Doc. 46-11315; Filed, June 27, 1946; 12:12 p. m.]

[Region III Order G-13 Under MPR 592]

READY-MIXED CONCRETE IN CINCINNATI, OHIO, AREA

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to section 17 of Maximum Price Regulation No. 592 and the Emergency Price Control Act of 1942, as amended, it is hereby ordered:

(a) *What this order does.* This order establishes adjusted maximum prices for sales and deliveries of ready-mixed concrete in the Cincinnati, Ohio, area when sold by producers located in that area. The maximum prices of resellers are also adjusted herein.

(b) *Area covered.* The Cincinnati area as used herein includes all that territory in Hamilton County, Ohio, within a radius of ten miles of Fountain Square, Cincinnati, Ohio.

(c) *Adjusted maximum list prices of producers.* All producers of ready-mixed concrete located in the Cincinnati area are hereby granted the following adjusted maximum list prices for all their sales and deliveries made in the Cincinnati area of the specified sizes, kinds and qualities of ready-mixed concrete set forth below:

Ready-mixed concrete	Adjusted list maximum prices	
	Sales of less than 250 cubic yards	Sales of 250 to 500 cubic yards
	Per cubic yard	*Per cubic yard*
2,000 lbs. strength	$7.10	$6.50
2,500 lbs. strength	7.45	6.85
3,000 lbs. strength	7.80	7.20
3,500 lbs. strength	8.15	7.55
4,000 lbs. strength	8.50	7.90
4,500 lbs. strength	8.90	8.30
5,000 lbs. strength	9.20	8.60
Topping or grout 1-3	9.95	9.35
Topping or grout 1-2	11.90	11.30
Topping (torpedo gravel 1-1-1½)	9.60	9.00
Topping (torpedo gravel 1-1-2)	9.20	8.60
1-9 mix concrete	6.75	6.15
1-12 mix concrete	6.75	6.15

(d) *Adjusted maximum prices of resellers.* The adjusted maximum prices of the commodities covered by paragraph (c) hereof on sales and deliveries made in the Cincinnati Area by any reseller shall be determined by adding to his maximum net price, to each class of purchaser, in effect immediately prior to the effective date of this order, the percentage amount of increase in his net invoiced cost resulting from the adjustment granted to producers by this order.

(e) *Discounts, allowances and extra charges.* All sellers described in this order must continue to maintain discounts, allowances and other price differentials to each class of purchaser at least as favorable as those which were in effect immediately prior to the effective date of this order, except where they are inconsistent with the provisions of this order, and are permitted to add to the adjusted maximum prices provided herein such charges for extras as were customarily added immediately prior to the effective date of this order.

(f) *Notification.* The producers described herein, at or prior to the first billing reflecting the adjustments herein granted, shall send to each purchaser who resells the products covered by this order, a notice of the adjustment authorized by this order. Such notice shall contain substantially the following:

Order No. G-13 under section 17 of Maximum Price Regulation No. 592 provides adjusted maximum prices for sales and deliveries in the Cincinnati Area of ready-mixed concrete made by producers located in that area. Resellers may add to their maximum net prices in effect immediately prior to the effective date of this order, to each class of purchaser, the percentage amount of any increase in their net invoiced cost resulting from the adjustment granted the producers in this order.

(g) *Definitions.* (1) "Ready mixed concrete" is the product obtained by the mixing of cement, water and aggregates such as sand, gravel and crushed stone in the producer's plant and delivered in trucks and other conveyances for pouring at a job site.

(2) Except as otherwise herein provided the definitions contained in Maximum Price Regulation No. 592 shall apply to all terms used herein.

(h) *Amendment and revocation.* This order may be modified, amended or revoked at any time by the Office of Price Administration.

This order No. G-13 shall become effective June 11, 1946.

Issued: June 11, 1946.

JOHN F KESSEL,
Regional Administrator

[F. R. Doc. 46-11312; Filed, June 27, 1946; 12:09 p. m.]

[Region III Order G-26 Under RMPR 251]

SPECIFIED RE-ROOFING IN CANTON, OHIO AREA

An opinion accompanying this order has been filed with the Division of Federal Register.

Under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by the Emergency Price Control Act of 1942, as amended, and by Section 9 of Revised Maximum Price Regulation No. 251, this order is issued:

SECTION 1. *Transactions covered by this order.* (a) This order covers (1) sales of composition roofing on an installed basis when applied to residential structures in the Canton, Ohio Area, (2) construction services preparatory to such roofing installation, and (3) incidental construction services unrelated to such roofing installation.

SEC. 2. *Definitions.* (a) "Composition roofing" includes 12 in. (3 in line) strip shingles weighing 210 lbs. per 100 sq. ft.

(b) "Installed basis" with relation to roofing means a transaction in which the seller furnishes composition roofing and the related materials or services required to incorporate such roofing into a residential structure.

(c) "Related materials and services" with reference to roofing installation includes the furnishing and installation of such items as nails, mastic or plastic, roof cement, flashing around chimneys, and vents, where needed, and other materials, labor cost, other job costs such as hauling and cleaning, which are directly related to and necessary to such roofing installation, and commissions or brokerage fees.

(d) "Construction work preparatory to roofing installation" means construction services rendered and building materials installed which are necessary to place a structure in repair prior to installation of roofing and which are not included in the maximum prices established by this order for the sale of roofing on an installed basis.

(e) "Incidental construction work unrelated to roofing installation" means separate construction services rendered or building materials installed which may be furnished apart from roofing installation (for example, roof repairs, painting, construction of new porch, etc.) and not directly necessary for roofing installation.

(f) The term "residential structure" means any building, structure, or part thereof, used entirely or principally for living or dwelling purposes and includes buildings or structures in connection therewith, or adjacent thereto, at the same site, such as garages, barns, milk houses, sheds, granaries, and other outbuildings, but does not include hotels.

SEC. 3. *Geographical applicability.* For the purposes of this order, the Canton, Ohio Area consists of Stark County in the State of Ohio.

SEC. 4. *Relationship of this order to Revised Maximum Price Regulation No. 251.* (a) The provisions of this order supersede sections 6, 7, and 8 of Revised Maximum Price Regulation No. 251 with respect to sales of re-roofing when sold installed on residential structures. All other provisions of Revised Maximum Price Regulation No. 251 not inconsistent with this order are applicable to transactions covered by this order.

(b) On and after the effective date of this order, regardless of any contract or other obligation, no person shall contract to sell, offer to sell, or deliver re-roofing, sold on an installed basis on residential structures, as herein defined, at prices higher than the maximum prices established by this order: *Provided,* That deliveries made not more than thirty days after the effective date of this order on bona fide contracts executed prior to the effective date of this order shall not be considered to be violations of this order.

SEC. 5. *Maximum prices for sales of re-roofing on an installed basis.* The maximum prices for sales of re-roofing on an installed basis on residential structures shall be as shown in the following table:

	Per sq.
12 inch (3 in line) strip shingles, 210 lbs	$15.00

The above price includes related materials and services as defined in section 2 (c) hereof.

SEC. 6. *Lump sum or guaranteed prices.* (a) A seller may sell installed re-roofing covered by this order on the basis of a lump sum or guaranteed price, but such lump sum or guaranteed price must not be higher than the maximum price calculated in accordance with the pricing methods and requirements of this order.

(b) *Recomputation.* Within 30 days from the completion of any service covered by this order for which a price was charged on the basis described in paragraph (a) above, the seller shall check his price by reviewing the measurements, materials, labor and other factors used in his estimate on the basis of the actual services rendered and materials installed and shall determine whether the price quoted, charged, or collected is higher than the maximum price computed under this order. In the event that the price quoted, charged or collected is higher than the maximum price computed under the terms of this order, the seller shall either reduce his price to the proper maximum price and refund to the buyer within such period of 30 days after the completion of the service any excess which may have been collected, or, by written notice to the buyer, shall cancel the indebtedness of the buyer for any such excess, or both, as the case may require. Such charge or collection in an amount in excess of the maximum price properly computed in accordance with this order shall not be considered to be a violation of this order if the amount thereof is refunded or credited to the buyer in accordance with this paragraph.

SEC. 7. *Maximum prices for preparatory or incidental construction services—* (a) *Construction services preparatory to roofing installations.* The maximum prices that may be charged by sellers of preparatory construction services and/or installed building materials shall be the maximum prices established in accordance with Revised Maximum Price Regulation No. 251.

(b) *Incidental construction services unrelated to roofing installations.* The maximum prices that may be charged by sellers of incidental construction services and installed building materials unrelated to roofing installations shall be the maximum prices established in accordance with Revised Maximum Price Regulation No. 251.

SEC. 8. *Notification.* Upon completion of any contract for installed re-roofing, the seller is required to furnish to the purchaser an itemized statement showing the number of squares covered and the maximum price per square of re-roofing installed. The seller is further required to give the purchaser a separate statement of any incidental or preparatory construction work performed, other than installed re-roofing, giving a description of such work and an itemized statement of the prices thereof. The seller shall also include in such statement the date on which the work was completed, the names and addresses of the sellers and buyers, job site and terms of sale.

Every person making sales subject to this order shall, if requested by the purchaser, make available to the purchaser a copy of this order and a copy of Revised Maximum Price Regulation No. 251.

SEC. 9. *Posting.* Every seller making sales covered by this order shall post a copy of the list of maximum prices fixed by this order in each of his places of business in the Canton, Ohio Area in a manner plainly visible to all purchasers.

SEC. 10. *Prohibitions and evasions.* (a) No person shall sell and no person shall buy, in the course of trade or business, any of the commodities or services covered by this order, at prices greater than the maximum prices established by this order.

(b) The price limitations set forth in this order shall not be evaded by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of any of the commodities or services covered by this order, whether alone or in conjunction with any other charges, discounts, premiums, or other privileges or by tying agreement or other understanding or by making the terms and conditions of sale more onerous to buyers than they were during March, 1942, (except as specifically permitted by this order or applicable regulations).

SEC. 11. *Records.* All sellers of installed re-roofing, and/or incidental or preparatory construction work covered by this order must keep records concerning each sale subject to this order, including the name and address of the purchaser, the location of the job, the date of the transaction, a description of the materials and services involved, the number of squares and price per square of re-roofing, a separate statement of any incidental or preparatory construction work, and the total charge for the entire job.

All such records shall be made available for inspection by representatives of the Office of Price Administration so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

SEC. 12. *Revocation or amendment.* This order may be revised, amended, revoked or modified at any time by the Office of Price Administration.

This order shall become effective June 21, 1946.

Issued June 7, 1946.

FRANCIS B. DOUGLASS,
Acting Regional Administrator.

[F. R. Doc. 46-11314; Filed, June 27, 1946; 12:12 p. m.]

[Region III Order G-23 Under MPR 592]

SHEPPER AND MOOMAW BROS. CO. ET AL.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to section 16 of Maximum Price Regulation No. 592 and the Emergency Price Control Act of 1942, as amended, it is hereby ordered:

(a) *What this order does.* This Order No. G-23 under section 16 of Maximum Price Regulation No. 592 provides for an

adjustment of maximum prices for the sale of clay drain tile and fittings manufactured by Shepfer and Moomaw Brothers Company of Sugarcreek, Ohio, hereinafter referred to as the manufacturer. The maximum prices of the manufacturer and the maximum prices of the resellers of such commodities are adjusted herein.

(b) *Manufacturer's adjusted maximum prices.* (1) The adjusted maximum prices, f. o. b. plant, for sales by the manufacturer of the specified sizes of clay drain tile and fittings manufactured by it are as follows:

Clay drain tile	Adjusted maximum prices per M feet to—		
	Jobbers	Dealers	Users
Size:			
3"	$27.25	$30.75	$32.35
4"	36.45	38.75	40.80
5"	62.50	66.55	70.05
6"	77.75	78.42	82.55
8"	125.65	138.25	145.55
10"		224.10	235.90
12"		287.35	302.50

Clay drain tile fittings	Adjusted maximum prices of each fitting to all classes of purchasers	
	Single	Double
Size:		
3"	$0.20	$0.30
4"	.25	.35
5"	.35	.50
6"	.35	.50
8"	.50	.60

(2) The manufacturer shall maintain, on all sales hereby affected, cash and quantity discounts and transportation allowances at least as favorable as those which it had in effect immediately prior to the effective date of this order.

(3) The adjustment granted the manufacturer in (b) (1) above is conditioned upon the manufacturer's furnishing a profit and loss statement for the second quarter of 1946 as well as detailed cost data for the production of the subject clay drain tile for the thirty day period immediately following the date of this order. The profit and loss statement and cost data shall be filed with the Regional Administrator not later than July 31, 1946.

(c) *Resellers' adjusted maximum prices.* (1) Any reseller of commodities for which an adjustment is granted the manufacturer in (b) above may add to his maximum prices in effect immediately prior to the effective date of this order, to each class of purchaser, the actual dollars-and-cents amount of any increase in his net invoiced cost resulting from the adjustment granted the manufacturer by this order.

(2) Resellers' maximum prices adjusted under this paragraph are subject to each reseller's customary terms, discounts, allowances and other price differentials on sales to each class of purchaser.

(d) *Notification.* The manufacturer, at or prior to the first billing reflecting the adjustment herein granted, shall send to each purchaser who resells the commodities covered by this order, a notice of the adjustment authorized by this order. Such notice shall contain substantially the following:

Order No. G-23 under section 16 of Maximum Price Regulation No. 592 provides for an adjustment of the maximum prices for sales by Shepfer and Moomaw Brothers Company of clay drain tile and fittings manufactured by it. Resellers may add to their maximum prices in effect immediately prior to the effective date of this order, to each class of purchaser, the actual dollars-and-cents amount of any increase in their net invoiced cost resulting from the adjustment granted to the manufacturer by this order.

(e) *Revocation and amendment.* This order may be modified, amended or revoked at any time by the Office of Price Administration.

This order shall become effective June 7, 1946.

Issued June 7, 1946.

FRANCIS B. DOUGLAS,
Acting Regional Administrator

[F. R. Doc. 46-11326; Filed, June 27, 1946; 12:21 p. m.]

[Region III Order G-37 Under RMPR 251]

RE-ROOFING AND RE-SIDING IN ASHLAND, KY., AREA

For the reasons set forth in an accompanying opinion issued simultaneously herewith, and pursuant to the authority vested in the Regional Administrator of Region III of the Office of Price Administration by section 9 of Revised Maximum Price Regulation No. 251, this order is issued:

SECTION 1. *Transactions covered by this order* This order establishes maximum prices for the following transactions:

(a) Sales of specified composition siding on an installed basis when installed on residential structures in the Ashland, Kentucky Area,

(i) Over the permanent exterior side covering of such structures or,

(ii) On such structures from which the permanent exterior side covering has been removed.

(b) Sales of specified composition roofing on an installed basis when installed on residential structures in the Ashland, Kentucky Area,

(i) Over the permanent exterior roof covering of such structures or,

(ii) On such structures from which the permanent exterior roof covering has been removed.

(c) Sales of construction work preparatory to such siding or roofing installation.

(d) Sales of incidental construction unrelated to such siding or roofing installation.

SEC. 2. *Definitions.* (a) "Composition siding" includes types of siding used in re-siding jobs such as asbestos-cement, roll brick and insulated brick or stone but does not include wood shingles or wood siding.

(b) "Composition roofing" includes composition roofing used in re-roofing jobs such as asphalt shingles and mineral surface roll roofing but does not include wood, metal, or slate roofing.

(c) "Installed basis," with relation to siding or roofing, means a transaction in which the seller furnishes composition siding or roofing and the related materials or services required to incorporate such siding or roofing into a residential structure.

(d) "Related materials or services," with relation to siding installation, includes the furnishing and installation of leveling strips, felt, felt strips, backer board, corner beads, calking, moulding, nails, and other necessary materials, labor costs, other job costs directly related to and necessary for such siding installation, and commissions or brokerage fees.

(e) "Related materials or services," with reference to roofing installation includes the furnishing and installation of such items as nails, mastic and other necessary materials, flashing around chimneys and vents, labor costs, other job costs directly related to and necessary to such roofing installation, and commissions or brokerage fees.

(f) "Construction work preparatory to siding installation" means all construction services furnished and building materials installed which are necessary to place a structure in repair prior to installation of siding. (For example, boxing in of concrete, cement block, natural stone, or brick basement walls, construction of new dormer, etc.)

(g) "Construction work preparatory to roofing installation" means all construction services furnished and building materials installed which are necessary to place a structure in repair prior to installation of roofing.

(h) "Incidental construction work unrelated to siding or roofing installation" means separate construction services furnished or building materials installed in addition to siding or roofing installation (for example, roof repairs, painting, construction of new porch, etc.) and not directly necessary for such siding or roofing installation.

(i) The term "residential structure" means any building, structure, or part thereof, used entirely or principally for living or dwelling purposes and includes buildings or structures in connection therewith, or adjacent thereto, at the same site, such as garages, barns, milk houses, sheds, granaries, and other outbuildings, but does not include hotels.

(j) The "Ashland, Kentucky, Area" consists of the Counties of Boyd, Carter, Elliott, Floyd, Greenup, Johnson, Lawrence, Magoffin, Martin and Pike in the State of Kentucky.

(k) A "square" means one hundred square feet of surface.

SEC. 3. *Relationship of this order to other maximum price regulations and orders.* (a) The provisions of this order supersede sections 6, 7, and 8 of Revised Maximum Price Regulation No. 251 with respect to sales of re-roofing or re-siding when sold installed on residential structures. All other provisions of Revised Maximum Price Regulation No. 251 not inconsistent with this order are applicable to transactions covered by this order.

SEC. 4. *Maximum prices*—(a) *Maximum prices for sales of re-roofing on an installed basis.* (i) The maximum prices

per square for sales of roofing on an installed basis on residential structures shall be as shown in the following table:

	Per sq.
12 in. (3 in line) strip shingles, 210 pounds	$12.00
11⅓ in hexagon strip shingles, 167 pounds	9.50
Roll roofing, mineral surface, 90 pounds	6.00

(ii) The above prices include related materials such as nails, mastic and other necessary materials, flashing around chimneys and vents, labor costs, other job costs directly related to and necessary for such roofing installation, and commissions or brokerage fees.

(iii) When the above re-roofing is installed on a tin roof, the seller may add to the applicable maximum price quoted in (a) above a charge not exceeding two dollars per square so installed.

(iv) Where the re-roofing installed within the Ashland, Kentucky Area, but in a county other than the one in which the seller's place of business is located, such seller may add a charge not to exceed $1.00 per square for each square of re-roofing so installed.

(b) *Maximum prices for sales of re-siding on an installed basis.* (i) The maximum prices per square for sales of siding on an installed basis on residential structures shall be as shown in the following table:

	Per sq.
Asbestos-cement siding, standard surface hardness, standard colors, 12 in. x 24 in. or 12 in. x 27 in	$22.00
Composition siding, insulated brick, 14⅜ in. x 43⅞ in., 13⅞ in. x 43⅛ in. or 14 in. x 43 in	24.00
Composition siding, roll brick	15.50

(ii) The above prices include related materials such as leveling material, backer board, felt or felt strips, corner beads, calking, moulding, nails and other necessary material, labor costs, other job costs directly related to and necessary for such siding installation, and commissions or brokerage fees.

(iii) Where the re-siding is installed within the Ashland, Kentucky Area, but in a county other than the one in which the seller's place of business is located, such seller may include an additional charge not to exceed $1.50 per square for each square of re-siding installed by the seller.

SEC. 6. *Lump sum or guaranteed prices.* (a) A seller may offer to or make sales covered by this order on the basis of a lump sum or guaranteed price, but such lump sum or guaranteed price shall not be higher than the maximum price calculated in accordance with the pricing methods and requirements of this order.

(b) *Recomputation.* Within 30 days after the completion of any transaction covered by this order, for which a price was charged on the basis described in paragraph (a) above, the seller shall check his price, by reviewing the categories and other factors used in his estimate, on the basis of the actual services rendered and material furnished and shall determine whether the price quoted, charged, or collected is higher than the maximum price computed under this order. In the event that the price quoted, charged or collected is higher than the maximum price computed under the terms of this order, the seller shall reduce his price to the proper maximum price and shall either refund to the buyer, within such period of 30 days after the completion of the transaction, any excess which may have been collected, or, by written notice to the buyer, cancel the indebtedness of the buyer for any such excess, or both, as the case may require. Such a charge or collection in an amount in excess of the maximum price properly computed in accordance with this order shall not be considered to be a violation of this order if the amount thereof is refunded or credited to the buyer in accordance with this paragraph.

SEC. 7. *Maximum prices for preparatory or incidental construction work.*—(a) *Construction work preparatory to re-siding or re-roofing installation.* The maximum prices that may be charged by sellers covered hereby for construction work preparatory to siding or roofing installation shall be the maximum prices established under Revised Maximum Price Regulation No. 251.

(b) *Incidental construction work unrelated to re-siding or re-roofing installation.* The maximum prices that may be charged by sellers of incidental construction work unrelated to re-siding or re-roofing installation shall be the maximum prices established under Revised Maximum Price Regulation No. 251.

SEC. 8. *Measurements.* It shall be the seller's responsibility to measure with reasonable accuracy the area or footage to be covered. A "measurement with reasonable accuracy" shall be considered to have been made if the price based on such measurement does not vary by more than 10% from the maximum price computed under the terms of this order on the basis of the exact measurement.

SEC. 9. *Notification.* Upon completion of any transaction covered by this order, the seller is hereby required to furnish the purchaser with an itemized statement showing the number of squares covered and the maximum price per square of re-roofing or re-siding installed. The seller is further required to give the purchaser a separate statement of any incidental or preparatory construction work performed, other than installed re-roofing or re-siding, giving a description of such work and an itemized statement of the prices thereof. The seller shall also include in such statement the date on which the work was completed, the names and addresses of the sellers and buyers, job site and terms of sale.

Every person making sales subject to this order shall, if so requested by the purchaser, make available to the purchaser a copy of this order and a copy of Revised Maximum Price Regulation No. 251, as amended.

SEC. 10. *Posting.* Every seller making sales covered by this order shall post a copy of this order in each of his places of business in the Ashland, Kentucky Area in a manner plainly visible to all purchasers.

SEC. 11. *Prohibitions and evasions.* (a) No person shall sell and no person shall buy, in the course of trade or business, any of the commodities or services covered by this order, at prices greater than the maximum prices established by this order.

(b) The price limitations set forth in this order shall not be evaded by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of any of the commodities or services covered by this order, whether alone or in conjunction with any other charges, discounts, premiums, or other privileges, or by tying agreement or other understanding or by making the terms and conditions of sale more onerous to buyers than they were during March 1942 (except as specifically permitted by this order or applicable regulations)

SEC. 12. *Records.* All sellers covered by this order shall keep records concerning each sale subject to this order, including the name and address of the purchaser, the location of the job, the date of the transaction, a description of the materials and services involved, the number of squares covered and the price per square of re-roofing or re-siding, a separate statement of any incidental or preparatory construction work, and the total charge for the entire job.

All such records shall be kept and made available for inspection by authorized representatives of the Office of Price Administration so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

SEC. 13. *Revocation or amendment.* This order may be amended or revoked at any time by the Office of Price Administration.

This order shall become effective June 11, 1946.

Issued: May 28, 1946.

J. F. KESSEL,
Regional Administrator.

[F. R. Doc. 46-11313; Filed, June 27, 1946; 12:11 p. m.]

[Region III Order G-43 Under Gen. Order 63]

HARD BUILDING MATERIALS IN THE SPRINGFIELD, OHIO AREA

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to the provisions of General Order No. 68, this order is issued:

SECTION I. *Transactions covered by this order.* This order covers all retail sales of the commodities specified in Table I made at or from a point located within the Springfield, Ohio Area. For the purposes of this order, the Springfield, Ohio Area consists of the County of Clark in the State of Ohio.

SEC. II. *Definition of retail sales.* For the purposes of this order, a "retail sale" means a sale to an ultimate user or to a purchaser for resale on an installed basis, *Provided, however,* That this order shall not apply to sales by manufacturers or jobbers of any asphalt, tarred, asbestos cement or other composition siding or roofing materials or of thermal insula-

tion such as mineral wool, vermiculite, etc., to bona fide applicators of roofing and/or siding and/or insulation.

For the purposes of this order, an "applicator of roofing and/or siding and/or insulation" is a contractor engaged generally in the business of furnishing labor and/or composition roofing and/or siding and/or insulation materials for the purpose of installing such roofing, siding or insulation materials in buildings or structures.

SEC. III. *Description of items covered by this order* This order covers the list of "hard building materials" set forth in the annexed table, designated Table I, and made a part hereof, including, but not limited to plaster, lath, lime, cement, fire brick, fire clay, flue lining and insulation board. Other related items may be added from time to time.

SEC. IV *Relation to other regulations.* The maximum prices fixed by this order supersede any maximum price or pricing method previously fixed by any other regulations or orders for the sales of the items set out in Table I, of this order. Except to the extent they are inconsistent with the provisions of this order, the provisions of the General Maximum Price Regulation, (except sections 18, 19 and 19a) and of other applicable regulations or orders, shall apply to sales covered by this order.

SEC. V. *Maximum prices, allowances and discounts.* (a) The maximum prices for hard building materials covered by this order are set forth in Table I hereof. Prices lower than the maximum prices may, of course, be charged or paid.

(b) *Discounts.* All prices set forth in Table I are subject to a discount of not less than 2% if paid by the tenth day of the month following the month of sale.

(c) *Delivery.* (1) On sales of merchandise worth $10.00 or more, all sellers covered hereby whose places of business are located in the City of Springfield shall deliver free of charge to any point in the area described by extending the city limits of Springfield five miles.

(2) On sales of merchandise worth $10.00 or less by sellers covered hereby whose places of business are located in the City of Springfield, a charge of one dollar may be made for deliveries to any point in the free delivery zone described in (1) above.

(3) On all sales of merchandise covered hereby, by sellers whose places of business are located in the City of Springfield, delivery to points beyond the free delivery zone described in (1) above shall be made at rates not exceeding the rates charged by the seller for such delivery service in March 1942.

(4) All sellers whose places of business are located outside the City of Springfield but within the County of Clark shall deliver items covered hereby free of charge.

SEC. VI. *Posting of maximum prices.* Every seller making sales covered by this order shall post a copy of this order in each of his places of business in the Springfield, Ohio Area in a manner plainly visible to and accessible by all customers.

SEC. VII. *Sales slips and records.* Every seller covered by this order, regardless of previous custom, shall give each purchaser a receipt showing the date, name and address of the seller, the description of the item sold and the prices received for it. If the seller customarily prepared his sales slip in more than one copy, he must keep for at least one year after delivery, a duplicate copy of each sales slip delivered by him pursuant to this section.

For any sale of $10.00 or more, each seller, regardless of previous custom, must keep records showing at least the following:

1. Name and address of buyer.
2. Date of transaction.
3. Place of delivery.
4. Complete description of each item sold and the price charged.

All such records shall be kept and made available for inspection by authorized representatives of the Office of Price Administration so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

SEC. VIII. *Prohibitions and evasions.* (a) No person shall sell and no person shall buy, in the course of trade or business, any of the commodities covered by this order, at prices greater than the maximum prices established by this order.

(b) The price limitations set forth in this order shall not be evaded by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of any of the commodities covered by this order, whether alone or in conjunction with any other commodity or by way of commissions, services, transportation or other charges, discounts, premiums, or other privileges or by tying agreement or other understanding or by making the terms and conditions of sale more onerous to buyers than they were during March 1942 (except as specifically permitted by this order or applicable regulations)

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

This Order No. G-43 shall become effective June 10, 1946.

Issued: May 27, 1946.

J. F. KESSEL,
Regional Administrator.

TABLE I—MAXIMUM DELIVERED[1] PRICE FOR LISTED HARD BUILDING MATERIALS

Commodity and unit	*Maximum price*
Plaster, hard wall, 100 lb. bag	$1.05
Gauging plaster, ton	21.00
Gauging plaster (less than ton), 100 lb. bag	1.20
Moulding plaster (local), 100 lb. bag	1.80
Bonding plaster, 100 lb. bag	1.05
Keene's cement, 100 lb. bag	2.10
Finishing lime, ton	20.75
Finishing lime (less than ton), 100 lb. bag	.55
Gypsum lath ⅜ inch, 1,000 sq. ft.	26.00
Gypsum lath ⅜ inch, bdl. (32 sq. ft.)	$0.85
Metal lath 2.5 lb. (copper bearing steel asphalt painted), sq. yd.	.29
Metal lath 3.4 lb. (copper bearing asphalt painted), sq. yd.	.33
Metal lath 2.75 lb. flat rib (copper bearing asphalt painted), sq. yd.	.315
Metal lath 3.4 lb.—⅜ inch high rib (copper bearing asphalt painted), sq. yd.	.3625
Corner bead, expanded type (26 gauge), lin. ft.	055
Plain corner bead, lin. ft.	.045
Portland cement, standard, (paper bags) (barrel), 376 lbs.	3.20
Portland cement, standard, (paper bags), 94 lb. bag	1.00
Masonry mortar, (barrel), 280 lbs.	2.75
Masonry mortar, 70 lb. bag	75
Mason's hydrated lime, ton	12.75
Mason's hydrated lime (less than ton), 50 lb. bag	.50
Waterproof cement (gray), (barrel) 376 lbs.	4.20
Waterproof cement (gray), 94 lb. bag	1.20
Fire brick (No. 1 high heat duty), 1,000	95.50
Fire brick (No. 2 medium heat duty) 1,000	90.00
Fire brick (No. 3 low heat duty), 1,000	65.00
Fire clay (common), ton	17.55
Fire clay (common) (less than ton) 100 lb. bag	1.25
Clay drain tile 3 inch, lin. ft.	.07
Clay drain tile 4 inch, lin. ft.	.09
Clay drain tile 6 inch, lin. ft.	.155
Vitrified clay sewer pipe No. 1SS 4 inch, lin. ft.	.20
Vitrified clay sewer pipe No. 1SS 6 inch, lin. ft.	.31
Flue lining 9 inch x 9 inch, lin. ft.	.41
Flue lining 9 inch x 13 inch, lin. ft.	.62
Flue lining 13 inch x 13 inch, lin. ft.	79

Discounts. All prices listed above subject to not less than 2% discount if paid by the tenth day of the month following the month of purchase.

[1] *Delivery.* (1) On sales of merchandise worth $10.00 or more, all sellers covered hereby whose places of business are located in the City of Springfield shall deliver free of charge to any point in the area described by extending the city limits of Springfield five miles.

(2) On sales of merchandise worth $10.00 or less by sellers covered hereby whose places of business are located in the City of Springfield, a charge of one dollar may be made for deliveries to any point in the free delivery zone described in (1) above.

(3) On all sales of merchandise covered hereby by sellers whose places of business are located in the City of Springfield, delivery to points beyond the free delivery zone described in (1) above shall be made at rates not exceeding the rates charged by the seller for such delivery service in March 1942.

(4) All sellers whose places of business are located outside the City of Springfield but within the County of Clark shall deliver items covered hereby free of charge.

[F. R. Doc. 46-11322; Filed, June 27, 1946; 12:18 p. m.]

[Region III Order G-51 Under Gen. Order 68]

HARD BUILDING MATERIALS IN LEXINGTON, KY., AREA

For the reasons set forth in an opinion issued simultaneously herewith and pur-

suant to the provisions of General Order No. 68, this order is issued:

SECTION 1. *Transactions covered by this order* This order covers all retail sales of the commodities specified in Table I, made by any seller of such commodities who makes such sale at or from a point located within the Lexington, Kentucky, Area. For the purposes of this order, the Lexington, Kentucky Area consists of the Counties of Bourbon, Boyle, Clark, Estill, Fayette, Franklin, Garrard, Grant, Harrison, Jackson, Jessamine, Lee, Madison, Mercer, Owsley, Pendleton, Powell, Scott, Wolfe, and Woodford in the State of Kentucky.

SEC. 2. *Definition of retail sales.* For the purposes of this order, a "retail sale" means a sale to an ultimate user or to a purchaser for resale on an installed basis: *Provided, however* That this order shall not apply to sales by manufacturers or jobbers of any asphalt, tarred, asbestos cement or other composition siding or roofing materials or of thermal insulation such as mineral wool, vermiculite, etc., to bona fide applicators of roofing and/or siding and/or insulation.

For the purposes of this order, an "applicator of roofing and/or siding and/or insulation" is a contractor engaged generally in the business of furnishing labor and/or composition roofing and/or siding and/or insulation materials for the purpose of installing such roofing, siding or insulation materials in or on buildings or structures.

SEC. 3. *Description of items covered by this order* This order covers the list of "hard building materials" set forth in the annexed table, designated Table I, and made a part hereof, including, but not limited to, plaster, lath, lime, cement, fire brick, fire clay, flue lining, roofing, and insulation board. Other related items may be added from time to time.

SEC. 4. *Relation to other regulations.* The maximum prices fixed by this order supersede any maximum price or pricing method previously fixed by any other regulations or orders for the sales of the items set out in Table I of this order. Except to the extent they are inconsistent with the provisions of this order, the provisions of the General Maximum Price Regulation, (except sections 18, 19, and 19a) and of all other applicable regulations and orders, shall apply to sales covered by this order.

SEC. 5. *Maximum prices, delivery*—(a) *Maximum prices.* The maximum prices for hard building materials covered by this order are set forth in Table I hereof. Prices lower than the maximum prices may, of course, be charged or paid. If the seller made extra charges in March, 1942, on sales of items covered hereby in quantities less than the units specified herein, he may continue to make such extra charges provided they are no higher than the charges made in March, 1942.

(b) *Delivery.* The maximum prices set forth in Table I include free delivery to any point within a radius of five miles of the seller's place of business. A charge of not more than 25 cents may be made for each mile, or fraction thereof, by which the point of delivery is located beyond the seller's free delivery zone. An additional charge not exceeding 50 cents may be made when items covered hereby whose total value is less than ten dollars are delivered beyond the seller's free delivery zone. No reduction in price need be made where the purchaser elects to make his own delivery.

SEC. 6. *Posting of maximum prices.* Every seller making sales covered by this order shall post a copy of this order in each of his places of business in the Lexington, Kentucky Area, in a manner plainly visible to and accessible by all customers.

SEC. 7. *Sales slips and records.* Every seller covered by this order shall give each purchaser a receipt showing the date, name, and address of the seller, the description of the items sold and the price received for them. If the seller customarily prepared his sales slips in more than one copy, he must keep, for at least one year after delivery, a duplicate copy of each sales slip delivered by him pursuant to this section.

For any sale of $10.00 or more, each seller, regardless of previous custom, shall keep records showing at least the following information:

(1) Name and address of buyer.
(2) Date of transaction.
(3) Place of delivery.
(4) Complete description of each item sold and the price charged.

All such records shall be kept and made available for inspection by authorized representatives of the Office of Price Administration so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

SEC. 8. *Prohibitions and evasions.* (a) No person shall sell and no person shall buy, in the course of trade or business, any of the commodities covered by this order, at prices greater than the maximum prices established by this order.

(b) The price limitations set forth in this order shall not be evaded by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of any of the commodities covered by this order, whether alone or in conjunction with any other commodity or by way of commissions, services, transportation or other charges, discounts, premiums, or other privileges, or by tying agreement or other understanding or by making the terms and conditions of sale more onerous to buyers than they were during March 1942 (except as specifically permitted by this order or applicable regulations).

SEC. 9. *Amendment.* This order may be amended or revoked at any time by the Office of Price Administration.

This Order No. G-51 shall become effective June 11, 1946.

Issued: May 28, 1946.

J. F. KRESEL,
Regional Administrator.

TABLE I

MAXIMUM RETAIL DELIVERED[1] PRICES OF LISTED HARD BUILDING MATERIALS IN THE LEXINGTON, KY., AREA

Commodity	Maximum price to consumers other than contractors	Unit	Maximum price to contractors[2]
Plaster, hardwall	$1.06	100-lb. bag	$1.00
Plaster, gauging	2.13	100-lb. bag	1.[illegible]
Plaster, metal lath	2.19	100-lb. bag	1.[illegible]
Keene's cement	2.60	100-lb. bag	2.[illegible]
Finishing lime	.60	50-lb. bag	.60
Gypsum lath, ⅜ in.	.03	Sq. ft.	.03
Metal lath, 2.5-lb., painted diamond mesh	.35	Sq. yd.	.33
Metal lath, 3.4-lb., painted diamond mesh	.35	Sq. yd.	.33
Metal lath, corner bead expanded type	.03	Lin. ft.	.03[illegible]
Portland cement, standard (paper bag)	.85	94-lb. bag	.80
Masonry mortar	.75	70-lb. bag	.65
Masonry hydrated lime	.50	50-lb. bag	.50
Waterproof cement (gray)	1.10	100-lb. bag	1.05
Fire brick, 9-in. straight first quality	.09	Each	.09
Fire clay	1.60	100-lb. bag	1.42
Clay drain tile, 4-in.	.09	Lin. ft.	.0[illegible]
Clay drain tile, 6-in.	.15	Lin. ft.	.145
Vitrified clay sewer pipe, No. 1SS, 4-in.	.18	Lin. ft.	.171
Vitrified clay sewer pipe, No. 1SS, 6 in.	.25	Lin. ft.	.2375
Flue lining, 4½ in. x 9 in.	.50	Lin. ft.	.475
Flue lining, 9 in. x 9 in.	.33	Lin. ft.	.315
Flue lining, 9 in. x 13 in.	.50	Lin. ft.	.475
Flue lining, 13 in. x 13 in.	.65	Lin. ft.	.627
Gypsum wallboard, ⅜ in.	.04½	Sq. ft.	.045
Asphalt roofing, 90-lb. mineral surface	2.50	Roll, 108 sq. ft.	2.45
Asphalt or tarred felt, 15-lb.	2.50	Roll, 432 sq. ft.	2.45
Asphalt or tarred felt, 30-lb.	2.50	Roll, 216 sq. ft.	2.45
Asphalt shingles, 210-lb. (3 in 1), thickbutt.	6.00	100 sq. ft.	5.75
Asphalt shingles, 165-lb. 2-tab hexagon.	5.00	100 sq. ft.	4.75
Fiber insulation board, ½-in. standard lath and board.	.05	Sq. ft.	.05
Fiber insulation board, 25/32-in. asphalt sheathing.	.06	Sq. ft.	.05
Asbestos cement siding, 12 in. x 24 in. or 27 in. standard colors.	9.50	100 sq. ft.	9.00
Hard density synthetic fiber board ⅛ in. tempered (standard size).	.12	Sq. ft.	.11[illegible]
Thermal insulation, batts (paper backed) full thick.	.00½	Sq. ft.	.005

[1] Delivery: The maximum prices set forth in Table I include free delivery to any point within a radius of five miles of the seller's place of business. A charge of not more than 25 cents may be made for each mile, or fraction thereof, by which the point of delivery is located beyond the seller's free delivery zone. An additional charge not exceeding 50 cents may be made when items covered hereby whose total value is less than ten dollars are delivered beyond the seller's free delivery zone. No reduction in price need be made where the purchaser elects to make his own delivery.

[2] The term "contractor" as used herein, means any individual, corporation, partnership, association, or other organized group of persons, engaged in the business of selling material or equipment and, who, in connection therewith, assumes responsibility for its incorporation into a building, structure, or construction project at a fixed site, by charging a single price for the commodity installed, by guaranteeing performance and use, or by other objective evidence.

[F. R. Doc. 46-11320; Filed, June 27, 1946; 12:17 p. m.]

[Region III Order G-60 Under Gen. Order 63]

HARD BUILDING MATERIALS IN PADUCAH, KY., AREA

For the reasons set forth in an opinion issued simultaneously herewith and

pursuant to the provisions of General Order No. 68, this order is issued:

SECTION 1. *Transactions covered by this order* This order covers all retail sales of the commodities specified in Table I, made at or from a point located within the Paducah, Kentucky Area. For the purposes of this order, the "Paducah, Kentucky Area" consists of the Counties of Ballard, Calloway, Carlisle, Crittenden, Fulton, Graves, Hickman, Livingston, Lyon, Marshall, McCracken and Trigg in the State of Kentucky.

SEC. 2. *Definition of retail sales.* For the purposes of this order, a "retail sale" means a sale to an ultimate user or to a purchaser for resale on an installed basis, *Provided, however* That this order shall not apply to sales by manufacturers or jobbers of any asphalt, tarred, asbestos cement or other composition siding or roofing materials or of thermal insulation, such as mineral wool, vermiculite, etc., to bona fide applicators of roofing and/or siding and/or insulation.

For the purposes of this order, an "applicator of roofing and/or siding and/or insulation" is a contractor engaged generally in the business of furnishing labor and/or composition roofing and/or siding and/or insulation materials for the purpose of installing such roofing, siding or insulation materials in or on building or structures.

SEC. 3. *Description of items covered by this order* This order covers the list of "hard building materials" set forth in the annexed price list designated Table I and made a part hereof, including, but not limited to, plaster, lath, lime, cement, fire brick, fire clay, flue lining, clay drain tile, composition siding and roofing; and insulation. Other related items may be added from time to time.

SEC. 4. *Relation to other regulations.* The maximum prices established by this order supersede any maximum price or pricing method previously fixed by any other regulations or orders. Except to the extent they are inconsistent with the provisions of this order, the provisions of the General Maximum Price Regulation, (except sections 18, 19, and 19a) and of other applicable regulations and orders, shall apply to sales covered by this order.

SEC. 5. *Maximum prices, delivery, discounts*—(a) *Price list.* The maximum prices for hard building materials covered by this order are set forth in Table I, which is annexed to and made a part of this order. Prices lower than maximum prices may, of course, be charged or paid.

(b) *Delivery.* (1) The prices set forth in Table I, hereof, include free delivery to any point within a radius of five miles of the seller's place of business, for sales of ten dollars or more. (2) On sales of ten dollars or less, a seller may charge not more than fifty cents for delivery within the zone described in (1) above. (3) A charge of not more than twenty-five cents for every mile, or fraction thereof, by which a point of delivery is located beyond the zone described in (1) above, may be made by sellers covered hereby where delivery is made to such point. (4) No deduction need be made from the prices set forth in Table I, where the purchaser elects to make his own delivery.

(c) *Discounts.* No seller covered hereby shall discontinue or reduce any of the discounts, allowances, or differentials offered by him in March 1942, for any item listed in Table I, hereof.

SEC. 6. *Posting of maximum prices.* Every seller making sales covered by this order shall post a copy of this order in each of his places of business in the Paducah, Kentucky Area.

SEC. 7. *Sales slips and records.* Every seller covered by this order, regardless of previous custom, shall give the purchaser a receipt showing the date, name and address of the seller, the description of the item sold and the price received for it. If the seller customarily prepared his sales slips in more than one copy, he shall keep, for at least one year after delivery, a duplicate copy of each sales slip delivered by him pursuant to this section.

For any sale of $10.00 or more, of articles covered hereby each seller, regardless of previous custom, shall keep records showing at least the following information:

(1) Name and address of buyer.
(2) Date of transaction.
(3) Place of delivery.
(4) Complete description of each item sold and the price charged.

All such records shall be kept and made available for inspection by authorized representatives of the Office of Price Administration so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

SEC. 8. *Prohibitions and evasions.* (a) No person shall sell and no person shall buy, in the course of trade or business, any of the commodities covered by this order, at prices greater than the maximum prices established by this order.

(b) The price limitations set forth in this order shall not be evaded by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of any of the commodities covered by this order, whether alone or in conjunction with any other commodity or by way of commissions, services, transportation or other charges, discounts, premiums, or other privileges or by tying agreement or other understanding or by making the terms and conditions of sale more onerous to buyers than they were during March 1942 (except as specifically permitted by this order or applicable regulations)

SEC. 9. *Amendment.* This order may be amended or revoked at any time by the Office of Price Administration.

This Order No. G-60 shall become effective June 11, 1946.

Issued May 28, 1946.

J. F. KESSEL,
Regional Administrator.

Commodity and unit	*Maximum price*
Plaster, hardwall, 100 lb. bag	$1.15
Plaster, gauging, 100 lb. bag	1.75
Plaster, moulding, 100 lb. bag	2.00
Keene's cement, 100 lb. bag	2.50
Finishing lime, 50 lb. bag	75
Gypsum lath, 3/8 in., sq. ft	.03
Metal lath, 2.5 lb. painted diamond mesh, sq. yd	.30
Metal lath, corner bead, expanded type, lin. ft	.05
Portland cement, standard (paper bags), 94 lb. bag	75
Masonry mortar (paper bags), 75 lb. bag	70
Mason's hydrated lime, 50 lb. bag	.55
Fire brick, 9 in. straight 1st quality, each	.09
Fire clay, 100 lb. bag	1.75
Clay drain tile, 3 in., lin. ft	.05
Clay drain tile, 4 in., lin. ft	.07
Vitrified clay sewer pipe, No. 1SS, 4 in., lin. ft	.15
Vitrified clay sewer pipe, No. 1SS, 6 in., lin. ft	.24
Gypsum wallboard, 3/8 in., sq. ft	.04½
Asphalt roofing, 90 lb. mineral surface, 108 sq. ft. roll	2.50
Asphalt or tarred felt, 15 lb., 432 sq. ft. roll	2.40
Asphalt or tarred felt, 30 lb., 216 sq. ft. roll	2.40
Asphalt shingles, 210 lb. (3 in 1) thickbutt, 100 sq. ft	5.75
Asphalt shingles, 165 lb., 2 tab hexagon, 100 sq. ft	4.50
Fibre insulation board, ½ in. standard lath and board, sq. ft	.05
Asbestos cement siding, 12 in. x 24 in. or 27 in., standard colors, 100 sq. ft.	8.10
Hard density synthetic fibre board ⅛ in. tempered (standard size), sq. ft	12½
Thermal insulation, blankets (paper backed) thick, sq. ft	.05½
Thermal insulation, batts (paper backed) full thick, sq. ft	.06½
Thermal insulation, loose in bags (plain), 40 lb. bag	1.25

Discounts. No seller covered hereby shall discontinue or reduce any of the discounts, allowances, or differentials offered by him in March, 1942, for any item listed in Table I, hereof.

Delivery charges. (1) The prices set forth in Table I, hereof, include free delivery to any point within a radius of five miles of the seller's place of business, for sales of ten dollars or more. (2) On sales of ten dollars or less, a seller may charge not more than fifty cents for delivery within the zone described in (1) above. (3) A charge of not more than twenty-five cents for every mile, or fraction thereof, by which a point of delivery is located beyond the zone described in (1) above, may be made by sellers covered hereby where delivery is made to such point. (4) No deduction need be made from the prices set forth in Table I, where the purchaser elects to make his own delivery.

[F. R. Doc. 46-11321; Filed, June 27, 1946; 12:17 p. m.]

[Region III Basic Order 1-B Under General Order 68]

BUILDING AND CONSTRUCTION MATERIALS IN CLEVELAND REGION

For the reasons set forth in an opinion which has been filed with the Division of the Federal Register, and pursuant to the authority granted the Regional Administrator of the Office of Price Ad-

ministration under General Order No. 68, this order is issued:

SECTION 1. *What this order does.* (a) This basic order puts into one document the provisions common to all area pricing orders, establishing maximum prices for sales of certain commodities under the jurisdiction of the Building and Construction Price Division of the Office of Price Administration, issued by the Regional Administrator of Region III of the Office of Price Administration.

(b) The orders issued by the Regional Administrator under the authority of General Order No. 68 which adopt and incorporate by reference the applicable provisions of this basic order are referred to herein as "adopting orders."

(c) To the extent they are made applicable, the provisions of this basic order shall apply to retail sales of certain commodities under the jurisdiction of the Building and Construction Price Division of the Office of Price Administration when this order is specifically adopted by any adopting order issued by the Regional Administrator of Region III pursuant to the provisions of General Order No. 68.

SEC. 2. *Definition of retail sales.* For the purposes of this order and adopting orders issued hereunder, a "retail sale" means a sale to an ultimate user or to a purchaser for resale on an installed basis: *Provided, however* That this order and adopting orders issued hereunder, shall not apply to sales by manufacturers or jobbers of any composition or asbestos cement siding or composition roofing materials, or of composition thermal insulation to bona fide applicators of roofing and/or siding and/or insulation.

For the purposes of this order and adopting orders issued hereunder, an "applicator of roofing and/or siding and/or insulation" is a contractor engaged generally in the business of furnishing labor and/or roofing and/or siding and/or insulation materials for the purpose of installing such roofing, siding or insulation materials in or on buildings or structures.

SEC. 3. *Transactions covered by this order.* This basic order and adopting orders issued hereunder, establish maximum prices for sales,

(a) At retail,

(b) Of the commodities specifically listed in the applicable adopting order.

(c) When sold at or from a point located within the Area defined in the applicable adopting order.

SEC. 4. *Prohibitions against sales at higher than maximum prices.* No person shall sell or offer to sell and no person shall buy or offer to buy, in the course of trade or business, any of the commodities covered hereunder at prices greater than the maximum prices established by this basic order and applicable adopting orders issued hereunder.

SEC. 5. *Relationship to other maximum price regulations and orders.* The maximum prices established hereunder supersede any maximum price or pricing method previously fixed by any other regulations or orders. To the extent that they are consistent with the provisions of this basic order and adopting orders issued hereunder, the provisions of the General Maximum Price Regulation, (except sections 18, 19 and 19a) and of other applicable regulations and orders, shall apply to sales covered hereunder.

SEC. 6. *Maximum prices.* (a) The maximum prices set forth in the applicable adopting orders shall be the maximum prices for the commodities listed therein.

(b) Provisions relating to delivery charges and/or discounts shall be as set forth in the applicable adopting order.

SEC. 7. *Posting.* Every person making sales covered by this order shall post a copy of this basic order and a copy of the applicable adopting order in each of his places of business in the Area defined in the applicable adopting order in a manner plainly visible to and accessible by all customers.

SEC. 8. *Sales slips and invoices.* Every person covered by this order, regardless of previous custom, shall give the purchaser a receipt showing the date, name and address of the seller, description of the item sold and the price received for it. Items covered hereunder shall be invoiced by the same description as used in the adopting order. If the seller customarily prepared his sales slips in more than one copy, he shall keep, for at least one year after delivery, a duplicate copy of each sales slip delivered by him pursuant to this section.

SEC. 9. *Records.* Each seller, regardless of previous custom, shall keep records concerning each sale covered hereunder showing at least the following information:

(1) Name and address of buyer.
(2) Date of transaction.
(3) Place of delivery.
(4) Complete description of each item sold and the price charged therefor.

All such records shall be kept and made available for inspection by authorized representatives of the Office of Price Administration so long as the Emergency Price Control Act of 1942, as amended remains in effect.

SEC. 10. *Evasions.* The price limitations set forth in this order and the adopting orders issued hereunder shall not be evaded by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of any of the commodities covered hereunder, whether alone or in conjunction with any other commodity, or by way of commissions, services, transportation or other charges, discounts, premiums, or other privileges or by tying agreement or other understanding or by making the terms and conditions of sale more onerous to buyers than they were during March 1942 (except as specifically permitted by this order or applicable regulations)

Persons violating any provisions of this order or of applicable adopting orders issued hereunder are subject to the criminal penalties, civil enforcement actions, proceedings for suspension of licenses, and any other enforcement proceedings provided by the Emergency Price Control Act of 1942, as amended.

SEC. 11. *Definitions.* (a) "Contractor" means any individual, corporation, partnership, association, or other organized group of persons, engaged in the business of selling material or equipment and, who, in connection therewith, assumes responsibility for its incorporation into a building, structure, or construction project at a fixed site, by charging a single price for the commodity installed, by guaranteeing performance and use, or by other objective evidence.

(b) "Person" means an individual, corporation, partnership, association, or any other organized group of persons, its legal successors or representatives, the United States or any other government, or any of its political subdivisions, or any agency of any of the foregoing, and includes subcontractors as well as prime contractors.

(c) "Seller" means any person making a sale covered by this order.

(d) Where relevant and material, the definitions set forth in Maximum Price Regulations Nos. 293 and 592, the General Maximum Price Regulation, and in other applicable regulations and orders, and in Section 302 of the Emergency Price Control Act of 1942, as amended, shall apply to terms used in this basic order and adopting orders issued hereunder.

SEC. 12. *Revocation or amendment.* This basic order and any adopting order issued hereunder may be revoked or amended at any time by the Office of Price Administration.

This Order No. 1-B shall become effective June 4, 1946.

Issued June 4, 1946.

J. F. KESSEL,
Regional Administrator.

[F. R. Doc. 46-11323; Filed, June 27, 1946; 12:19 p. m.]

[Region IV Order G-21 Under RMPR 251]

PLUMBING SERVICES AND INSTALLED PLUMBING AND HEATING FIXTURES AND MATERIALS IN KNOXVILLE, AND KNOX COUNTY, TENN.

For the reasons set forth in the accompanying opinion and under the authority conferred upon the Regional Administrator for Region IV of the Office of Price Administration by section 9 of Revised Maximum Price Regulation 251; *It is ordered:*

1. This adopting order establishes dollars-and-cents ceiling prices for plumbing services and installed plumbing and heating fixtures and materials, which ceiling prices are set forth in the Appendix following section 3.

2. This order covers ceiling prices for plumbing services and installed plumbing and heating fixtures and materials in Knoxville, Tenn., and Knox County, Tenn.

3. All the provisions of Order No. G-2 (Basic Order No. 1) for Region IV under section 9 of Revised Maximum Price Regulation 251, are adopted in this order

and are just as much a part of this order as if included herein. If Regional Order No. G-2 (Basic Order No. 1) under section 9 of Revised Maximum Price Regulation 251 is amended in any respect, all the provisions as amended shall likewise, without further action, be a part of this order.

APPENDIX

Maximum prices of plumbing services and sales of installed plumbing fixtures and materials. The maximum amount which may be charged for plumbing and allied services customarily performed in this area by plumbing and heating contractors shall be the "maximum hourly service rates" as provided in sub-paragraph (a) below, plus the prices of plumbing fixtures, materials and sub-contracted work as set forth in sub-paragraphs (b) and (c) below.

(a) *The maximum hourly service rate.* The maximum hourly charge for labor involved shall be determined as follows:

LEGAL WAGE RATES PAID FOR JOURNEYMEN, APPRENTICES, HELPERS OR LABORERS

	Maximum hourly service rates (straight time charge)
$0.49-$0.69 inclusive	$1.00
$0.70-$0.84 inclusive	1.25
$0.85-$1.04 inclusive	1.50
$1.05-$1.44 inclusive	2.00
$1.45-$1.64 inclusive	2.50
$1.65-$1.84 inclusive	3.00
$1.85-$2.14 inclusive	3.25
$2.15-$2.54 inclusive	4.00

(b) *Maximum prices of installed plumbing and heating fixtures and materials; fixtures.* The maximum amount which may be charged for any fixtures involved in the process of repairing or installing, as defined in the basic order, shall not exceed the invoiced cost, plus actual transportation charges paid, plus a markup of not more than fifty percent (50%) on cost. On any fixture marked with a label containing the legal OPA retail ceiling price, the seller must use this price in lieu of the 50% markup in cost.

Materials. The maximum amount which may be charged for any materials involved in the process of installing or repairing as defined in the basic order, shall not exceed the seller's cost, plus a markup of not more than fifty percent (50%) on cost. The maximum amount for any "plumbing specialty" priced at less than $1.00 shall not exceed the invoiced cost plus a markup not to exceed 100%. Prices of items thus priced may be rounded to the nearest five cents (5¢)

(c) *Maximum prices of sub-contracted work.* The maximum amount which may be charged for any necessary sub-contracted work, such as sheet metal work, pipe covering, plastering, painting, electrical work, etc., incidental to the installation or repair of plumbing and heating, shall not exceed the actual cost of such sub-contracted work, plus a markup not in excess of twenty-five percent (25%) of cost.

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

This order shall become effective June 26, 1946.

Issued: June 14, 1946.

ALEXANDER HARRIS,
Regional Administrator

[F. R. Doc. 46-11319; Filed, June 27, 1946; 12:16 p. m.]

[Peoria Rev. Order G-3 Under Gen. Order 68]

HARD BUILDING MATERIALS IN JOILET, ILL., AREA

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to the provisions of General Order No. 68, it is ordered:

SECTION 1. *What this order covers.* This order covers all retail sales made by any seller, except the manufacturer, of commodities specified in Appendices A and B attached hereto delivered to the purchaser in the Joliet area. The Joliet area for the purposes of this order consists of the area within the townships of Joliet and Lockport in the County of Will, State of Illinois, including the cities of Joliet and Lockport, Illinois.

SEC. 2. *Definitions*—(a) *Retail sales.* For the purposes of this order, a retail sale means a sale to an ultimate user, or to any contractor; *Provided,* That for the purposes of this order, a "retail sale" shall not include any sale to the United States Government or any of its political sub-divisions.

(b) *Contractor* Any person who sells material or equipment and in connection therewith, assumes responsibility for its incorporation into a building, structure, or construction project at a fixed site, by charging a single price for the commodity installed, by guaranteeing performance and use, or by other objective evidence, shall be considered a contractor.

(c) *Applicators.* Purchasers by applicators, as herein defined, of asphalt and tarred roofing products and insulation are excluded from the coverage of this order. Applicators are herein defined as contractors engaged exclusively in the business of applying roofing and/or siding and/or insulation to buildings.

SEC. 3. *Relation to other regulations.* The maximum prices fixed by this order supersede any maximum prices or pricing method previously fixed by any other regulation or order covering the commodities specified in Appendices A and B. Except to the extent they are inconsistent with the provisions of this order, all other provisions of the regulations applicable to the commodities listed in Appendices A and B prior to the issuance of this order shall continue to apply to sales covered by this order.

SEC. 4. *Maximum price, discounts and delivery practices.* On and after the date of this order, regardless of any contract, agreement or other obligation, no person covered by this order shall sell, offer to sell, or deliver at retail as herein defined, any of the items listed in Appendices A and B attached hereto, at prices higher than the maximum prices set forth in these appendices. All prices include free delivery within the area covered by this order. For deliveries outside the free delivery zone, no charge may be made for deliveries in excess of the charges now legally in effect by such seller, for a similar delivery.

SEC. 5. *Posting.* Every seller making sales covered by this order shall post a copy of the list of maximum prices for sales contained in Appendix A of this order in each of his places of business in the area covered by this order in a manner plainly visible to all purchasers. In addition, he shall keep on file in an appropriate counter book or other such record in each of his places of business in the area covered by this order, a copy of the list of maximum prices for sales to contractors set out in Appendix B of this Order and shall, if requested by any purchaser, make available to the purchaser for inspection his copy of this order including Appendices A and B containing the list of maximum prices applicable to that sale. There is attached to this order for your convenience two copies of its appendices containing the items covered, with the respective maximum prices applicable. One such copy of such list may be detached and used as a poster hereinbefore required to be posted and the list of maximum prices to contractors hereinbefore required to be filed in seller's counter book or other such record.

SEC. 6. *Sales slips and records.* Every seller covered by this order must provide the purchaser, whether he requests it or not, with a sales slip, invoice, receipt, or other evidence of sale, of which an exact and full copy shall be retained by the seller for the duration of the Emergency Price Control Act of 1942, as amended. The sales slip or other evidence of sale shall contain the following information with respect to items subject to this order:

1. Name and address of seller.
2. Date of sale.
3. Name and address of purchaser (necessary only on sales of items totaling $7.50 or more).
4. Description of the item sold, including quantity, grade, and any other matter insofar as any of these matters may affect the price, in full detail necessary to permit the exact calculation of the applicable maximum price.
5. Charge, if any, for delivery beyond the free delivery zone to be separately listed from the price of the item.
6. The total price.

Each such seller shall also keep such records of each sale as he customarily kept.

SEC. 7. On and after the effective date of this order any person covered by this order who sells or offers to sell at a price higher than the ceiling price permitted by this order, or otherwise violates any of the provisions of the order, shall be subject to the criminal penalties, civil enforcement actions, license suspension proceedings and suits for treble damages as provided for by the Emergency Price Control Act of 1942, as amended.

No person subject to this order may evade any of the provisions of the order

by any stratagem, scheme, or device. No person subject to this order, may as a condition of selling any particular building material, require a customer to buy anything else. Any such evasion is punishable as a violation of this order.

Appendices. The Appendices containing the dollars-and-cents ceiling prices and the discounts and allowances, established by this order are attached hereto, marked Appendix A and Appendix B and made a part hereof.

This revised order may be modified, amended, or revoked at any time.

This revised order shall become effective June 24, 1946.

Issued this 19th day of June 1946.

KENNETH H. LEMMER,
District Director

APPENDIX A

PROVISIONS REGARDING DISCOUNTS, ALLOWANCES AND DELIVERY PRACTICES

1. For all deliveries made beyond the established free delivery area covered by this order, the retail seller shall charge no more than his customary charge per ton mile which was in effect in March 1942.

[Maximum delivered or f. o. b. yard prices to consumers]

Description of materials and unit	*Price*
Plaster:	
1. Plaster, hard wall, 50 lb. bag	$0.75
2. Plaster, hard wall, 100 lb. bag	1.15
3. Plaster, hard wall, per ton	20.00
4. Plaster, gauging (super white), 100 lb. bag	1.75
5. Plaster, gauging (local), 100 lb. bag	1.15
6. Plaster, moulding, 100 lb. bag	1.75
7. Keene's cement, 100 lb. bag	2.00
Lime:	
8. Lime, finishing, 50 lb. bag	75
9. Mason's hydrated lime, 50 lb. bag	.65
Gypsum products:	
10. Gypsum lath, 3/8" sq. ft	.025
11. Gypsum wallboard, 3/8" sq. ft	.04
12. Gypsum, sheathing, 1/2", sq. ft	.04
13. Gypsum block partition, 4" hollow, sq. ft	.11
14. Gypsum block partition, 6" hollow, sq. ft	.18
Metal lath:	
15. Metal lath, 2.2 lb. painted diamond mesh, sq. yd	.20
16. Metal lath, 2.5 lb. painted diamond mesh, sq. yd	.295
17. Metal lath, 3.4 lb. painted diamond mesh, sq. yd	.34
18. Metal lath, corner bead, expanded type, lin. ft	.052
Cement products:	
19. Portland cement std. paper bags, 94 lb. bag	.80
20. Masonry mortar, paper bags, 70 lb. bag	70
21. Waterproof cement, gray, 94 lb. bag	.95
Clay products:	
22. Clay drain tile 3" lin. ft	.06
23. Clay drain tile, 4", lin. ft	.06
24. Clay drain tile, 6" lin ft	.10
25. Vitrified clay sewer pipe No. 1SS, 4" lin. ft	.192
26. Vitrified clay sewer pipe No. 1SS, 6" lin. ft	.263
27. Flue lining, 8½ x 8½" lin. ft	.384
28. Flue lining, 8½ x 12½" lin. ft	.586
29. Flue lining, 12½ x 12½" lin. ft	7605
30. Fire clay, 100 lb. bag	1.00

APPENDIX A—Continued

PROVISIONS REGARDING DISCOUNTS, ALLOWANCES AND DELIVERY PRACTICES—continued

[Maximum delivered or f. o. b. yard prices to consumers]

Description of materials and unit	*Price*
Roofing:	
31. Asphalt roofing, 90 lb. mineral surface, per sq	$2.595
32. Asphalt shingles, 210 lb. (3 in 1) thickbutt, per sq	6.34
Insulation material:	
33. Fibre insulation board 1/2" std. lath and board, sq. ft	.05
34. Fibre insulation board 25/32" asphalt sheathing, sq. ft	.064
35. Std. density synthetic fibre board 3/16" 4 x 8, sq. ft	.045
36. Hard density synthetic fibre board 1/8" tempered, std. size, sq. ft	.035
37. Thermal insulation blankets (paper backed) balsam wool std., sq. ft	.05
38. Thermal insulation blankets (paper backed) balsam wool, double thick, sq. ft	.075
39. Thermal insulation batts (paper backed) 2" thick, sq. ft	.05
40. Thermal insulation batts (paper backed) full thick, sq. ft	.065
41. Thermal insulation, loose, in bags, plain, 35 lb. bag	1.05
42. Thermal insulation, loose, in bags, modulated, 35 lb. bag	1.20

APPENDIX B

PROVISIONS REGARDING DISCOUNTS, ALLOWANCES, AND DELIVERY PRACTICES

1. *Cash discounts.* Customary discounts must be continued.

2. If total order is less than $7.50, the consumer price may be used.

3. For all deliveries made beyond the established free delivery area covered by this order, the retail seller shall charge no more than his customary charge per ton mile which was in effect in March 1942.

[Maximum delivered prices to contractors]

Description of materials and unit	*Price*
Plaster:	
1. Plaster, hard wall, 50 lb. bag	$0.60
2. Plaster, hard wall, 100 lb. bag	1.00
3. Plaster, hard wall, per ton	20.00
4. Plaster, gauging (super white), 100 lb. bag	1.50
5. Plaster, local, gauging, 100 lb. bag	1.00
6. Plaster, moulding, 100 lb. bag	1.50
7. Keene's cement, 100 lb. bag	1.75
Lime:	
8. Lime, finishing, 50 lb. bag	.50
9. Mason's hydrated lime, 50 lb. bag	.50
Gypsum products:	
10. Gypsum lath 3/8" sq. ft	.025
11. Gypsum wallboard 3/8" sq. ft	.04
12. Gypsum sheathing 1/2", sq. ft	.04
13. Gypsum block partition 4" hollow, sq. ft	.09
14. Gypsum block partition 6" hollow, sq. ft	.16
Metal lath:	
15. Metal lath, 2.2 lb. painted diamond mesh, sq. yd	.20
16. Metal lath, 2.5 lb. painted diamond mesh, sq. yd	.27
17. Metal lath, 3.4 lb. painted diamond mesh, sq. yd	.32
18. Metal lath, corner bead, expanded type, lin. ft	.052
Cement products:	
19. Portland cement, std. paper bags, 94 lb. bag	.80
20. Masonry mortar, paper bags, 70 lb. bag	.60
21. Waterproof cement, gray, 94 lb. bag	.95

APPENDIX B—Continued

PROVISIONS REGARDING DISCOUNTS, ALLOWANCES, AND DELIVERY PRACTICES—continued

[Maximum delivered prices to contractors]

Description of materials and unit	*Price*
Clay products;	
22. Clay drain tile 3", lin. ft	$0.06
23. Clay drain tile 4", lin. ft	.06
24. Clay drain tile 6" lin. ft	.10
25. Vitrified clay sewer pipe No. 1SS 4" lin. ft	.192
26. Vitrified clay sewer pipe No. 1SS 6", lin. ft	.263
27. Flue lining 8½ x 8½, lin. ft	.334
28. Flue lining 8½ x 12½, lin. ft	.586
29. Flue lining 12½ x 12½, lin. ft	7605
30. Fire clay, 100 lb. bag	1.00
Roofing:	
31. Asphalt roofing 90 lb. mineral surface, per sq	2.595
32. Asphalt shingles 210 lb. (3 in 1) thickbutt, per sq	6.34
Insulation material:	
33. Fibre insulation board 1/2" std. lath and board, sq. ft	.05
34. Fibre insulation board 25/32" asphalt sheathing, sq ft	.064
35. Std. density synthetic fibre board 3/16" 4 x 8, sq. ft	.045
36. Hard density synthetic fibre board 1/8" tempered, std. size, sq. ft	.035
37. Thermal insulation blankets (paper backed) balsam wool std., sq. ft	.05
38. Thermal insulation blankets (paper backed) balsam wool, double thick, sq. ft	.075
39. Thermal insulation batts (paper backed) 2" thick, sq. ft	.05
40. Thermal insulation batts (paper backed) full thick, sq. ft	.065
41. Thermal insulation, loose, in bags plain, 35 lb. bag	1.05
42. Thermal insulation, loose, in bags, modulated, 35 lb. bag	1.20

[F. R. Doc. 46-11327; Filed, June 27, 1946; 12:21 p. m.]

[Peoria Rev. Order G-4 Under Gen. Order 63]

HARD BUILDING MATERIALS IN GALESBURG, ILL., AREA

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to the provisions of General Order No. 68, it is ordered:

SECTION 1. *What this order covers.* This order covers all retail sales made by any seller, except the manufacturer, of commodities specified in Appendix A attached hereto delivered to the purchaser in the Galesburg, Illinois area. The Galesburg area covered by this order consists of that part of Knox County, Illinois, lying within a radius of three (3) miles from the City Square in Galesburg, Illinois.

SEC. 2. *Definitions*—(a) *Retail sale.* For the purpose of this order, a retail sale means a sale to an ultimate user, or to any contractor: *Provided*, That for the purposes of this order a "retail sale" shall not include any sale to the United States Government or any of its political sub-divisions;

(b) *Contractor.* Any person who sells material or equipment, and in connection therewith, assumes responsibility for its incorporation into a building, structure, or construction project at a fixed site, by charging a single price for the commodity installed, by guarantee-

ing performance and use, or by other objective evidence, shall be considered a contractor;

(c) *Applicators.* Purchases by applicators, as herein defined, of asphalt and tarred roofing products and insulation are excluded from the coverage of this order. Applicators are herein defined as contractors engaged exclusively in the business of applying roofing and/or siding and/or insulation to buildings.

SEC. 3. *Relation to other regulations.* The maximum prices fixed by this order supersede any maximum price or pricing method previously fixed by any other regulation or order covering the commodities specified in Appendix A. Except to the extent they are inconsistent with the provisions of this order, all other provisions of the regulations applicable to the commodities listed in Appendix A prior to the issuance of this order shall continue to apply to sales covered by this order.

SEC. 4. *Maximum price, discounts and delivery practices.* On and after the date of this order, regardless of any contract, agreement or other obligation, no person covered by this order shall sell, offer to sell, or deliver at retail as herein defined, any of the items listed in Appendix A attached hereto, at prices higher than the maximum prices set forth in this appendix. All prices include free delivery within the area covered by this order. For deliveries outside the free delivery zone, no charge may be made for deliveries in excess of the charges now legally in effect by such seller for a similar delivery.

SEC. 5. *Posting.* Every seller making sales covered by this order shall post a copy of the list of maximum prices for all sales contained in Appendix A of this order in each of his places of business in the area covered by this order in a manner plainly visible to all purchasers. There is attached to this order for your convenience two copies of its Appendix containing the items covered, with the respective maximum prices applicable. One such copy of such list may be detached and used as a poster hereinbefore required to be posted.

SEC. 6. *Sales slips and records.* Every seller covered by this order must provide the purchaser, whether he requests it or not, with a sales slip, invoice, receipt, or other evidence of sale, of which an exact and full copy shall be retained by the seller for the duration of the Emergency Price Control Act of 1942, as amended. The sales slip or other evidence of sale shall contain the following information with respect to items subject to this order:

1. Name and address of seller.
2. Date of sale.
3. Name and address of purchaser (necessary only on sales of items totaling $7.50 or more.)
4. Description of the item sold, including quantity, grade, and any other matter insofar as any of these matters may affect the price, in full detail necessary to permit the exact calculation of the applicable maximum price.
5. Charge, if any, for delivery beyond the free delivery zone to be separately listed from the price of the item.
6. The total price.

Each such seller shall also keep such records of each sale as he customarily kept.

SEC. 7. On and after the effective date of this order any person covered by this order who sells or offers to sell at a price higher than the ceiling price permitted by this order, or otherwise violates any of the provisions of this order, shall be subject to the criminal penalties, civil enforcement actions, license suspension proceedings and suits for treble damages as provided for by the Emergency Price Control Act of 1942, as amended.

No person subject to the order may evade any of the provisions of the order by any stratagem, scheme, or device. No person subject to this order, may as a condition of selling any particular building material, require a customer to buy anything else. Any such evasion is punishable as a violation of this order.

Appendix. The appendix containing the dollars-and-cents ceiling prices and the discounts and allowances established by this order is attached hereto, marked "Exhibit A" and made a part hereof.

This revised order may be modified, amended, or revoked at any time.

This revised order shall become effective June 19, 1946.

Issued this 14th day of June 1946.

KENNETH H. LEMMER,
District Director

APPENDIX A

PROVISIONS REGARDING DISCOUNTS, ALLOWANCES AND DELIVERY PRACTICES

1. For all deliveries made beyond the established free delivery area covered by this order, the retail seller shall charge no more than his customary charge per ton mile which was in effect in March 1942.

[Maximum prices to all purchasers]

Description of materials and unit	*Price*
Plaster:	
1. Plaster, hard wall, 50 lb. bag	$0.60
2. Plaster, hard wall, 100 lb bag	1.00
3. Plaster, hard wall, per ton	20.00
4. Plaster, gauging (local), 100 lb. bag	1.50
5. Plaster, moulding, 100 lb. bag	1.50
6. Cement, Keene's, 100 lb. bag	2.55
Lime:	
7. Lime, finishing, 50 lb. bag	.60
8. Mason's hydrated lime, 50 lb. bag	.50
Gypsum products:	
9. Gypsum lath 3/8" sq. ft	.028
10. Gypsum wallboard 3/8" sq. ft	048
11. Gypsum block partitions 3" hollow, sq. ft	10
12. Gypsum block partitions 4" hollow, sq. ft	.12
Metal lath:	
13. Metal lath, 2.5 lb. painted diamond mesh, sq. yd	.25
14. Metal lath, 3.4 lb. painted diamond mesh, sq, yd	.30
15. Metal lath, corner bead, expanded type, lin. ft	05
16. Portland cement, std. (paper bags), 94 lb. bag	.80
17. Masonry mortar (paper bags), 70 lb. bag	.65
18. Waterproof cement (gray), 94 lb. bag	.95
Clay products:	
19. Clay drain tile 4", lin. ft	.0675
20. Clay drain tile 6", lin. ft	.1075
21. Vitrified clay sewer pipe No. 1SS 4" lin. ft	.176

APPENDIX A—Continued

PROVISIONS REGARDING DISCOUNTS, ALLOWANCES AND DELIVERY PRACTICES—continued

Description of materials and unit	*Price*
Clay products—Continued.	
22. Vitrified clay sewer pipe No. 1SS 6", lin. ft	$0.242
23. Flue lining 8½ x 8½" lin. ft	.385
24. Flue lining 8½ x 12½", lin. ft	.55
25. Flue lining 12½ x 12½", lin. ft	66
26. Fire clay, 100 lb. bag	1.05
Roofing:	
27. Asphalt roofing 90 lb. mineral surface, per sq	2.695
28. Asbestos cement roofing shingles economy cut, per sq	10.00
29. Fibre insulation board ½" std. lath and board, sq. ft	.05
30. Fibre insulation board 25/32" asphalt sheathing, sq. ft	.069
31. Hard density synthetic fibre board ⅛" tempered (std. size), sq. ft	.10
32. Thermal insulation blankets (paper backed) medium, glass or balsam wool, sq. ft	.05
33. Thermal insulation blankets (paper backed) single, glass wool, sq. ft	045
34. Thermal insulation blankets (paper backed) glass or balsam wool, sq. ft	.07
35. Thermal insulation batts (paper backed) 2" thick, rock wool, sq. ft	.05
36. Thermal insulation batts (paper backed) full thick, rock wool, sq. ft	0675
37. Thermal insulation, loose, in bags (plain), 35 lb	1.15
38. Asbestos cement siding 12 x 24 or 27" (brilliant colors), sq	9.50
39. Asbestos cement siding 12 x 24 or 27" (standard colors), sq	8.50

[F. R. Doc. 46-11317; Filed, June 27, 1946; 12:15 p. m.]

[Peoria Rev. Order G-6 Under Gen. Order 68]

HARD BUILDING MATERIALS IN ROCKFORD, ILL., AREA

For the reasons set forth in an opinion issued simultaneously herewith; and pursuant to the provisions of General Order No. 68, it is ordered:

SECTION 1. *What this order covers.* This order covers all retail sales made by any seller, except the manufacturer, of commodities specified in Appendix A attached hereto delivered to the purchaser in the Rockford, Illinois area. The Rockford area covered by this order consists of the City of Rockford, Illinois, and that part of Winnebago County lying within three miles from the city limits of Rockford, Illinois in any direction.

SEC. 2. *Definitions*—(a) *Retail sale.* For the purposes of this order, a retail sale means a sale to an ultimate user, or to any contractor: *Provided,* That for the purposes of this order, a "retail sale" shall not include any sale to the United States Government or any of its political subdivisions.

(b) *Contractor* Any person who sells material or equipment and in connection therewith, assumes responsibility for its incorporation into a building, structure, or construction project at a fixed site, by charging a single price for the commodity installed, by guaranteeing per-

formance and use, or by other objective evidence, shall be considered a contractor.

(c) *Applicators.* Purchases by applicators, as herein defined, of asphalt and tarred roofing products and insulation are excluded from the coverage of this order. Applicators are herein defined as contractors engaged exclusively in the business of applying roofing and/or siding and/or insulation to buildings.

SEC. 3. *Relation to other regulations.* The maximum prices fixed by this order supersede any maximum price or pricing method previously fixed by any other regulation or order covering the commodities specified in Appendix A. Except to the extent they are inconsistent with the provisions of this order, all other provisions of the regulations applicable to the commodities listed in Appendix A prior to the issuance of this order shall continue to apply to sales covered by this order.

SEC. 4. *Maximum price, discounts and delivery practices.* On and after the date of this order, regardless of any contract, agreement or other obligation, no person covered by this order shall sell, offer to sell, or deliver at retail as herein defined, any of the items listed in Appendix A attached hereto, at prices higher than the maximum prices set forth in this Appendix. All prices include free delivery within the area covered by this order. For deliveries outside the free delivery zone, no charge may be made for deliveries in excess of the charges now legally in effect by such seller for a similar delivery.

SEC. 5. *Posting.* Every seller making sales covered by this order shall post a copy of the list of maximum prices for all sales contained in Appendix A of this order in each of his places of business in the area covered by this order in a manner plainly visible to all purchasers. There is attached to this order for your convenience two copies of its Appendix containing the items covered, with the respective maximum prices applicable. One such copy of such list may be detached and used as a poster hereinbefore required to be posted.

SEC. 6. *Sales slips and records.* Every seller covered by this order must provide the purchaser, whether he requests it or not, with a sales slip, invoice, receipt, or other evidence of sale of which an exact and full copy shall be retained by the seller for the duration of the Emergency Price Control Act of 1942, as amended. The sales slip or other evidence of sale shall contain the following information with respect to items subject to this order:

1. Name and address of seller.
2. Date of sale.
3. Name and address of purchaser (necessary only on sales of items totaling $7.50 or more).
4. Description of the item sold, including quantity, grade, and any other matter insofar as any of these matters may affect the price, in full detail necessary to permit the exact calculation of the applicable maximum price.
5. Charge, if any, for delivery beyond the free delivery zone to be separately listed from the price of the item.
6. The total price.

Each such seller shall also keep such records of each sale as he customarily kept.

SEC. 7. *Prohibitions and evasions.* On and after the effective date of this order any person covered by this order who sells or offers to sell at a price higher than the ceiling price permitted by this order, or otherwise violates any of the provisions of this order, shall be subject to the criminal penalties, civil enforcement actions, license suspension proceedings and suits for treble damages as provided for by the Emergency Price Control Act of 1942, as amended.

No person subject to this order may evade any of the provisions of the order by any stratagem, scheme, or device. No person subject to this order, may as a condition of selling any particular building material, require a customer to buy anything else. Any such evasion is punishable as a violation of this order.

Appendix. The Appendix containing the dollars-and-cents ceiling prices and the discounts and allowances established by this order is attached hereto, marked Exhibit A and made a part hereof.

This revised order may be modified, amended, or revoked at any time.

This revised order shall become effective June 22, 1946.

Issued this 17th day of June 1946.

KENNETH H. LEMLIER,
District Director.

APPENDIX A—TABLE OF PRICES

PROVISIONS REGARDING DISCOUNTS, ALLOWANCES AND DELIVERY PRACTICES

1. *Cash discounts to all purchasers.* Two (2) percent for payment on or before the 10th day of the month following date of delivery.

2. For all deliveries made beyond the established free delivery area covered by this order, the retail seller shall charge no more than his customary charge per ton mile which was in effect in March 1942.

[Maximum prices to all purchasers]

Description of materials and unit	*Price*
Plaster:	
1. Plaster, hard wall, 100 lb. bag	$1.00
2. Plaster, hard wall, per ton	20.00
3. Plaster, gauging, 100 lb. bag	1.00
4. Plaster, moulding, 100 lb. bag	2.50
5. Keene's cement, 100 lb. bag	2.30
Lime:	
6. Lime, finishing, 50 lb. bag	.65
7. Mason's hydrated lime, 50 lb. bag	.55
Gypsum products:	
8. Gypsum lath 3/8", sq. ft	.025
9. Gypsum wallboard 3/8", sq. ft	.045
10. Gypsum sheathing 1/2", sq. ft	.055
11. Gypsum block partitions 3" hollow, sq. ft	.09
12. Gypsum block partitions 4" hollow, sq. ft	.11
Metal lath:	
13. Metal lath 3.4 lb. painted diamond mesh copper alloy, sq. yd	.34
14. Metal lath 3.4 lb. painted diamond mesh, sq. yd	.33
15. Metal lath 2.75 lb. flat rib painted, sq. yd	.325
16. Metal lath 3.4 lb. 3/8" high rib painted, sq. yd	.39
17. Metal lath, corner bead, expanded type, lin ft	.032

APPENDIX A—TABLE OF PRICES—Continued

PROVISIONS REGARDING DISCOUNTS, ALLOWANCES AND DELIVERY PRACTICES—continued

Description of materials and unit	*Price*
Cement products:	
18. Portland cement std. (paper bags), 94 lb. bag	$0.80
19. Portland cement std. (cloth bags), 94 lb. bag	.8525
20. Masonry mortar (paper bags), 70 lb. bag	.675
21. Waterproof cement (gray), 94 lb. bag	1.05
22. Concrete block 8 x 8 x 16 (sand and gravel), each	.15
Clay products:	
23. Clay drain tile 4" lin. ft	.06
24. Clay drain tile 6", lin. ft	.10
25. Vitrified clay sewer pipe No. 1SS 4" lin. ft	.217
26. Vitrified clay sewer pipe No. 1SS 6" lin ft	.313
27. Flue lining 9 x 9, lin ft	.434
28. Flue lining 9 x 13, lin ft	.636
29. Flue lining 13 x 13, lin ft	.8105
30. Hollow building tile partition 4 x 12 x 12, sq. ft	.10
31. Hollow building tile, load bearing 4 x 12 x 12, sq. ft	.11
32. Hollow building tile, back up 5 x 8 x 12, each	.035
33. Fire clay, 100 lb. bag	1.00
Roofing:	
34. Asphalt roofing 90 lb. mineral surface, per sq.	2.935
35. Asphalt or tarred felt 15 lb. 432 sq. ft., per roll	2.733
36. Asphalt or tarred felt 30 lb. 216 sq. ft., per roll	2.733
37. Asphalt shingles 210 lb. (3 in 1) thickbutt, per sq	7.14
38. Asphalt shingles 165 lb. 2 tab. hexagon, per sq	5.75
Insulation material:	
39. Fibre insulation board 1/2" std. lath and board, sq. ft	.05
40. Fibre insulation board 25/32" asphalt sheathing, sq. ft	.069
41. Std. density synthetic fibre board 1/2" 4 x 8, sq. ft	.07
42. Hard density synthetic fibre board 1/8" tempered (std. size), sq. ft	.035
43. Thermal insulation blankets (paper backed) medium, sq. ft	.05
44. Thermal insulation blankets (paper backed) single, sq. ft	.045
45. Thermal insulation blankets (paper backed) thick, sq. ft	.07
46. Thermal insulation batts (paper backed) 2" thick, sq. ft	.05
47. Thermal insulation batts (paper backed) full thick, sq. ft	.07

[F. R. Doc. 46-11316; Filed, June 27, 1946; 12:14 p. m.]

[Region VI Order G-16 Under RMPR 122, Appendix 41]

SOLID FUELS IN WAUSAU, WIS. AREA

(a) *Applicability.* This Appendix No. 41 applies to all delivered sales to consumers of solid fuels made by retail yards where the fuel is delivered to the purchaser within the cities and towns of Wausau, Schofield, and Rothschild, Wisconsin and in the territory immediately surrounding them and extending up to two miles from their boundaries.

(b) *Price schedule.* (1) Immediately below and as part of this section (b) is a schedule which sets forth adjusted maximum prices before discounts for

delivered sales of solid fuels of specified sizes, kinds, and quantities. All prices are stated on a net ton basis.

(i) On domestic delivered sales of less than one-half ton the adjusted maximum price shall be $1 per cwt.

PRICE SCHEDULE

	Less than 2 tons delivered	2 or more but less than 20 tons delivered	20 tons and over delivered
I. Low volatile bituminous coal from District No. 7 (southern West Virginia and northwestern and central Virginia):			
1. Egg—Water-borne coal shipped from Great Lakes docks (forked or screened)	$17.20	$16.70	----------
2. Egg—All-rail coal from mine index No. 73 Glen Rogers mine (forked or screened)	14.80	14.80	----------
3. Nut—Water-borne coal shipped from Great Lakes docks	15.75	15.25	----------
4. Nut—All rail coal from mine index No. 73 Glen Rogers mine	12.70	12.70	----------
II. High volatile bituminous coal from district No. 8 (eastern Kentucky, southwestern West Virginia, western Virginia, northern Tennessee and North Carolina):			
1. Lump and egg (forked or screened):			
(a) Premium Kentucky and Elkhorn seams	14.65	14.15	12.60
(b) Splint seams. Including Dorothy, Island Creek, No. 5 Block, Hazard, Coalburg and Winfrede seams	13.90	13.40	12.05
2. Stove (forked or screened) premium Kentucky	13.65	13.15	11.90
3. Stoker—Premium Kentucky and Elkhorn seams	12.80	12.30	11.20
4. Stoker. Splint seams, including Island Creek seam	12.50	12.00	10.90
5. Screenings—Premium Kentucky and Elkhorn seams	11.95	11.45	10.35
III. High volatile bituminous coal from district No. 10 (Illinois):			
A. Southern subdistrict deep machine mines. Price Group Nos. 1, 2 and 8—1. Lump and egg size group Nos. 1, 2, and 3. All lump and egg coals bottom size larger than 2" washed or raw	11.50	11.50	10.00
IV Byproduct coke—1. Egg, stove, and nut:			
(a) Milwaukee Solvay and Ford	16.60	16.60	----------
(b) Racine	16.35	16.35	----------
V. Briquettes:			
1. Low volatile Reiss, United and P & A	15.55	15.55	----------
2. High volatile fire balls	12.56	12.56	----------
VI. Pennsylvania anthracite (ash content not in excess of OPA quality standards)—1. Egg, stove, and nut	19.70	19.70	----------
VII. Package Pocahontas—1. Cliffs coal-Blox	18.60	18.60	----------

To the above maximum price there may be added the Federal Transportation Tax of 4¢ per ton.

(c) *Charge for treatment of coal.* Whenever a dealer has been charged by his supplier for chemical or oil treatment of coal, he may add such treatment charge to the applicable maximum price established by this Appendix: *Provided,* That the treated coal is kept separate from and is not mixed with untreated coal. When a treatment charge is made pursuant to this Section, the dealer need not separately state the amount of such service charge if he clearly indicates on invoice that such coal is so treated.

(d) *Discounts.* The maximum prices set forth in section (b) above shall be subject to the following discounts from the net retail prices:

(i) Single ton or load lot prices are subject to $1 per ton discount for payment made by the purchaser before the 15th day of the month following delivery.

(ii) Delivery prices for sales of 20 tons and over are subject to a discount of 25¢ per ton if payment is made within 30 days from the time of delivery.

(iii) For coal picked up at the yard by a domestic consumer, a discount of $1.00 per ton shall be allowed.

(iv) Maximum prices for Pennsylvania Anthracite received by a dealer which has been identified by his supplier prior to its resale as anthracite with an ash content in excess of OPA quality standards shall be the maximum price established by this order less the following amount:

Egg, stove, and nut---------- $1.00 per ton.

(e) *Additional charges.* Immediately below and a part of this section (e) is a schedule of service charges which a dealer may make for the special services described when rendered in connection with sales of solid fuels covered by this Appendix. These charges may be made only if the buyer requests the service and the dealer renders it pursuant to the request. The charges must be stated separately on the dealer's invoice.

SCHEDULE OF SERVICE CHARGES

	Per ton
Carrying from curb to bin, including carrying up or down stairs	$0.80

(f) *Notification.* Every dealer subject to this order selling Pennsylvania Anthracite which has been identified by his supplier prior to its resale as Anthracite with an ash content in excess of OPA quality standards must place the following legend on the invoice, sales slip, or receipt: "Price reduced because of high ash content." Such Anthracite must be kept separate in storage and delivery from all other Anthracite.

(g) *Definitions.* (1) "Domestic sales" means all sales other than sales made to commercial and industrial users such as hotels, industrial plants, office buildings, large department store and institutional users such as hospitals, public institutions, and public buildings.

(2) The term "delivered" means dumping or chuting the fuel from the seller's trucks directly into the buyer's bin or storage space; but if this is physically impossible, the term means discharging the fuel directly from the seller's truck at the point nearest and most accessible to the buyer's bin or storage space.

(3) Except as otherwise provided herein or as the context may otherwise require, all terms used in this order shall bear the meaning given them in Revised Maximum Price Regulation No. 122 or in the Emergency Price Control Act of 1942, as amended; if not therein defined they shall be given their ordinary and popular trade meaning.

This order, designated as Appendix No. 41, as in the title above, shall be effective June 17, 1946, but it may be amended, modified, or revoked at any time.

Issued this 10th day of June 1946.

R. E. WALTERS,
Regional Administrator

[F. R. Doc. 46-11329; Filed, June 27, 1946; 12:25 p. m.]

[Region VI Order G-4 Under SO 142]

REVERE ELECTRIC MFG. CO.

AUTHORIZATION OF MAXIMUM PRICES

Order No. G-4 under Supplementary Order No. 142. Adjustment provisions for sales of industrial machinery and equipment subject to Revised Maximum Price Regulation No. 136; Docket No. 6CM-SO 142-2(b)-41-5.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 2 of Supplementary Order No. 142, as amended; *It is ordered:*

(a) The Revere Electric Manufacturing Company (hereinafter referred to as the manufacturer) is hereby authorized to increase its present maximum prices on industrial lighting equipment by an amount not to exceed 20.8%. Such price shall be subject to all customary discounts allowed by the seller in March, 1942, to purchasers of the same class as that term is defined in section 28 (a) (7) of Revised Maximum Price Regulation No. 136.

(b) The reseller's maximum price of industrial lighting equipment manufactured by the Revere Electric Manufacturing Company is hereby increased 20.8% over its (the seller's) presently established maximum prices.

(c) If the reseller has not established maximum prices the 20.8% increase may be added to the reseller's price as established under the provisions of section 11 (c) and (d) of Revised Maximum Price Regulation No. 136, under which subparagraph the sellers determine their maximum price if they are unable to qualify under paragraph (b) above.

(d) In all cases the reseller's price shall be adjusted to reflect all applicable extra charges, discounts, allowances, handling and delivery charges or state and local taxes that the reseller had in effect in March, 1942, to a purchaser of the same class as defined in section 28 (a) of Revised Maximum Price Regulation No. 136.

(e) Definitions: "reseller" as used herein is limited to purchasers of industrial lighting equipment who buy for resale.

(f) All requests not granted herein are denied.

(g) This order may be amended, modified, or revoked at any time.

(h) This order shall become effective immediately.

(i) Issued this 23d day of April 1946.

R. E. WALTERS,
Regional Administrator

[F. R. Doc. 46-11328; Filed, June 27, 1946; 12:24 p. m.]

[Region III Order G-24 Under MPR 592]

READY MIX CONCRETE IN LOUISVILLE, KY., AREA

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to section 17 of Maximum Price Regulation No. 592 and the Emergency Price Control Act of 1942, as amended, it is hereby ordered:

(a) *What this order does.* This order provides for an adjustment of the maximum prices of ready mix concrete produced by producers located in the Louisville, Kentucky, Area. The maximum prices of resellers are also adjusted herein.

(b) *Area covered.* The Louisville, Kentucky, Area as used herein, contains all that territory located within Jefferson County, Kentucky.

(c) *Adjustment of producers' maximum prices.* All producers located in the Louisville, Kentucky, Area are hereby authorized to increase their maximum prices in effect immediately prior to the effective date of this order, to each class of purchaser, by $1.00 per cubic yard on all ready mix concrete produced by them.

(d) *Adjusted maximum prices of resellers.* Adjusted maximum prices of resellers of ready mix concrete produced in the Louisville, Kentucky, Area shall be determined by adding to their maximum prices in effect immediately prior to the effective date of this order, to each class of purchaser, the actual dollars-and-cents amount of increase in their net invoiced cost resulting from the adjustment granted the producers by this order.

(e) *Discounts, allowances and extra charges.* All sellers described in this order must continue to maintain discounts, allowances and other price differentials, to each class of purchaser, at least as favorable as those which were in effect in March 1942, and are permitted to add to their maximum prices, as adjusted herein, such charges for extras as were customarily added in March 1942.

(f) *Notification.* The producers described herein, at or prior to the first billing reflecting the adjustment herein granted, shall send to each purchaser who resells the products covered by this order, a notice of the adjustment authorized by this order. Such notice shall contain substantially the following:

Order No. G-24 under Section 17 of Maximum Price Regulation No. 592 provides for an adjustment of the maximum prices of ready mix concrete produced by producers located in the Louisville, Kentucky, Area. Resellers may add to their maximum prices in effect immediately prior to the effective date of this order, to each class of purchaser, the actual dollars-and-cents amount of any increase in their net invoiced cost resulting from the adjustment granted the producers in this order.

(g) *Amendment and revocation.* This order may be modified, amended or revoked at any time by the Office of Price Administration.

This order shall become effective June 20, 1946.

Issued June 20, 1946.

JOHN F. KESSEL,
Regional Administrator

[F. R. Doc. 46-11325; Filed, June 27, 1946; 12:20 p. m.]

[Region VI Order G-1 Under SO 133]

GEM PRODUCTS, INC.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in the accompanying opinion and under the authority vested in the Regional Administrator of Region VI of the Office of Price Administration by section 4 of Supplementary Order No. 133, this Order No. G-1 is issued.

(a) *Effect of this order* This Order No. G-1 establishes new maximum prices for sales by all sellers of waxes, oils, cleaning compounds and related household specialties manufactured by Gem Products, Inc., 234 West Florida Street, Milwaukee 4, Wisconsin (hereinafter referred to as "manufacturer")

(b) *Maximum prices.* Maximum prices for sales of the articles covered by this Order No. G-1 are set forth in Appendix A, attached to and hereby incorporated as a part of this order. Each article is designated therein in Column 1 by the stock number assigned to it by the manufacturer; the articles are grouped according to class; and the type of reseller concerned is shown. Where the amounts shown in Columns 4, 5, and 6 of the appendix pertain to dozen-lot sales, they shall apply proportionately to sales of lesser quantities, and in such event the indicated maximum price and any authorized additions to the maximum price shall be rounded to the nearest cent.

(1) *Manufacturer's maximum prices.* The adjusted maximum prices for the manufacturer's sales listed in Column 4 of Appendix A are f. o. b. factory prices to which there may be added, subject to paragraph 3 below, the respective delivery charge shown in Column 5 for a sale on a delivered basis: *Provided, however,* That such additional charge shall be shown on the invoice separately from the f. o. b. factory price. An article for which no adjusted maximum price is given in Column 4 has previously been lawfully increased in price for the manufacturer's sales to an extent equal to or greater than the amount of adjustment that might otherwise be warranted under this Order No. G-1. Accordingly, in such case the manufacturer's maximum price for f. o. b. factory sale of the article is that shown for it in Column 3.

(2) *Resellers' price adjustments.* The attached Appendix A contains in Column 6 the respective amounts of adjustment that may be added by any reseller, under certain conditions, to his existing maximum prices for sales of the articles listed in the Appendix. An adjustment figure in Column 6 represents the difference between the manufacturer's prior maximum prices in Column 3 and his adjusted maximum prices in Column 4, all of which are f. o. b. factory prices. As a primary requirement, the amount of adjustment in any reseller's maximum price shall not exceed the difference between his supplier's maximum price prior to this Order No. G-1 and such increased price (excluding any delivery differentials) as may lawfully appear hereafter upon his invoice; and, in no event shall it exceed the amount of adjustment authorized in Column 6.

When the manufacturer sells an article at a price no higher than as specified in Column 3, no reseller may increase his existing maximum price with respect to his sale of such article. Moreover, no reseller's maximum price shall be affected by the fact that the manufacturer states separately, on an invoice to such reseller, a delivery charge authorized in Column 5 and adds such charge either to his price appearing in Column 3 or to a higher price up to that stated in Column 4.

3. Except as modified herein, each seller subject to this Order No. G-1 shall maintain his customary terms, conditions of sale, discounts, freight allowances and other price differentials in effect during March 1942, or thereafter properly established under OPA regulations or orders.

(c) *Notification to be given each reseller.* Prior to, or at the time of the first invoice to a purchaser for resale, the manufacturer shall furnish such purchaser with a copy of this Order No. G-1 and accompanying opinion. The manufacturer and each wholesaler, in selling to a retailer covered by this order, shall in any appropriate manner show on the invoice the amount of increase, if any, in the retail maximum price that is applicable thereto by virtue of this order.

(d) *Definitions.* For the purposes of this order.

1. "Wholesaler" means any person who buys commodities covered by this order and who resells them to any person other than an ultimate consumer.

2. "Retailer" means any person who buys commodities covered by this order and who resells them to ultimate consumers.

(e) *Applicability of other orders and regulations.* This order supersedes the General Maximum Price Regulation and any previous order issued by the Office of Price Administration to the extent that prices are established hereby.

(f) *Geographical applicability.* The maximum prices established by this order are applicable to all sales and deliveries of the commodities covered hereby in the 48 states of the United States and in the District of Columbia.

(g) *Report by the manufacturer.* Pursuant to section 5 of Supplementary Order No. 133, requiring a manufacturer to submit to OPA a report of operations within four months after the effective date of an adjustment granted him under that order, the manufacturer subject to the instant Order No. G-1 shall, on or before August 17, 1946 submit a profit and loss statement covering its entire operations for the months of May, June and July, 1946, including therein a reflection of opening and closing balances for the three-month period of raw materials inventory and, separately, of goods-in-process and finished goods inventories. Such statement shall be submitted to the Regional Administrator, Office of Price Administration, 226 West Jackson Boulevard, Chicago 6, Illinois.

(h) *Right to amend or revoke.* This order may be amended, revised or revoked at any time by the Price Administrator or the Regional Administrator.

Effective date. This Order No. G-1 shall become effective on the 18th day of April 1946.

Issued this 18th day of April 1946.

R. E. WALTERS,
Regional Administrator.

APPENDIX A—CHEMICAL AND OTHER LINES

Article	Unit	Manufacturer's prices f. o. b. factory, Milwaukee, Wis.			Delivery charge[1]	Resellers' adjustment
		October 1941	March 1942	Adjusted		
(1)		(2)	(3)	(4)	(5)	(6)
SNOWBIRD—(JOBBER CLASS)						
RE-210	Dozen	$0.42	$0.42	$0.51	$0.10	$0.09
RE-230	do	.64	.64	.78	.16	.14
RE-250	do	.86	.86	1.05	.24	.19
RE-260	do	1.02	1.02	1.25	.30	.23
7208	do	2.05	2.05	2.51	.40	.46
7209	do	3.74	3.74	4.57	.76	.83
7210	Each	1.71	1.71	2.09	.29	.38
RE-300	Dozen	.61	.61	.75	.06	.14
RE-330	do	1.25	1.25	1.53	.12	.28
7223	do	4.27	4.27	5.22	.38	.95
7224	do	8.03	8.03	9.81	.72	1.78
E-410	do	.61	.61	.75	.03	.14
E-435	do	1.37	1.37	1.67	.08	.30
E-460	do	2.16	2.16	2.64	.14	.48
RE-315	do	.69	.69	.84	.06	.15
RE-331	do	1.49	1.49	1.82	.13	.33
RE-350	do	2.65	2.66	3.24	.24	.58
7223	do	5.00	5.00	6.11	.40	1.11
7233	do	9.44	9.44	11.54	.76	2.10
7238	Each	3.71	3.71	4.53	.29	.82
RE-213	Dozen	.42	.42	.51	.06	.09
RE-510	do	.46	.46	.56	.10	.10
7255	do	1.08	1.08	1.32	.24	.24
7244	do	5.24	5.24	6.40	.76	1.16
7243	do	.77	.77	.94	.01	.17
7258	do	.83	.83	1.01	.01	.18
7245	do	.90	.90	1.10	.10	.20
7234	do	.78	.78	.95	.02	.17
7235	do	1.87	.187	2.29	.13	.42
K-11RG110	do	.48	.50	.59	.04	.09
K-11RG112	do	.45	.45	.55	.09	.10
K-4RG906	do	.56	.58	.68	.06	.10
71-9672	do	1.34	1.34	1.64	.10	.30
WARDS (MAIL ORDER CLASS)						
86-55	Each	.08	.08	.10		.02
86-56	do	.12	.12	.15		.03
86-53	do	.08	.08	.10		.02
86-54	do	.12	.12	.15		.03
4006	do	.22	.22	.27		.05
86-00048	Dozen	.60	.54	.73		.19
86-00049	do	1.20	1.12	1.47		.35
MAID OF HONOR (MAIL ORDER CLASS)						
R-6401	do	.56	.56	.68		.12
R-6461	do	.88	.88	1.08		.20
R-6461	do	1.44	1.44	1.76		.32
CROSS COUNTRY (MAIL ORDER CLASS)						
4411	do	.56	.56	.68		.12
4408	do	1.35	1.35	1.65		.30
4403	do	4.17	4.17	5.10		.93
4410	do	1.17	1.23	1.43		.20
4410	do	6.00	6.00	7.33		1.33
4410	do	2.30	2.30	2.81		.51
GOLD CREST (MAIL ORDER CLASS)						
4431	do	.54	.54	.66		.12
ECONOMY BRAND (MAIL ORDER CLASS)						
6799	Each	.1140	.1140	.14		.026
6799	do	.2125	.2125	.26		.0475
6799	do	.345	.345	.42		.075
LADY HIBBARD (JOBBER CLASS)						
W370N	Dozen	.49	.49	.60	.08	.11
W371N	do	.96	.96	1.17	.18	.21
W372N	do	1.20	1.20	1.47	.22	.27
W373N	do	4.67	4.67	5.71	.48	1.04
TRUE VALUE (JOBBER CLASS)						
W59N	do	1.52	1.77	1.86	.08	.09
W60N	do	2.73	3.00	3.34	.15	.34
W61N	do	9.03	10.23	11.03	.57	.80
W265N	do	3.55	4.05	4.34	.20	.29
W550N	do	.58	.58	.71	.02	.13
W552N	do	.58	.58	.71	.02	.13
TRUE VALUE (JOBBER CLASS)—continued						
W264N	Dozen	$1.23	$1.28	$1.56	$0.06	$0.28
W553N	do	.58	.58	.71	.02	.13
W554N	do	1.23	1.23	1.56	.06	.28
W549N	do	1.23	1.23	1.56	.06	.28
FLOUR CITY (JOBBER)						
S10-J	do	.45	.45	.55		.10
S14-J	do	.90	.90	1.10		.20
S16-J	do	1.10	1.10	1.34		.24
S62-J	do	1.35	1.42	1.65		.23
S64-J	do	2.40	2.44	2.93		.49
GRAND UNION (JOBBER CLASS)						
155-G	do	.89	.89	1.09	.11	.20
PERMA GLASS (JOBBER CLASS)						
S-62-J	do	1.77	1.77	2.16	.13	.39
S-64-J	do	3.01	3.01	3.68	.24	.67
S-52-J	do	1.77	1.77	2.10	.13	.39
S-54-J	do	3.01	3.01	3.68	.24	.67
PATEK BROS. (JOBBER CLASS)						
S-30-P	do	.71	.71	.87	.04	.16
S-32-P	do	1.23	1.23	1.56	.07	.23
S-34-P	do	2.38	2.38	2.91	.12	.53
JEWEL TEA CO. (JOBBER CLASS)						
154-J	Each	.0768	.0643	.0805	.0017	.02
SPRUSTEX (JOBBER CLASS)						
S-60	Dozen	.59	.74	(**)	.06	
S-62	do	1.27	1.67	(**)	.13	
S-64	do	2.15	2.75	(**)	.25	
S-69	do	1.60	2.40	(**)	.10	
S-50	do	.56	.72	(**)	.08	
S-52	do	1.13	1.63	(**)	.17	
S-54	do	1.98	2.68	(**)	.32	
S-10	do	.44	.50	.54	.10	.04
S-12	do	.68	.73	.83	.17	.10
S-14	do	.84	.94	1.03	.20	.09
S-16	do	1.08	.98	1.32	.52	.34
S-30	do	.59	.52	.72	.08	.20
S-32	do	1.17	1.32	1.43	.18	.11
S-80	do	.50	.56	.61	.04	.05
S-82	do	.48	.54	.59	.06	.05
S-90	do	.46	.50	.56	.10	.06
S-94	do	.94	1.24	**	.20	.00
S-95	do	.74	.89	.90	.01	.01
KLEEN-O (CHAIN CLASS)						
K-60	do	.64	.72	.78	.00	.06
K-62	do	1.32	1.62	**	.13	.00
K-64	do	2.25	2.75	**	.25	.00
K-69	do	1.60	2.40	**	.10	.00
K-50	do	.56	.62	.68	.08	.06
K-62	do	1.13	1.22	1.38	.18	.10
K-54	do	1.98	2.18	2.42	.32	.24
K-80	do	.50	.52	.61	.04	.09
K-82	do	.48	.50	.59	.06	.09
K-90	do	.50	.48	.61	.10	.13
K-94	do	.94	1.09	1.15	.20	.06
K-95	do	.74	.77	.90	.01	.13
K-	do	.83	.83	1.01	.01	18
K-10	do	.44	.44	.54	.10	.10
K-12	do	.68	.68	.83	.17	.15
K-14	do	.84	.84	1.03	.20	.19
K-16	do	1.08	1.08	1.32	.32	.24
K-30	do	.59	.52	.72	.08	.20
K-32	do	1.17	1.02	1.43	.18	.41
K-42	do	.98	.74	1.20	.10	.46
K-44	do	1.58	1.58	1.93	.17	.35
MAID OF HONOR (MAIL ORDER CLASS)						
2501	Each	.16	.175	.20		.025
2501	do	.26	.275	.32		.015
2501	do	.46	.495	.60		.065
2501	do	.84	.92	1.03		.11

[1] Articles included in Column 5 may be sold on a delivered basis, and in the event of such sales the amount shown in Column 5 may be charged in addition to the f. o. b. price shown in Column 4: *Provided*, That such additional charge shall be shown on the invoice separately from the f. o. b. price: *And provided further*, That such charge shall have no effect upon the amount of any reseller's adjustment in maximum prices.

** Articles demarked in Column 4 with two asterisks (**) have previously been lawfully increased in price by the manufacturer to an extent equal to or greater than the amount of adjustment warranted under this Order No. G-1. Accordingly, the manufacturer's maximum price for such articles continues to be that shown in Column 3, and the maximum prices of resellers for such articles remain unchanged.

[F. R. Doc. 46-11318; Filed, June 27, 1946; 12:16 p. m.]

WAR ASSETS ADMINISTRATION.

[Special Order 28]

DISPOSAL OF CHAPELS

As a part of the facilities which the Government during World War II provided for the use of the armed forces and persons engaged in defense work, it caused to be erected or otherwise provided chapels which were devoted to religious activities and services. These were located in various camp sites and other installations, in many cases on land owned by the Government, and in other cases on land held under leasehold or other right of occupancy.

In view of the purposes for which these structures were provided and the desirability of their future maintenance for such purposes, the President of the United States has directed that after such structures have become surplus they shall not be demolished but disposed of as shrines or memorials, or for religious activities to religious organizations having need therefor, on condition that they be maintained and used thereafter for such purposes.

Such structures heretofore have been under the general supervision of the chaplains of the respective services, and it is the President's desire that the Chiefs of Chaplains of such services be recognized in the disposal program.

In view of the specialized type of property involved, and the desires of the President with respect thereto, and pursuant to the authority of the Surplus Property Act of 1944 (58 Stat. 765; 50 U. S. C. App. Sup. 1611) Public Law 181, 79th Congress, 1st Session (59 Stat. 533) Executive Order 9689 (11 F.R. 1265) and Public Law 375, 79th Congress, 2d Session, *It is hereby ordered,* That:

1. *Definition.* "Chapel" means any Government-owned building and improvement on land owned or held under lease or other right of occupancy which was especially designed for and used or intended to be used by the armed forces or persons engaged in defense work for religious activities and services.

2. *Disposition*—(a) *General provisions.* Where a chapel is located on real property which has been declared surplus and assigned to a disposal agency, the disposal agency shall segregate such chapel from the other buildings, or land and buildings, and shall dispose of it intact, separate and apart from the land, for use as a shrine or memorial or for religious purposes. Where, however, it is located on Government-owned land and the disposal agency determines that it may properly be used for such purposes in place and that under all the circumstances it should be disposed of with the land on which it is located, a suitable area of land may be set aside for such purpose and sold with the chapel.

(b) *Reports to Chiefs of Chaplains.* On the first day of the calendar month after the effective date of this order, the disposal agency shall submit to the Chief of Chaplains of each service a list of all surplus chapels of the respective services which have been assigned to such disposal agency. This listing shall include the location of the chapel (the State, the nearest city or town, and the name of the installation), together with a brief description of the chapel. On the first and fifteenth days of each calendar month thereafter, the disposal agency shall report to the respective Chiefs of Chaplains all surplus chapels assigned subsequent to the date of the last report.

(c) *Advertisement.* The disposal agency shall avail itself of all suitable means to give wide publicity to the availability of chapels for disposition. Such publicity shall be by public advertising and may include press releases, display advertisements, or other appropriate notice. Public advertising shall consist of a sale notice published in a newspaper having general circulation in the county where the property is located, describing the chapel and its location, designating the place where applications may be filed, and containing the following additional information which shall apply to the disposal:

(1) That first consideration shall be given to its sale for use as a shrine or memorial, and second consideration to its sale for use for religious purposes, and that the use after disposal shall be restricted to such purpose.

(2) That all applications will be submitted to the appropriate Chief of Chaplains who, with the advice of representative church groups, will recommend the person or organization to whom disposal shall be made.

(3) That (i) the chapel will be sold intact for removal from the land on which it is located, or (ii) where it is located on Government-owned land, the chapel will be sold either with the land on which it is located, or for removal intact from the land; and bids may be submitted on either basis.

(4) That the sale price of the chapel will be a price equal to its fair value in the light of the conditions imposed relating to its future use and the estimated cost of removal where required; and that the sale price of the land will be a price equal to the fair value of the land.

(5) That applications shall include the name, address, and general description of the prospective purchaser, and an agreement to use the property for the purposes for which it is sold.

(6) That applications shall be filed within ten (10) days following the date of first publication of notice, with both the first and last dates of the ten-day period specified.

Notice of availability shall be published one or more times during the ten-day period specified in the advertisement.

3. *Applications to purchase*—(a) *Priorities.* The disposal of chapels, either with or without the land on which they are situated, shall be processed under the provisions of Surplus Property Administration Revised Regulation 5 (11 F. R. 2644, 3301, 4096), subject to applicable priorities therein provided. Applications by priority holders shall claim their priority rights, and in all other respects shall conform to the provisions for applications by nonpriority persons.

(b) *Persons having no priority.* Applications from nonpriority holders to acquire chapels shall be submitted within the period and in compliance with the provisions specified in the advertisement: *Provided, however,* That if no applications are received within such period, applications later submitted may be considered.

(c) *Submission to Chiefs of Chaplains.* As soon as practicable following the expiration of the advertising period, all priority and nonpriority applications shall be assembled and forwarded, together with a copy of the advertisement and a letter of transmittal, to the Chief of Chaplains of the applicable service. A copy of the transmittal letter to the Chief of Chaplains shall be transmitted to the War Assets Administration, Office of Real Property Disposal, Washington 25, D. C.

4. *Designation of purchaser.* Within thirty (30) days following the receipt of the applications submitted to the Chief of Chaplains pursuant to an advertisement, the Chief of Chaplains, after considering and giving effect to any established priorities, will notify the disposal agency as to the recommended purchaser for the chapel. If the notification in any case is not received by the disposal agency within a reasonable time after the expiration of such thirty-day period, the disposal agency shall check (through the War Assets Administration, Office of Real Property Disposal) with the Chief of Chaplains to ascertain whether a recommendation will be made. In the event the Chief of Chaplains does not issue a recommendation within a reasonable time thereafter, the disposal agency shall select the purchaser on the basis of the need of the applicant and the best interest of the community to be served. If the Chief of Chaplains submits a recommendation, the chapel shall be disposed of to the applicant recommended, if such recommendation is not deemed to be contrary to the objectives of the act.

5. *Fixtures, furnishings and personal property.* In disposing of any chapel hereunder, the disposal agency may for fair value likewise dispose of any surplus fixtures, furnishings, or personal property therein which the owning agencies may not need for the armed forces, and which the disposal agency determines are inherently related or essential to the uses and purposes for which the chapel is to be maintained and used.

6. *Conditions imposed.* All chapels shall be disposed of subject to the condition that the buildings be thereafter maintained as shrines or memorials or used for religious purposes, and not for any commercial, industrial, or other secular use; and the notices of availability shall so disclose, and the deeds of conveyance shall so provide.

7. *Notice to Chief of Chaplains.* Upon consummation of a disposal, the disposal agency shall notify the Chief of Chaplains of the applicable service and shall forward to the War Assets Administration, Office of Real Property Disposal, a copy of such notice.

NOTE: All reporting requirements of this part have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This order shall become effective June 26, 1946.

E. B. GREGORY,
Administrator

JUNE 26, 1946.

[F. R. Doc. 46-11406; Filed, June 28, 1946; 11:30 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 70-1250, 59-85]

PENNSYLVANIA EDISON CO. ET AL.

SUPPLEMENTAL ORDER RELEASING JURISDICTION

In the matters of Pennsylvania Edison Company, Pennsylvania Electric Company Associated Electric Company· File No. 70-1250. Pennsylvania Edison Company Associated Electric Company; File No. 59-85.

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 27th day of June 1946.

Associated Electric Company, a registered holding company, and two of its public-utility subsidiaries, Pennsylvania Electric Company and Pennsylvania Edison Company, having jointly filed an application pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 for approval of a plan of liquidation of Pennsylvania Edison Company· and applications-declarations, as amended, in which it was proposed, among other things, that Pennsylvania Electric Company issue and sell, pursuant to the competitive bidding provisions of Rule U-50, $23,500,000 principal amount of its first mortgage bonds due 1976 and 101,000 shares of its $100 par value series C cumulative preferred stock; and

The Commission having, by order dated June 19, 1946, approved the said plan and granted said applications, as amended, and permitted said declarations, as amended, to become effective, except as to the price to be received for the said first mortgage bonds and cumulative preferred stock, the interest and dividend rates thereon, respectively, the underwriters' spreads and their allocation, all fees and expenses to be paid in connection with the proposed transactions, the definitive terms of an escrow agreement to be entered into between Associated Electric Company and the depositary, and the determination of what amounts, if any, the preferred shareholders of Pennsylvania Edison Company shall receive in excess of their liquidation preferences, as to which matters jurisdiction was reserved; and

Applicants-declarants having filed a further amendment to their joint application-declaration, as amended, in which it is stated that, in accordance with the permission granted by the said order of the Commission dated June 19, 1946, Pennsylvania Electric Company has offered the said first mortgage bonds and cumulative preferred stock for sale pursuant to the competitive bidding requirements of Rule U-50 and has received the following bids:

FOR THE BONDS

Bidder	Price to the company	Interest on dividend rate	Cost to the company
	Percent	*Percent*	*Percent*
Halsey, Stuart & Co., Inc.	101.78	2¾	2.663467
Kuhn, Loeb & Co.	101.0491	2¾	2.698762
Mellon Securities Corp.	100.5319	2¾	2.723939

FOR THE PREFERRED STOCK

Kuhn, Loeb & Co.	100.5191	3.70	3.680392
Smith, Barney & Co.	100.42	3.70	3.684525
Mellon Securities Corp.	100.279	3.70	3.689706

Said amendment stating that Pennsylvania Electric Company has accepted the bid of Halsey Stuart & Co., Inc., for the first mortgage bonds and the bid of Kuhn, Loeb & Co. for the cumulative preferred stock as set out above, and that the first mortgage bonds will be offered for sale to the public at a price of 102.47%, resulting in an underwriters' spread of 0.69%, and that the cumulative preferred stock will be offered to the public at a price of $102.50 per share, resulting in an underwriters' spread of $1.9809 per share; and

The Commission having examined said amendment and having considered the record herein, and finding no basis for imposing terms and conditions with respect to the price to be received for said first mortgage bonds and cumulative preferred stock, the interest and dividend rates thereon, respectively, and the underwriters' spreads and their allocation; and

Associated Electric Company having submitted the definitive terms of the escrow agreement to be entered into between it and the depositary· and

The Commission having considered the definitive terms of said escrow agreement and deeming it appropriate in the public interest and the interest of investors to release the jurisdiction heretofore reserved with respect to such matter:

It is ordered, That the jurisdiction heretofore reserved over the price to be received for said bonds and preferred stock, the interest and dividend rates thereon, respectively, and the underwriters' spreads and their allocation be, and the same hereby is, released, and the said plan and the said applications and declarations, as further amended, be, and the same hereby are, approved, granted, and permitted to become effective, subject, however, to the terms and conditions prescribed in Rule U-24 and to the further condition that the subsequent presentation and determination of the issue, as to which jurisdiction was reserved, regarding the appropriate additional amounts, if any, to be paid to the preferred shareholders of Pennsylvania Edison Company shall in no way be affected by the immediate consummation of the proposed transactions.

It is further ordered, That the jurisdiction heretofore reserved over the definitive terms of the escrow agreement to be entered into between Associated Electric Company and the depositary be, and the same hereby is, released, and that jurisdiction heretofore reserved over (1) all fees and expenses to be paid in connection with the proposed transactions and (2) the issue of what amounts, if any, the preferred shareholders of Pennsylvania Edison Company shall receive in excess of their liquidation preferences, be continued.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 46-11392; Filed, June 28, 1946; 9:53 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 6669]

ELISABETH PAETSCH

In re: Bond and mortgage owned by Elisabeth Paetsch.

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

1. That Elisabeth Paetsch, whose last known address is Neustadt-Dosse, Spiegelberg, Germany, is a resident of Germany and a national of a designated enemy country (Germany),

2. That the property described as follows: A mortgage executed on May 3, 1928, by John Gotsch and Carrie Gotsch, his wife, to Marie Paetsch and recorded in the Office of the Register of Westchester County, New York, in Liber 2835 of Mortgages, Page 367, and any and all obligations, secured by said mortgage, including but not limited to all security rights in and to any and all collateral (including the aforesaid mortgage) for any and all such obligations and the right to enforce and collect such obligations and the right to possession of any and all notes, bonds and other instruments evidencing such obligations,

was property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which was evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany)

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

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

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

This vesting order is issued nunc pro tunc to confirm and ratify the vesting of the said property in the Alien Property Custodian by acceptance thereof on February 1, 1945, pursuant to the Trading with the Enemy Act, as amended.

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

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

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

Executed at Washington, D. C., on June 19, 1946.

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

[F. R. Doc. 46-11219; Filed, June 27, 1946; 9:40 a. m.]

[Vesting Order 6433]

CARL BENZLER

In re estate of Carl Benzler, deceased; File No. D-28-10307; E. T. sec. 14686.

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

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Pauline Benzler in and to the Estate of Carl Benzler, deceased,

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

National and Last Known Address

Pauline Benzler, Germany.

That such property is in the process of administration by Joseph J. Ulmer, Executor of the Estate of Carl Benzler, deceased, acting under the judicial supervision of the Surrogate's Court, Nassau County, New York;

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

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

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

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

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

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

Executed at Washington, D. C., on June 5, 1946.

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

[F. R. Doc. 46-11376; Filed, June 28, 1946; 9:42 a. m.]

[Vesting Order 6434]

GIOVANNI B. CAVORETTO

In re Estate of Giovanni B. Cavoretto, also known as Giovanni Battista Cavoretto, also known as Bob Cavaretta, deceased. File D-38-3755; E. T. sec. 14139.

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

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Giacomo Cavoretto, Maria Conterio and Orsola Cavoretto, and each of them, in and to the Estate of Giovanni B. Cavoretto, also known as Giovanni Battista Cavoretto, also known as Bob Cavaretta, deceased,

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

Nationals and Last Known Address

Giacomo Cavoretto, Italy.
Maria Conterio, Italy.
Orsola Cavoretto, Italy.

That such property is in the process of administration by Domenico Cavoretto, as Administrator of the Estate of Giovanni B. Cavoretto, also known as Giovanni Battista Cavoretto, also known as Bob Cavaretta, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Contra Costa;

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

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

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

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

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

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

Executed at Washington, D. C., on June 5, 1946.

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

[F. R. Doc. 46-11377; Filed, June 28, 1946; 9:42 a. m.]

[Vesting Order 6435]

JOHN FRIES

In re Estate of John Fries, deceased. File No. D-28-2004; E. T. sec. 6237.

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

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of George Fries, Hans Fries, Paul Fries, Lissy Fries, Heinrich Paulsen, Erna Arp, Helmuth Paulsen, Hans Fries, Emma Wiese, Willie Fries and Lisette Fries, and each of them, in and to the estate of John Fries, deceased,

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

Nationals and last known address

George Fries, Germany.
Hans Fries, Germany.
Paul Fries, Germany.
Lissy Fries, Germany.
Heinrich Paulsen, Germany.
Erna Arp, Germany.
Helmuth Paulsen, Germany.
Hans Fries, Germany.
Emma Wiese, Germany.
Willie Fries, Germany.
Lisette Fries, Germany.

That such property is in the process of administration by the County Treasurer of Erie County, as depositary, acting under the judicial supervision of the Surrogate's Court of Erie County, New York;

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

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

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

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

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

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

Executed at Washington, D. C., on June 5, 1946.

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

[F. R. Doc. 46-11378; Filed, June 28, 1946; 9:42 a. m.]

[Vesting Order 6548]

MAGDALENA PALM

In re: Debt owing to Magdalena Palm.

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

1. That Magdalena Palm, whose last known address is Massweiler bei Zweibruecken, Rheinpfalz, Germany, is a resident of Germany and a national of a designated enemy country (Germany),

2. That the property described as follows: All those debts or other obligations owing to Magdalena Palm, by Richter & Kaiser, Inc., 186 Remsen Street, Brooklyn 2, New York, including particularly but not limited to a portion of the sum of money on deposit with Manufacturers Trust Company, 55 Broad Street, New York, New York, in a dollar account, entitled Richter & Kaiser, Inc. Special, Blocked as German Nationals, maintained at the branch office of the aforesaid bank located at 209 Montague Street, Brooklyn, New York, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country

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

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

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

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

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

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

Executed at Washington, D. C., on June 13, 1946.

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

[F. R. Doc. 46-11379; Filed, June 28, 1946; 9:42 a. m.]

[Vesting Order 6558]

IMMORTELLE RENNEBAUM

In re: Bank account owned by Immortelle Rennebaum, F-28-23661-C-1.

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

1. That Immortelle Rennebaum, whose last known address is Suarezstrasse 27, Charlottenburg 5, Berlin, Germany, is a resident of Germany and a national of a designated enemy country (Germany),

2. That the property described as follows: That certain debt or other obligation owing to George M. Cushing, Trustee, by Milton Savings Bank, Milton, Massachusetts, arising out of a Savings Account, Account Number 12697, entitled George M. Cushing, Trustee for Immortelle Rennebaum, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Immortelle Rennebaum, aforesaid national of a designated enemy country;

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

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

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

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

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

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

Executed at Washington, D. C., on June 13, 1946.

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

[F. R. Doc. 46-11380; Filed, June 28, 1946; 9:42 a. m.]

[Vesting Order 6573]

AMALIE SEILER

In re: Debt owing to the personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Amalie Seiler, deceased.

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

1. That the personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Amalie Seiler, deceased, whose last known addresses are Germany, are residents of Germany and nationals of a designated enemy country (Germany)

2. That the property described as follows: All those debts or other obligations owing to the personal representatives, heirs, next of kin, legatees and distributees, names unknown of Amalie Seiler, deceased, by Richter & Kaiser, Inc., 186 Remsen Street, Brooklyn 2, New York, including particularly but not limited to a portion of the sum of money on deposit with Manufacturers Trust Company, 55 Broad Street, New York, New York, in a dollar account, entitled Richter & Kaiser, Inc. Special, Blocked as German Nationals, maintained at the branch office of the aforesaid bank located at 209 Montague Street, Brooklyn, New York, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country;

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

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

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

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

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

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

Executed at Washington, D. C., on June 14, 1946.

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

[F. R. Doc. 46-11381; Filed, June 28, 1946; 9:42 a. m.]

[Vesting Order 6577]

GUNZO SUGIHARA

In re: Bank accounts, stocks and bonds owned by Gunzo Sugihara, also known as G. Sugihara; D-39-649-A-1, D-39-649-E-1.

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

1. That Gunzo Sugihara, also known as G. Sugihara, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan)

2. That the property described as follows:

a. That certain debt or other obligation owing to Gunzo Sugihara, also known as G. Sugihara, by the American Trust Company, 464 California Street, San Francisco, California, arising out of a savings account, Account Number 3091, entitled G. Sugihara, and any and all rights to demand, enforce and collect the same,

b. That certain debt or other obligation owing to Gunzo Sugihara, also known as G. Sugihara, by the American Trust Company, 464 California Street, San Francisco, California, arising out of a custodian account, Account Number A 3779, entitled Gunzo Sugihara, and any and all rights to demand, enforce and collect the same,

c. Those certain shares of stock described in Exhibit A, attached hereto and by reference made a part hereof, registered in the name of Gunzo Sugihara, together with all declared and unpaid dividends thereon,

d. One (1) share of $20 par value common capital stock of Pacific Trading Company, 100 Sacramento Street, San Francisco, California, a corporation organized under the laws of the State of California, evidenced by Certificate Number 2, and registered in the name of G. Sugihara, together with all declared and unpaid dividends thereon,

e. Three (3) United States of America Savings Bonds, Series E, due December 1, 1951, each of $50 face value, bearing the numbers L2413917E, L2413918E and L2413919E, registered in the name of Gunzo Sugihara, presently in the custody of the American Trust Company, 464 California Street, San Francisco, California, together with any and all rights thereunder and thereto,

f. One (1) Japanese Government External 6½% Bond, due February 1, 1954, of $1,000 face value bearing the number M33067, issued in the name of Bearer, presently in the custody of the American Trust Company, 464 California Street, San Francisco, California, together with any and all rights thereunder and thereto, and

g. Eight (8) Tokyo Electric Light Company, Ltd. First Mortgage 6% Bonds, due June 15, 1953, each of $1,000 face value, bearing the numbers 46635, 46636, 44043, 32181, 32182, 15758, 35664 and 30403, issued in the name of Bearer, presently in the custody of the American Trust Company, 464 California Street, San Francisco, California, together with any and all rights thereunder and thereto.

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within

a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan),

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

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

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

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

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

Executed at Washington, D. C., on June 14, 1946.

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

EXHIBIT A

Name and address of corporation	State of incorporation	Certificate numbers	Number of shares	Par value	Type of stock
Anaconda Copper Mining Co., 25 Broadway, New York, N. Y.	Montana	651825	100	$50	Capital.
California Packing Corp., 101 California Street, San Francisco, Calif.	New York	SF/C493	100	(1)	Common.
General Motors Corp., 3044 W. Grand Blvd., Detroit, Mich.	Delaware	WD38-457	100	$10	Common.
Libby, McNeill & Libby, Packers and Exchange Avenues, Union Stock Yards, Chicago, Ill.	Maine	M5863	100	7	Common.
		M6282	100	7	Common.
		L28490	100	7	Common.
Standard Oil Co. of California, 225 Bush St., San Francisco, Calif.	Delaware	SFD62385	100	(1)	Capital.
		SFD62641	100	(1)	Capital.
Union Oil Co. of California, 617 W. 7th St., Los Angeles, Calif.	California	LA59341	100	25	Capital.
United States Steel Corp., 71 Broadway, New York, N. Y.	New Jersey	P192992	50	(1)	Common.

[1] No par value.

All the above-described securities are in the custody of the American Trust Company, 464 California St., San Francisco, Calif.

[F. R. Doc. 46-11382; Filed, June 28, 1946; 9:43 a. m.]

[Vesting Order 6578]

PAUL THIELE

In re: Stock owned by and debts owing to Paul Thiele; D-28-5703-A-1.

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

1. That Paul Thiele, whose last known address is Holzdamm 34, Hamburg 1, Germany, is a resident of Germany and a national of a designated enemy country (Germany)

2. That the property described as follows:

a. Eighty-eight (88) shares of $100 par value common capital stock of The Singer Manufacturing Company, 149 Broadway, New York, New York, a corporation organized under the laws of the State of New Jersey, evidenced by the Certificate Numbers set forth in Exhibit A, attached hereto and by reference made a part hereof, and registered in the name of Douglas Alexander, in the amounts appearing opposite each Certificate Number listed in Exhibit A, together with all declared and unpaid dividends thereon,

b. Those two (2) debts or other obligations owing to Paul Thiele, by The Singer Manufacturing Company, 149 Broadway, New York, New York, in the amounts of $2,307.07 and $3,376.78, as of December 31, 1945, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country.

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

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

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

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

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

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

Executed at Washington, D. C., on June 14, 1946.

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

EXHIBIT A

Certificate Nos..	*Number of shares*
37099	62
37416	5
38088	5
39150	6
41737	8
42541	2

[F. R. Doc. 46-11383; Filed, June 28, 1946; 9:43 a. m.]

[Vesting Order 6620]

BETTY HELEN HEINS

In re Bank account owned by Betty Helen Heins, also known as Betty Helene Heins; F-28-10051-E-1.

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

1. That Betty Helen Heins, also known as Betty Helene Heins, whose last known address is Wesermunde, Germany, is a resident of Germany and a national of a designated enemy country (Germany),

2. That the property described as follows: That certain debt or other obligation owing to Betty Helen Heins, also known as Betty Helene Heins, by First State Bank, Scottsbluff, Nebraska, arising out of a certificate of deposit account, entitled Betty Helen Heins, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account

of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country·

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

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

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

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

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

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

Executed at Washington, D. C., on June 18, 1946.

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

[F. R. Doc. 46-11384; Filed, June 28, 1946; 9:44 a. m.]

[Vesting Order 6621]

FRITZ HORZ

In re: Bank account owned by Fritz Horz, also known as Friederick Horz; F-28-11474-E-1.

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

1. That Fritz Horz, also known as Friederick Horz, whose last known address, is Württemberg, Germany, is a resident of Germany and a national of a designated enemy country (Germany)

2. That the property described as follows: That certain debt or other obligation owing to Fritz Horz, also known as Friederick Horz by Union Bank & Trust Co. of Los Angeles, 760 South Hill Street, Los Angeles, California, arising out of a term savings account, Account Number 86317, entitled Fritz Horz, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country·

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

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

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

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

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

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

Executed at Washington, D. C., on June 18, 1946.

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

[F. R. Doc. 46-11385; Filed, June 28, 1946; 9:44 a. m.]

[Vesting Order 6625]

MARGARETE LOESCH

In re: Bank account owned by Margarete Loesch; F-28-157-E-1.

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

1. That Margarete Loesch, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany)

2. That the property described as follows: That certain debt or other obligation owing to Else Aurig, Trustee, by Central Savings Bank in the City of New York, Broadway at 73rd Street, New York, New York, arising out of a savings account, Account Number 1,238,009, entitled Else Aurig in trust for Margarete Loesch, maintained at the branch office of the aforesaid bank located at Fourteenth Street, New York, New York, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by Margarete Loesch, the aforesaid national of a designated enemy country·

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

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

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

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

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

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

Executed at Washington, D. C., on June 18, 1946.

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

[F. R. Doc. 46-11388; Filed, June 28, 1946; 9:44 a. m.]

[Vesting Order 6622]

ALICE KEMMING

In re Bank account owned by Alice Kemming; F-28-11602-E-1.

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

1. That Alice Kemming, whose last known address is Langestrasse 63, Stralsund, Germany, is a resident of Germany and a national of a designated enemy country (Germany)

2. That the property described as follows: That certain debt or other obligation owing to Alice Kemming, by The San Francisco Bank, 526 California Street, San Francisco 4, California, arising out of a savings account, Account Number 765677, entitled Alice Kemming, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

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

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

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

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

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

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

Executed at Washington, D. C., on June 18, 1946.

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

[F. R. Doc. 46-11386; Filed, June 28, 1946; 9:44 a. m.]

[Vesting Order 6624]

GRETCHEN KOTZENBERG

In re: Debt owing to Gretchen Kotzenberg; F-28-11710-C-1.

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

1. That Gretchen Kotzenberg, whose last known address is 11 Strassburgerstrasse, Bremen, Germany, is a resident of Germany and a national of a designated enemy country (Germany)

2. That the property described as follows: That certain debt or other obligation owing to Gretchen Kotzenberg, by Schilling Estate Company, 225 Bush Street, San Francisco 4, California, in the amount of $2,182.79, as of December 31, 1945, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

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

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

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

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

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

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

Executed at Washington, D. C., on June 18, 1946.

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

[F. R. Doc. 46-11387; Filed, June 28, 1946; 9:44 a. m.]