FEDERAL REGISTER

VOLUME 16 — NUMBER 139

Washington, Thursday, July 19, 1951

TITLE 3—THE PRESIDENT

EXECUTIVE ORDER 10273

EXEMPTION OF HERBERT E. GASTON FROM COMPULSORY RETIREMENT FOR AGE

WHEREAS, in my judgment, the public interest requires that Herbert E. Gaston, member of the Board of Directors of the Export-Import Bank of Washington, be exempted from compulsory retirement for age as provided below:

NOW THEREFORE, by virtue of the authority vested in me by section 204 of the act of June 30, 1932, 47 Stat. 404 (5 U. S. C. 715a) I hereby exempt the said Herbert E. Gaston from compulsory retirement for age for an indefinite period of time not extending beyond June 30, 1955, the date on which his present term of office expires.

HARRY S. TRUMAN

THE WHITE HOUSE,
July 18, 1951.

[F. R. Doc. 51-8434; Filed, July 18, 1951; 12:06 p. m.]

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

OFFICE OF WAGE STABILIZATION

Effective upon publication in the FEDERAL REGISTER, subparagraphs (3), (4) and (5) are added to § 6.155 (c) as follows:

§ 6.155 *Economic Stabilization Agency.* * * *

(c) *Office of Wage Stabilization.* * * *

(3) Labor, industry and public members of Regional Wage Stabilization Boards.

(4) Not to exceed three executive assistants and three technical assistants to the National Wage Stabilization Board.

(5) Industry, labor and public members of the Construction Industry Stabilization Commission.

(R. S. 1753, sec. 2, 22 Stat. 403; 5 U. S. C. 631, 633. E. O. 9830, Feb. 24, 1947, 12 F. R. 1259; 3 CFR, 1947 Supp. E. O. 9973, June 23, 1948, 13 F. R. 3600; 3 CFR, 1948 Supp.)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] ROBERT RAMSPECK,
Chairman.

[F. R. Doc. 51-8271; Filed, July 18, 1951; 8:53 a. m.]

TITLE 6—AGRICULTURAL CREDIT

Chapter IV—Production and Marketing Administration and Commodity Credit Corporation, Department of Agriculture

Subchapter C—Loans, Purchases, and Other Operations

[1951 C. C. C. Grain Price Support Bulletin 1, Supp. 1, Rice]

PART 601—GRAINS AND RELATED COMMODITIES

SUBPART—1951-CROP RICE LOAN AND PURCHASE AGREEMENT PROGRAM

A price support program has been announced for the 1951 crop of rice. The 1951 C. C. C. Grain Price Support Bulletin 1, 16 F. R. 1987, issued by the Commodity Credit Corporation and containing the general requirements with respect to price support operations for grains and related commodities produced in 1951, is supplemented as follows:

Sec.
601.1001 Purpose.
601.1002 Availability of price support.
601.1003 Eligible rice.
601.1004 Warehouse receipts.
601.1005 Determination of quantity.
601.1006 Determination of quality.
601.1007 Maturity of loans.
601.1008 Support rates.
601.1009 Warehouse charges.
601.1010 Settlement.

AUTHORITY: §§ 601.1001 to 601.1010 issued under sec. 4, 62 Stat. 1070, as amended; 15 U. S. C. Sup., 714b. Interpret or apply sec. 5, 62 Stat. 1072, secs. 101, 401, 63 Stat. 1051, 1054; 15 U. S. C. Sup., 714c, 7 U. S. C. Sup., 1441, 1421.

§ 601.1001 *Purpose.* Sections 601.1001 to 601.1010 state additional specific requirements which, together with

(Continued on p. 6909)

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Army Department
Delegation of authority to Secretary to order members and units of Reserve components into active Federal service (*see* Defense Department).

FEDERAL REGISTER

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the general requirements contained in the 1951 C. C. C. Grain Price Support Bulletin 1, 16 F. R. 1987, apply to loans and purchase agreements under the 1951-Crop Rice Price Support Program.

§ 601.1002 *Availability of price support*—(a) *Method of support.* Price support will be made available through farm-storage and warehouse-storage loans and through purchase agreements.

(b) *Area.* Farm-storage and warehouse-storage loans and purchase agreements will be available on eligible rice produced in the States of Arizona, Arkansas, California, Louisiana, Mississippi, Missouri, and Texas.

(c) *Where to apply.* Application for price support must be made at the office of the PMA county committee which keeps the farm-program records for the farm.

(d) *When to apply.* Loans and purchase agreements will be available from the time of harvest through January 31, 1952, and the applicable documents must be signed by the producer and delivered to the county committee not later than such date.

(e) *Eligible producer.* (1) An eligible producer shall be any individual, partnership, association, corporation, or other legal entity producing rice in 1951 or having an interest in a 1951 rice crop as landlord, tenant, or sharecropper, and includes a person owning and operating his own farm, a tenant operating a farm rented for cash, a tenant operating a farm under a crop-share lease, contract, or agreement, a landlord leasing to share tenants, and an irrigation company furnishing water for a share of the crop.

(2) Cooperative marketing associations of producers shall be eligible for warehouse-storage loans and purchase agreements on eligible rice produced by eligible producer members: *Provided,* That:

(i) The producer members are bound by contract to market through the association;

(ii) The major part of the rice marketed by the association is produced by members who are eligible producers;

(iii) The members share proportionately in the proceeds from marketings according to the quantity and quality of rice each delivers to the association;

(iv) The association has the legal right to pledge or mortgage the rice as security for a loan.

(3) The following special conditions of price support shall apply to cooperative marketing associations of producers:

(i) The association must maintain a record of the total quantity of rough

rice acquired by or delivered to the association from all sources, and a separate record of the quantity of eligible rice delivered to the association by eligible producer members. The books of such associations shall be made available to CCC for inspection at all reasonable times.

(ii) Rice placed under loan by the association must be stored separately from all other rice and kept separately stored until redeemed from the loan or delivered to CCC.

(iii) Rice delivered by the association to CCC under purchase agreements must have been physically segregated at all times from any rice under loan, any rice obtained from other than producer members, and from any ineligible rice. Where a member and a nonmember have a joint interest in the growing crop, this requirement shall apply from the time of physical division of the harvested crop.

§ 601.1003 *Eligible rice.* At the time the rice is placed under loan or delivered under a purchase agreement, it must meet the following requirements:

(a) The rice must have been produced in 1951 in the States of Arizona, Arkansas, California, Louisiana, Mississippi, Missouri, or Texas.

(b) Except in the case of eligible cooperative marketing associations, the beneficial interest in the rice must be in the person tendering the rice for loan or for delivery under a purchase agreement, and must always have been in him, or must have been in him and a former producer whom he succeeded before the rice was harvested. In the case of cooperative marketing associations, the beneficial interest in the rice must have been in the producer members who delivered the rice to the association and must always have been in them or in them and former producers whom they succeeded before the rice was harvested.

(c) In accordance with the Official Standards of the United States for Rough Rice, the rice may be of any class other than "Mixed rough rice."

(d) The rice must (1) grade U. S. No. 5 or better (rice of special grades shall not be eligible rice) (2) show a minimum milling yield of 25 pounds of head rice from 100 pounds of rough rice; and (3) contain not more than 14 percent moisture.

(e) If offered as security for a farm-storage loan, the rice must have been stored in the granary at least 30 days prior to its inspection for measurement, sampling, and sealing, unless otherwise approved by the PMA State committee.

§ 601.1004 *Warehouse receipts.* Warehouse receipts, representing rice in approved warehouse storage to be placed under loan or delivered under a purchase agreement, must meet the requirements below:

(a) Warehouse receipts must be issued in the name of the producer, or cooperative marketing association, must be properly endorsed in blank so as to vest title in the holder, and must be issued by a warehouse approved under the Uniform Rice Storage Agreement.

(b) In order to be acceptable under the loan program, each warehouse receipt, or the accompanying supplemental certificate, must contain a statement that the rice is insured in accordance with CCC Form 26, "Uniform Rice Storage Agreement," and if such insurance was not effective as of the date of deposit of the rice in the warehouse, the warehouseman must certify as to the effective date of the insurance and that the rice is in the warehouse and undamaged. The insurance on rice with respect to which the warehouseman guarantees quality and quantity (hereinafter called commingled rice) must be obtained by the warehouseman. Insurance on rice with respect to which the warehouseman does not guarantee quality and quantity (hereinafter called identity-preserved rice) must be obtained by either the producer or the warehouseman. If the insurance is obtained by the producer, it must be assigned to the warehouseman, with the consent of the insurance company, before a loan will be made and the warehouseman must also certify that the insurance has been assigned to him with the consent of the insurance company. Insurance is not required in order for warehouse receipts to be purchased under the purchase agreement program.

(c) Each warehouse receipt must be accompanied by a supplemental certificate (CCC Rice Form B, Supplement) executed in duplicate and properly identified with the warehouse receipt. In addition to other information required on the supplemental certificate, the warehouse receipt or the supplemental certificate must show weight, class, grade, milling yield, moisture, and any of the following grade factors which determined the assigned grade: total seeds and heat damaged kernels, heat damaged kernels and objectionable seeds, red rice and damaged kernels, chalky kernels, rice of contrasting classes. If the rice grades U. S. No. 1, no grade factors need be shown, and for rice grading below U. S. No. 1, only the factor(s) which caused the rice to receive the assigned grade need be shown. When the warehouse receipt represents rice stored on a commingled basis, the supplemental certificate must be executed by the warehouseman. When the warehouse receipt represents rice stored on an identity-preserved basis, the producer must execute the supplemental certificate and his responsibility will be as stated in § 601.665 of 1951 C. C. C. Grain Price Support Bulletin 1.

(d) A separate warehouse receipt must be submitted for each class, grade, and milling yield of rice.

(e) Warehouse receipts must carry an endorsement by the warehouseman in substantially the following form:

Warehouse charges through April 30, 1952, on the rice represented by this warehouse receipt have been paid or otherwise provided for, and a lien for such charges will not be claimed by the warehouseman from CCC or any subsequent holder of this warehouse receipt.

§ 601.1005 *Determination of quantity.* Loans and purchase agreements shall be made on the basis of rough rice expressed in units of 100 pounds, and fractional units of less than 100 pounds shall be disregarded. The quantity of rice placed under farm-storage loan may be determined either by weight or by measurement. The quantity of rice placed under a warehouse-storage loan or delivered under a farm-storage loan or under a purchase agreement shall be determined by weight.

In determining the quantity of sacked rice by weight, a deduction of ¾ of a pound for each 100 pounds of gross weight will be made.

When the quantity of rice is determined by measurement, a cubic foot of rice testing 45 pounds per bushel, shall be 36 pounds. The quantity determined will be the following percentages of the quantity determined for 45 pound rice:

For rice testing	*Percent*
45 pounds or over	100
44 pounds or over, but less than 45 pounds	98
43 pounds or over, but less than 44 pounds	96
42 pounds or over, but less than 43 pounds	93
41 pounds or over, but less than 42 pounds	91
40 pounds or over, but less than 41 pounds	89

Proportionately lower for rice testing below 40 pounds.

In cases where the warehouseman guarantees the quantity and quality of rice shown on the warehouse receipt or the supplemental certificate, loans will be made on 100 percent of the quantity of rice determined in accordance with this section. In all other cases, loans will be made on 95 percent of the quantity of rice so determined, and at the time of delivery, settlement will be made on the basis of the actual quantity and quality of rice delivered.

§ 601.1006 *Determination of quality.* The class, grade, grade factors, milling yield and all quality factors shall be determined in accordance with the methods set forth in the official United States Standards for Rough Rice.

At the time of making a loan on farm-stored rice or identity preserved warehouse-stored rice, the county committee will draw a representative sample of each lot of rice and obtain an official (Federal or Federal-State) sample inspection certificate for each such lot. Sample inspection fees incurred by the county committee in connection with the making of loans will be for the account of CCC.

Where quality and quantity are guaranteed by the warehouseman under a warehouse-storage loan, the quality and quantity shown on the warehouse receipt or supplemental certificate shall be the basis for settlement with the producer. In all other cases, the producer shall, prior to delivery of the rice to CCC, submit an official Federal or Federal-State lot inspection certificate dated subsequent to April 30, 1952. Lot inspection fees incurred in connection with the delivery of rice to CCC will be for the account of the producer.

§ 601.1007 *Maturity of loans.* Loans mature on demand but not later than April 30, 1952.

§ 601.1008 *Support rates.* Loans will be made, and rice delivered under pur-

chase agreements will be purchased at the support rates set forth in this section.

(a) *Basic rates.* The basic support rate for 100 pounds of rough rice in store in an approved warehouse and with all accrued charges paid through April 30, 1952, shall be computed as follows:

Multiply the yield (in pounds per hundredweight) of head rice by the applicable value factor for head rice (as shown in the table below according to class) Similarly, multiply the difference between the total yield and head rice yield (in pounds per hundredweight) by the applicable value factor for broken rice. Add the results of these two computations to obtain the basic loan or purchase rate per 100 pounds of rough rice and express such rate in dollars and cents, rounded to the nearest whole cent.

VALUE FACTORS FOR HEAD AND BROKEN RICE [1]

Rough rice class	Head rice	Broken rice
Rexoro (including Rexark), Patna, Blue Bonnet and Nira		
Fortuna, R. N., and Edith		
Blue Rose (including Improved Blue Rose, Greater Blue Rose, Kamrose and Arkrose), Magnolia, Zenith, Prelude, and Lady Wright		
Early Prolific, Pearl, Calady, Calrose and other classes		

[1] The value factors will be published as an amendment to this section shortly after Aug. 1, 1951.

(b) *Premiums and discounts.* The basic support rates, determined under paragraph (a) of this section, per 100 pounds of rough rice shall be adjusted by the following premium or discount for the grade applicable to an individual lot of rough rice:

Grade U. S. No. 1: Premium of 20 cents per 100 pounds.

Grade U. S. No. 2: Premium of 10 cents per 100 pounds.

Grade U. S. No. 3: Discount of 5 cents per 100 pounds.

Grade U. S. No. 4: Discount of 20 cents per 100 pounds.

Grade U. S. No. 5: Discount of 40 cents per 100 pounds.

§ 601.1009 *Warehouse charges.* There shall be no storage allowance on rice placed under loan or delivered to CCC under a purchase agreement. CCC will not assume any warehouse charges accruing prior to May 1, 1952, and warehouse receipts representing rice under loan or delivered to CCC under a purchase agreement must be endorsed by the warehouseman as provided in § 601.1004 (e)

§ 601.1010 *Settlement*—(a) *Farm-storage and identity preserved warehouse-storage loans.* In the case of rice delivered to CCC from farm-storage or identity preserved warehouse storage under the loan program, settlement will be made at the applicable support rate. The support rate will be for the grade and quality of the total quantity of rice delivered. The producer shall, at his expense, furnish to the county committee at the time of delivery official weight certificates and Federal or Federal-State lot inspection certificates dated subsequent to April 30, 1952. If the producer fails to furnish such weight and inspection certificates and does not pay off his loan, the county committee shall order the rice weighed-up and inspected, pay the costs of such weighing and inspection, and charge such costs to the producer when making settlement.

If the rice under farm-storage or identity preserved warehouse-storage loan is, upon delivery, of a grade and/or milling yield for which no support rate has been established, the settlement value shall be the support rate established for the grade and milling yield of the rice placed under loan, less the difference, if any, at the time of delivery, between the market price for the grade and milling yield placed under loan and the market price of the rice delivered, as determined by CCC.

(b) *Purchase agreements.* Eligible rice will be purchased at the support rate applicable to the grade and yield of the rice determined at the time of delivery to CCC.

Issued this 13th day of July 1951.

[SEAL] ELMER F. KRUSE,
Vice President,
Commodity Credit Corporation.

Approved:

G. F. GEISSLER,
President,
Commodity Credit Corporation.

[F. R. Doc. 51-8266; Filed, July 18, 1951; 8:52 a. m.]

TITLE 7—AGRICULTURE

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders), Department of Agriculture

[Lemon Reg. 391, Amdt. 1]

PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA

LIMITATION OF SHIPMENTS

a. *Findings.* 1. Pursuant to the marketing agreement, as amended, and Order No. 53, as amended (7 CFR Part 953), regulating the handling of lemons grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of the quantity of such lemons which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

2. It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice and engage in public rule making procedure (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient; and this amendment relieves restrictions on the handling of lemons grown in the State of California or in the State of Arizona.

b. *Order as amended.* The provisions in paragraph (b) (1) (ii) of § 953.493 (Lemon Regulation 391, 16 F. R. 6975) are hereby amended to read as follows:

(ii) District 2: 700 carloads.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup., 608c)

Done at Washington, D. C., this 17th day of July 1951.

[SEAL] S. R. SMITH,
Director Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 51-8416; Filed, July 18, 1951; 10:53 a. m.]

PART 979—IRISH POTATOES GROWN IN THE EASTERN SOUTH DAKOTA PRODUCTION AREA

LIMITATION OF SHIPMENTS

§ 979.305 *Limitation of shipments*—(a) *Findings.* (1) Pursuant to Marketing Agreement No. 103 and Order No. 79 (7 CFR Part 979) regulating the handling of Irish potatoes grown in the Eastern South Dakota production area, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.) and upon the basis of the recommendation and information submitted by the South Dakota Potato Committee, established under said marketing agreement and order, and other available information, it is hereby found that such limitation of shipments as hereinafter provided will tend to effectuate the declared policies of the act.

(2) It is hereby found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this section until thirty days after publication thereof in the FEDERAL REGISTER (5 U. S. C. 1001 et seq.) in that (i) shipments of the 1951 crop Irish potatoes grown in the production area will begin immediately following the effective date of this section, (ii) more orderly marketing in the public interest than would otherwise prevail will be promoted by limiting shipments of potatoes on and after the effective date hereinafter provided in the manner set forth, (iii) compliance with this section will not require any preparation on the part of handlers which cannot be completed by such effective date, (iv) a reasonable time is permitted, under the circumstances, for such preparation, (v) the time intervening between the date when adequate information became available to the South Dakota Potato Committee to make its recommendation and the time when this section must become effective in order to

effectuate the declared policy of the act is insufficient, and (vi) information regarding the committee's recommendation has been made available to producers and handlers in the production area.

(b) *Order* (1) During the period from August 1, 1951, to June 30, 1952, both dates inclusive, no handler shall ship table stock potatoes grown in the Eastern South Dakota production area, as such area is defined in Marketing Agreement No. 103 and Order No. 79, which do not meet the requirements of the U. S. No. 2, or better, grade, and which are sizes smaller than 1½ inches minimum diameter, as such grades and sizes are defined in the U. S. Standards for Potatoes (7 CFR 51.366) including the tolerances set forth therein.

(c) The terms used in this section shall have the same meaning as when used in Marketing Agreement No. 103 and Order No. 79 (7 CFR Part 979)

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup., 608c)

Done at Washington, D. C., this 16th day of July 1951, to become effective August 1, 1951.

[SEAL] S. R. SMITH,
Director Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 51-8308; Filed, July 18, 1951; 8:59 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Civil Air Regs., Amdt. 20-13]

PART 20—PILOT CERTIFICATES

AIRMAN IDENTIFICATION CARD

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 11th day of July 1951.

Currently effective Civil Air Regulations require the possession of positive identification data by airmen certificated under this part while exercising the privileges of their airman certificates. This amendment requires each holder of a pilot certificate, after September 1, 1951, except while engaged in operations conducted by scheduled air carriers, to have in his possession either an airman identification card (Form ACA 2135) issued by the Administrator or other identification card acceptable to the Administrator.

Since scheduled air carriers are required to keep airman records which afford positive identification of airline personnel, this regulation is intended to exempt airmen while engaged in operations conducted by scheduled air carriers from the requirement that they possess identification cards. Since, however, an airman may exercise the privileges of his certificate in other operations, he is required to possess while engaged in such other operations either an airman identification card or other identification card acceptable to the Administrator.

Interested persons have been afforded an opportunity to participate in the making of this amendment, and due consideration has been given to all relevant matter presented. Since the substance of this amendment, except for certain exemptions, was published as a notice of proposed rule making and has been adopted in our current regulations, further notice and public procedure are considered impracticable and contrary to the public interest. For the reasons stated above the Board finds that good cause exists for making this regulation effective immediately.

In consideration of the foregoing the Civil Aeronautics Board hereby amends Part 20 of the Civil Air Regulations (14 CFR Part 20, as amended), effective immediately, as follows:

By amending § 20.58 to read as follows:

§ 20.58 *Identification.* After September 1, 1951, the holder of a certificate issued under the provisions of this part shall not, except while engaged in operations conducted by a scheduled air carrier, exercise the privileges conferred by the certificate unless he has in his possession a current airman identification card or other identification card acceptable to the Administrator, which duly describes him. The airman identification card may be obtained from the Administrator who shall prescribe its form and the manner of applying for it.

(Sec. 205, 52 Stat. 984; 49 U. S. C. 425. Interpret or apply secs. 601, 602, 52 Stat. 1007, as amended, 1008; 49 U. S. C. 551, 552)

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 51-8256; Filed, July 18, 1951; 8:50 a. m.]

[Civil Air Regs., Amdt. 21-9]

PART 21—AIRLINE TRANSPORT PILOT RATING

AIRMAN IDENTIFICATION CARD

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 11th day of July 1951.

No provisions of the currently effective Civil Air Regulations require the possession of positive identification data by airmen certificated under this part while exercising the privileges of their airman certificates. This amendment provides in part for such identification and requires each holder of an airline transport pilot certificate, after September 1, 1951, except while engaged in operations conducted by scheduled air carriers, to have in his possession either an airman identification card (Form ACA 2135) issued by the Administrator or other identification card acceptable to the Administrator.

Since scheduled air carriers are required to keep airman records which afford positive identification of airline personnel, this regulation is intended to exempt airmen while engaged in operations conducted by scheduled air carriers from the requirement that they possess identification cards. Since, however, an airman may exercise the privileges of his certificate in other operations, he is required to possess while engaged in such other operations either an airman identification card or other identification card acceptable to the Administrator.

The airman identification card shall contain, among other data, the airman's signature, picture, and one fingerprint. To obtain an airman identification card, each applicant shall complete an application (Form ACA 2134) and shall furnish documentary evidence of his personal identification, citizenship, place and date of birth, and the type of airman certificate held. It should be noted that an expired airman identification card (Form ACA 935) issued during World War II may serve as sufficient evidence in these matters. An applicant who has once possessed this expired identification card but is unable to produce it at the time of application may substitute a letter from the Airman Records Branch, Civil Aeronautics Administration, Washington 25, D. C., which, in effect, attests to the issuance and contents of the expired card.

Interested persons have been afforded an opportunity to participate in the making of this amendment, and due consideration has been given to all relevant matter presented. Since the substance of this amendment, except for certain exemptions, was published as a notice of proposed rule making and has been adopted in our current regulations, further notice and public procedure are considered impracticable and contrary to the public interest. For the reasons stated above, the Board finds that good cause exists for making this regulation effective immediately.

In consideration of the foregoing the Civil Aeronautics Board hereby amends Part 21 of the Civil Air Regulations (14 CFR, Part 21, as amended), effective immediately, as follows:

By adding a new § 21.45 to read as follows:

§ 21.45 *Identification.* After September 1, 1951, the holder of a certificate issued under the provisions of this part shall not, except while engaged in operations conducted by a scheduled air carrier, exercise the privileges conferred by the certificate unless he has in his possession a current airman identification card or other identification card acceptable to the Administrator, which duly describes him. The airman identification card may be obtained from the Administrator who shall prescribe its form and the manner of applying for it.

(Sec. 205, 52 Stat. 984; 49 U. S. C. 425. Interpret or apply secs. 601, 602, 52 Stat. 1007, as amended, 1008; 49 U. S. C. 551, 552)

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 51-8257; Filed, July 18, 1951; 8:50 a. m.]

[Civil Air Regs., Amdt. 24-5]

PART 24—MECHANIC CERTIFICATES

AIRMAN IDENTIFICATION CARD

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 11th day of July 1951.

Currently effective Civil Air Regulations require the possession of positive identification data by airmen certificated under this part while exercising the privileges of their airman certificates. This amendment requires each holder of a mechanic certificate, after September 1, 1951, except while engaged in operations conducted by scheduled air carriers, to have in his possession either an airman identification card (Form ACA 2135) issued by the Administrator or other identification card acceptable to the Administrator.

Since scheduled air carriers are required to keep airman records which afford positive identification of airline personnel, this regulation is intended to exempt airmen while engaged in operations conducted by scheduled air carriers from the requirement that they possess identification cards. Since, however, an airman may exercise the privileges of his certificate in other operations, he is required to possess while engaged in such other operations either an airman identification card or other identification card acceptable to the Administrator.

Interested persons have been afforded an opportunity to participate in the making of this amendment, and due consideration has been given to all relevant matter presented. Since the substance of this amendment, except for certain exemptions, was published as a notice of proposed rule making and has been adopted in our current regulations, further notice and public procedure are considered impracticable and contrary to the public interest. For the reasons stated above the Board finds that good cause exists for making this regulation effective immediately.

In consideration of the foregoing the Civil Aeronautics Board hereby amends Part 24 of the Civil Air Regulations (14 CFR Part 24, as amended) effective immediately, as follows:

By amending § 24.47 to read as follows:

§ 24.47 *Identification.* After September 1, 1951, the holder of a certificate issued under the provisions of this part shall not, except while engaged in operations conducted by a scheduled air carrier, exercise the privileges conferred by the certificate unless he has in his possession a current airman identification card or other identification card acceptable to the Administrator, which duly describes him. The airman identification card may be obtained from the Administrator who shall prescribe its form and the manner of applying for it.

(Sec. 205, 52 Stat. 984; 49 U. S. C. 425. Interpret or apply secs. 601, 602, 52 Stat. 1007, as amended, 1008; 49 U. S. C. 551, 552)

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN, *Secretary.*

[F. R. Doc. 51-8258; Filed, July 18, 1951; 8:50 a. m.]

[Civil Air Regs., Amdt. 27-4]

PART 27—AIRCRAFT DISPATCHER CERTIFICATES

AIRMAN IDENTIFICATION CARD

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 11th day of July 1951.

No provisions of the currently effective Civil Air Regulations require the possession of positive identification data by airmen certificated under this part while exercising the privileges of their airman certificates. This amendment provides in part for such identification and requires each holder of an aircraft dispatcher certificate, after September 1, 1951, except while engaged in operations conducted by scheduled air carriers, to have in his possession either an airman identification card (Form ACA 2135) issued by the Administrator or other identification card acceptable to the Administrator.

Since scheduled air carriers are required to keep airman records which afford positive identification of airline personnel, this regulation is intended to exempt airmen while engaged in operations conducted by scheduled air carriers from the requirement that they possess identification cards. Since, however, an airman may exercise the privileges of his certificate in other operations, he is required to possess while engaged in such other operations either an airman identification card or other identification card acceptable to the Administrator.

The airman identification card shall contain, among other data, the airman's signature, picture, and one fingerprint. To obtain an airman identification card, each applicant shall complete an application (Form ACA 2134) and shall furnish documentary evidence of his personal identification, citizenship, place and date of birth, and the type of airman certificate held. It should be noted that an expired airman identification card (Form ACA 935) issued during World War II may serve as sufficient evidence in these matters. An applicant who has once possessed this expired identification card but is unable to produce it at the time of application may substitute a letter from the Airman Records Branch, Civil Aeronautics Administration, Washington 25, D. C., which, in effect, attests to the issuance and contents of the expired card.

Interested persons have been afforded an opportunity to participate in the making of this amendment, and due consideration has been given to all relevant matter presented. Since the substance of this amendment, except for certain exemptions, was published as a notice of proposed rule making and has been adopted in our current regulations, further notice and public procedure are considered impracticable and contrary to the public interest. For the reasons stated above the Board finds that good cause exists for making this regulation effective immediately.

In consideration of the foregoing the Civil Aeronautics Board hereby amends Part 27 of the Civil Air Regulations (14 CFR Part 27, as amended), effective immediately, as follows:

By adding a new § 27.23 to read as follows:

§ 27.23 *Identification.* After September 1, 1951, the holder of a certificate issued under the provisions of this part shall not, except while engaged in operations conducted by a scheduled air carrier, exercise the privileges conferred by the certificate unless he has in his possession a current airman identification card or other identification card acceptable to the Administrator, which duly describes him. The airman identification card may be obtained from the Administrator who shall prescribe its form and the manner of applying for it.

(Sec. 205, 52 Stat. 984; 49 U. S. C. 425. Interpret or apply secs. 601, 602, 52 Stat. 1007, as amended, 1008; 49 U. S. C. 551, 552)

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN, *Secretary.*

[F. R. Doc. 51-8259; Filed, July 18, 1951; 8:50 a. m.]

[Civil Air Regs., Amdt. 33-5]

PART 33—FLIGHT RADIO OPERATOR CERTIFICATES

AIRMAN IDENTIFICATION CARD

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 11th day of July 1951.

No provisions of the currently effective Civil Air Regulations require the possession of positive identification data by airmen certificated under this part while exercising the privileges of their airman certificates. This amendment provides in part for such identification and requires each holder of a flight radio operator certificate, after September 1, 1951, except while engaged in operations conducted by scheduled air carriers, to have in his possession either an airman identification card (Form ACA 2135) issued by the Administrator or other identification card acceptable to the Administrator.

Since scheduled air carriers are required to keep airman records which afford positive identification of airline personnel, this regulation is intended to exempt airmen while engaged in operations conducted by scheduled air carriers from the requirement that they possess identification cards. Since, however, an airman may exercise the privileges of his certificate in other operations, he is required to possess while engaged in such other operations either an airman identification card or other identification card acceptable to the Administrator.

The airman identification card shall contain, among other data, the airman's signature, picture, and one fingerprint. To obtain an airman identification card, each applicant shall complete an application (Form ACA 2134) and shall furnish documentary evidence of his personal identification, citizenship, place and date of birth, and the type of airman certificate held. It should be noted that an expired airman identification card (Form ACA 935) issued during World War II may serve as sufficient evidence in these matters. An applicant who has

once possessed this expired identification card but is unable to produce it at the time of application may substitute a letter from the Airman Records Branch, Civil Aeronautics Administration, Washington 25, D. C., which, in effect, attests to the issuance and contents of the expired card.

Interested persons have been afforded an opportunity to participate in the making of this amendment, and due consideration has been given to all relevant matter presented. Since the substance of this amendment, except for certain exemptions, was published as a notice of proposed rule making and has been adopted in our current regulations, further notice and public procedure are considered impracticable and contrary to the public interest. For the reasons stated above the Board finds that good cause exists for making this regulation effective immediately.

In consideration of the foregoing the Civil Aeronautics Board hereby amends Part 33 of the Civil Air Regulations (14 CFR Part 33, as amended), effective immediately, as follows:

By adding a new § 33.46 to read as follows:

§ 33.46 *Identification.* After September 1, 1951, the holder of a certificate issued under the provisions of this part shall not, except while engaged in operations conducted by a scheduled air carrier, exercise the privileges conferred by the certificate unless he has in his possession a current airman identification card or other identification card acceptable to the Administrator, which duly describes him. The airman identification card may be obtained from the Administrator who shall prescribe its form and the manner of applying for it.

(Sec. 205, 52 Stat. 984; 49 U. S. C. 425. Interpret or apply secs. 601, 602, 52 Stat. 1007, as amended, 1008; 49 U. S. C. 551, 552)

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN, *Secretary.*

[F. R. Doc. 51-8260; Filed, July 18, 1951; 8:51 a. m.]

[Civil Air Regs., Amdt. 34-4]

PART 34—FLIGHT NAVIGATOR CERTIFICATES

AIRMAN IDENTIFICATION CARD

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 11th day of July 1951.

No provisions of the currently effective Civil Air Regulations require the possession of positive identification data by airmen certificated under this part while exercising the privileges of their airman certificates. This amendment provides in part for such identification and requires each holder of a flight navigator certificate, after September 1, 1951, except while engaged in operations conducted by scheduled air carriers, to have in his possession either an airman identification card (Form ACA 2135) issued by the Administrator or other identification card acceptable to the Administrator.

Since scheduled air carriers are required to keep airman records which afford positive identification of airline personnel, this regulation is intended to exempt airmen while engaged in operations conducted by scheduled air carriers from the requirement that they possess identification cards. Since, however, an airman may exercise the privileges of his certificate in other operations, he is required to possess while engaged in such other operations either an airman identification card or other identification card acceptable to the Administrator.

The airman identification card shall contain, among other data, the airman's signature, picture, and one fingerprint. To obtain an airman identification card, each applicant shall complete an application (Form ACA 2134) and shall furnish documentary evidence of his personal identification, citizenship, place and date of birth, and the type of airman certificate held. It should be noted that an expired airman identification card (Form ACA 935) issued during World War II may serve as sufficient evidence in these matters. An applicant who has once possessed this expired identification card but is unable to produce it at the time of application may substitute a letter from the Airman Records Branch, Civil Aeronautics Administration, Washington 25, D. C., which, in effect, attests to the issuance and contents of the expired card.

Interested persons have been afforded an opportunity to participate in the making of this amendment, and due consideration has been given to all relevant matter presented. Since the substance of this amendment, except for certain exemptions, was published as a notice of proposed rule making and has been adopted in our current regulations further notice and public procedure are considered impracticable and contrary to the public interest. For the reasons stated above the Board finds that good cause exists for making this regulation effective immediately.

In consideration of the foregoing the Civil Aeronautics Board hereby amends Part 34 of the Civil Air Regulations (14 CFR Part 34, as amended), effective immediately, as follows:

By adding a new § 34.20 to read as follows:

§ 34.20 *Identification.* After September 1, 1951, the holder of a certificate issued under the provisions of this part shall not, except while engaged in operations conducted by a scheduled air carrier, exercise the privileges conferred by the certificate unless he has in his possession a current airman identification card or other identification card acceptable to the Administrator, which duly describes him. The airman identification card may be obtained from the Administrator who shall prescribe its form and the manner of applying for it.

(Sec. 205, 52 Stat. 984; 49 U. S. C. 425. Interpret or apply secs. 601, 602, 52 Stat. 1007, as amended, 1008; 49 U. S. C. 551, 552)

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN, *Secretary.*

[F R. Doc. 51-8261; Filed, July 18, 1951; 8:51 a. m.]

[Civil Air Regs. Amdt. 35-4]

PART 35—FLIGHT ENGINER CERTIFICATES

AIRMAN IDENTIFICATION CARD

Adopted by the Civil Aeronautics Board at its office in Washington, D. C. on the 11th day of July 1951.

No provisions of the currently effective Civil Air Regulations require the possession of positive identification data by airmen certificated under this part while exercising the privileges of their airman certificates. This amendment provides in part for such identification and requires each holder of a flight engineer certificate, after September 1, 1951, except while engaged in operations conducted by scheduled air carriers, to have in his possession either an airman identification card (Form ACA 2135) issued by the Administrator or other identification card acceptable to the Administrator.

Since scheduled air carriers are required to keep airman records which afford positive identification of airline personnel, this regulation is intended to exempt airmen while engaged in operations conducted by scheduled air carriers from the requirement that they possess identification cards. Since, however, an airman may exercise the privileges of his certificate in other operations, he is required to possess while engaged in such other operations either an airman identification card or other identification card acceptable to the Administrator.

The airman identification card shall contain, among other data, the airman's signature, picture, and one fingerprint. To obtain an airman identification card, each applicant shall complete an application (Form ACA 2134) and shall furnish documentary evidence of his personal identification, citizenship, place and date of birth, and the type of airman certificate held. It should be noted that an expired airman identification card (Form ACA 935) issued during World War II may serve as sufficient evidence in these matters. An applicant who has once possessed this expired identification card but is unable to produce it at the time of application may substitute a letter from the Airman Records Branch, Civil Aeronautics, Administration, Washington 25, D. C., which, in effect, attests to the issuance and contents of the expired card.

Interested persons have been afforded an opportunity to participate in the making of this amendment, and due consideration has been given to all relevant matter presented. Since the substance of this amendment except for certain exemptions, was published as a notice of proposed rule making and has been adopted in our current regulations, further notice and public procedure are con-

sidered impracticable and contrary to the public interest. For the reasons stated above the Board finds that good cause exists for making this regulation effective immediately.

In consideration of the foregoing the Civil Aeronautics Board hereby amends Part 35 of the Civil Air Regulations (14 CFR Part 35, as amended) effective immediately, as follows:

By adding a new § 35.21 to read as follows:

§ 35.21 *Identification.* After September 1, 1951, the holder of a certificate issued under the provisions of this part shall not, except while engaged in operations conducted by a scheduled air carrier, exercise the privileges conferred by his certificate unless he has in his possession a current airman identification card or other identification card acceptable to the Administrator, which duly describes him. The airman identification card may be obtained from the Administrator who shall prescribe its form and the manner of applying for it.

(Sec. 205, 52 Stat. 984; 49 U. S. C. 425. Interpret or apply secs. 601, 602, 52 Stat. 1007, as amended, 1003; 49 U. S. C. 551, 552)

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN, *Secretary.*

[F. R. Doc. 51-8262; Filed, July 18, 1951; 8:51 a. m.]

[Amdt. 70, Supp. 70]

PART 60—AIR TRAFFIC RULES

MISCELLANEOUS AMENDMENTS

The danger area alterations appearing hereinafter have been coordinated with the civil operators involved, the Army, the Navy, and the Air Force, through the Air Coordinating Committee, Airspace Subcommittee, and are adopted when indicated in order to promote safety of the flying public. Compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act would be impracticable and contrary to the public interest, and therefore is not required. Title 14, § 60.13-1 is amended as follows:

1. The South Wellfleet, Massachusetts, area, published on March 6, 1951, in 16 F. R. 2051, is revised to read:

Name and location (chart)	Description by geographical coordinates	Designated altitudes	Time of designation	Using agency
SOUTH WELLFLEET (Boston Chart).	Beginning at lat. 42°05'55" N, long. 70°02'10" W; southerly paralleling the shoreline at a distance of 3 nautical miles to lat. 41°48'30" N, long. 69°51'50" W; NW to the town of North Eastham, Mass.; northerly along the railroad to the town of South Wellfleet, Mass.; northerly to lat. 42°05'55" N, long. 70°02'10" W, point of beginning.	Surface to unlimited.	Continuous.	Headquarters, 1st Army and 321 Fighter Interceptor Wing Otis AFB, Falmouth, Mass.

2. The Matagorda Island, Texas, area, published on November 10, 1950, in 15 F. R. 7548, and revised on April 17, 1951, in 16 F. R. 3333, is further revised by deleting Area I.

3. The Pendleton, Virginia, area, published on July 16, 1949, in 14 F. R. 4296, is amended by changing the "Description by Geographical Coordinates" column to read: "Beginning at lat. 36°45'41" N, long. 75°54'40" W· southerly paralleling the shoreline at a distance of 3 nautical miles to lat. 36°34'33" N, long. 75°48'40" W· NW to lat. 36°45'05" N, long. 75°56'10" W; clockwise along the arc of a circle with a radius of 2 nautical miles centered at lat. 36°46'48" N, long. 75°57'24" W to lat. 36°48'33" N, long. 75°56'10" W; NE to lat. 36°50'41" N, long. 75°54'40" W, point of beginning."

4. A Eureka, Washington, area is added to read:

Name and location (chart)	Description by geographical coordinates	Designated altitudes	Time of designation	Using agency
EUREKA (Spokane Chart).	N boundary: lat. 46°23'12" N; S boundary: lat. 46°21'15" N; E boundary: long. 118°53'30" W; W boundary: long. 118°55'30" W.	Surface to 20,000 feet.	Daylight hours, 7 days a week.	Organized Naval Reserve, Naval Air Station, Spokane, Wash.

5. The Camp Tortuguero, Puerto Rico, area, published on June 19, 1951, in 16 F. R. 5834, is deleted.

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interprets or applies sec. 601, 52 Stat. 1007, as amended; 49 U. S. C. 551)

This amendment shall become effective on July 19, 1951.

[SEAL] F. B. LEE, *Acting Administrator of Civil Aeronautics.*

[F. R. Doc. 51-8243; Filed, July 18, 1951; 8:47 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket 5483]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

CLAY PRODUCTS ASSN., INC., ET AL.

Subpart—*Aiding, assisting and abetting unfair or unlawful act or practice:* § 3.290 *Aiding, assisting and abetting unfair or unlawful act or practice.* Subpart—*Combining or conspiring:* § 3.400 *To discriminate or stabilize prices through basing point or delivered price systems;* § 3.420 *To enhance, maintain or unify prices.* Subpart—*Discriminating in price under section 5, Federal Trade Commission Act;* § 3.880 *Delivered price systems.* Subpart—*Selling and quoting on systematic price matching bases:* § 3.2193 *Zone, freight equalization and other delivered price systems.* I. In or in connection with the offering for sale, sale, or distribution in commerce, of vitrified clay sewer pipe or fittings, and on the part of fourteen producers of said products, and on the part of their respective officers, etc., entering into, continuing, cooperating in, or carrying out, any planned common course of action, understanding, agreement, combination or conspiracy between or among any two or more of said respondents, or between any one or more of said respondents and others not parties hereto, to (1) fix or maintain prices for vitrified clay sewer pipe, or fittings; (2) compose or announce prices for vitrified clay sewer pipe, or fittings, for any destination at which the respondents quote prices or sell their products, through the use of or in accordance with a basic price list, or percentage discounts therefrom, for the purpose or with the effect of systematically matching or making the same delivered price quotations at any such destination by any two or more respondents; (3) use in common any freight rate compilation as a factor in fixing or announcing prices of vitrified clay sewer pipe, or fittings, which results in uniform delivered prices at any given destination as between any two or more of the respondents; (4) use in common a zoning method of computing or formulating delivered price quotations for any such products by which any respondent is enabled to, and does, match its quotations on a delivered basis with the quotations of other respondents; (5) engage in any practice of discriminating in price as between different purchasers of such products of like grade, quality and quantity, for the purpose or with the effect of matching the price quotations of other respondents; (6) establish or maintain uniform terms or conditions of sale to dealers, or allocate sales between and among the respondents or dealers; or, (7) establish or maintain a list of jobbers, the terms and conditions of sale to jobbers, or allocate sales between and among the respondents or jobbers; and, II, collectively, concertedly or by combination of two or more of said respondents, using or maintaining the respondent Clay Products Association, Inc., as a medium for promoting, aiding, or rendering more effective any cooperative or concerted efforts to suppress or eliminate competition in the sale of vitrified clay sewer pipe, or fittings, in any of the respects above set forth; and, III, knowingly contributing to the accomplishment of any of the aforesaid acts, practices or things above prohibited, on the part of said association and said producers, and their respective officers, etc., prohibited, subject to the provision, however, that nothing contained in the order shall be

construed as prohibiting the establishment or maintenance of any lawful bona fide agreements, discussions or other action solely between any corporate respondent and its directors, officers and employees, or between any corporate respondent and any of its subsidiaries or affiliates, and relating solely to the carrying on of the business of such corporation and its subsidiaries or affiliates, when not for the purpose or with the effect of restricting competition.

(Sec. 6, 38 Stat. 721; 15 U. S. C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U. S. C. 45) [Cease and desist order, Clay Products Association, Inc., et al., Docket 5483, April 19, 1951]

In the Matter of Clay Products Association, Inc., American Vitrified Products Co., Blackmer & Post Pipe Co., Cannelton Sewer Pipe Co., Lehigh Sewer Pipe & Tile Co., Red Wing Sewer Pipe Corporation, The Robinson Clay Products Co., What Cheer Clay Products Co., White Hall Sewer Pipe & Stoneware Co., Streator Drain Tile Co., W S. Dickey Clay Manufacturing Co., Laclede Christy Clay Products Co., Evens & Howard Sewer Pipe Co., Iowa Pipe & Tile Co., Clay City Pipe Co., Denver Sewer Pipe & Clay Co., Standard Fire Brick Co., Lovell Clay Products Co., and Agate Sewer Pipe Co.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, substitute answers thereto filed by the respondents (except American Vitrified Products Company, Robinson Clay Product Company, Clay City Pipe Company, and Agate Sewer Pipe Co.) admitting for the purposes of this proceeding all of the material allegations of fact set forth in the complaint and waiving all intervening procedure and further hearings as to said facts, and certain memoranda of counsel in support of the complaint and of counsel for the respondents (except American Vitrified Products Company, Robinson Clay Product Company, Clay City Pipe Company, and Agate Sewer Pipe Co.) attached to which memoranda was a proposed form of order to cease and desist; and the Commission having declined to dispose of the proceeding by the entry of an order to cease and desist in the form recommended, but having served upon the respondents an order in a form proposed by the Commission for entry as its order to cease and desist and granting the respondents leave to file any objections they might have to the entry of such order (the respondents having filed no objections thereto) and the Commission having made its findings as to the facts and its conclusion that the respondents (except American Vitrified Products Company, Robinson Clay Product Company, Clay City Pipe Company, and Agate Sewer Pipe Co.) have violated the provisions of section 5 of the Federal Trade Commission Act:

It is ordered, That the respondents, Blackmer & Post Pipe Co., Cannelton Sewer Pipe Company, Lehigh Sewer Pipe & Tile Co., Red Wing Sewer Pipe Corporation, What Cheer Clay Products Company, White Hall Sewer Pipe & Stoneware Co., Streator Drain Tile Co., W S. Dickey Clay Manufacturing Company, Laclede-Christy Clay Products Company, Evens & Howard Sewer Pipe Company, Iowa Pipe & Tile Company, The Denver Sewer Pipe & Clay Company, The Standard Fire Brick Company, and The Lovell Clay Products Company, and their respective officers, agents, representatives and employees, in or in connection with the offering for sale, sale or distribution in commerce between and among the several states of the United States and in the District of Columbia of vitrified clay sewer pipe or fittings, do forthwith cease and desist from entering into, continuing, cooperating in, or carrying out, any planned common course of action, understanding, agreement, combination or conspiracy between or among any two or more of said respondents, or between any one or more of said respondents and others not parties hereto, to do or perform any of the following acts, practices or things:

1. Fixing or maintaining prices for vitrified clay sewer pipe, or fittings.

2. Composing or announcing prices for vitrified clay sewer pipe, or fittings, for any destination at which the respondents quote prices or sell their products, through the use of or in accordance with a basic price list, or percentage discounts therefrom, for the purpose or with the effect of systematically matching or making the same delivered price quotations at any such destination by any two or more respondents.

3. Using in common any freight rate compilation as a factor in fixing or announcing prices of vitrified clay sewer pipe, or fittings, which results in uniform delivered prices at any given destination as between any two or more of the respondents.

4. Using in common a zoning method of computing or formulating delivered price quotations for any such products by which any respondent is enabled to, and does, match its quotations on a delivered basis with the quotations of other respondents.

5. Engaging in any practice of discriminating in price as between different purchasers of such products of like grade, quality and quantity, for the purpose or with the effect of matching the price quotations of other respondents.

6. Establishing or maintaining uniform terms or conditions of sale to dealers, or allocating sales between and among the respondents or dealers.

7. Establishing or maintaining a list of jobbers, the terms and conditions of sale to jobbers, or allocating sales between and among the respondents or jobbers.

It is further ordered, That the respondents, Blackmer & Post Pipe Co., Cannelton Sewer Pipe Company, Lehigh Sewer Pipe & Tile Co., Red Wing Sewer Pipe Corporation, What Cheer Clay Products Company, White Hall Sewer Pipe & Stoneware Co., Streator Drain Tile Co., W S. Dickey Clay Manufacturing Company, Laclede-Christy Clay Products Company, Evens & Howard Sewer Pipe Company, Iowa Pipe & Tile Company, The Denver Sewer Pipe & Clay Company, The Standard Fire Brick Company, and The Lovell Clay Products Company, and their respective officers, agents, representatives and employees, do forthwith cease and desist from collectively, concertedly, or by combination of two or more of said respondents, using or maintaining the Clay Products Association, Inc., as a medium for promoting, aiding, or rendering more effective any cooperative or concerted efforts to suppress or eliminate competition in the sale of vitrified clay sewer pipe, or fittings, in any of the respects set forth in the immediately preceding preamble and subparagraphs 1 to 7, inclusive, of this order as set forth above.

It is further ordered, That each of the respondents, Clay Products Association, Inc., Blackmer & Post Pipe Co., Cannelton Sewer Pipe Company, Lehigh Sewer Pipe & Tile Co., Red Wing Sewer Pipe Corporation, What Cheer Clay Products Company, White Hall Sewer Pipe & Stoneware Co., Streator Drain Tile Co., W S. Dickey Clay Manufacturing Company, Laclede-Christy Clay Products Company, Evens & Howard Sewer Pipe Company, Iowa Pipe & Tile Company, The Denver Sewer Pipe & Clay Company, The Standard Fire Brick Company, and The Lovell Clay Products Company, and their respective officers, agents, representatives and employees, do forthwith cease and desist from knowingly contributing to the accomplishment of any of the acts, practices or things prohibited in the preamble and subparagraphs 1 to 7, inclusive, of this order as set forth above.

It is further ordered, That nothing contained in this order shall be construed as prohibiting the establishment or maintenance of any lawful bona fide agreements, discussions or other action solely between any corporate respondent and its directors, officers and employees, or between any corporate respondent and any of its subsidiaries or affiliates, and relating solely to the carrying on of the business of such corporation and its subsidiaries or affiliates, when not for the purpose or with the effect of restricting competition.

It is further ordered, For reasons appearing in the Commission's findings as to the facts in this proceeding, that the allegations of Count I of the complaint herein be, and they hereby are, dismissed as to American Vitrified Products Company, Robinson Clay Product Company, Clay City Pipe Company, and Agate Sewer Pipe Co., without prejudice, however, to the right of the Commission to take such further action against these respondents in respect to said allegations at any time in the future as may be warranted by the then existing circumstances.

It is further ordered, That the allegations of Count II of the complaint be, and they hereby are, dismissed as to all of the respondents.

It is further ordered, That the respondents (except American Vitrified Products Company, Robinson Clay Product Company, Clay City Pipe Company, and Agate Sewer Pipe Co.) 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.

Issued: April 19, 1951.

By the Commission.

[SEAL] D. C. DANIEL, *Secretary.*

[F. R. Doc. 51-8241; Filed, July 18, 1951; 8:45 a. m.]

TITLE 15—COMMERCE AND FOREIGN TRADE

Chapter III—Bureau of Foreign and Domestic Commerce, Department of Commerce

Subchapter C—Office of International Trade

[5th Gen. Rev. of Export Regs., Amdt. 65[1]]

PART 371—GENERAL LICENSES

PART 373—LICENSING POLICIES AND RELATED SPECIAL PROVISIONS

MISCELLANEOUS AMENDMENTS

1. Section 371.25 *General license GMC, unmanufactured cotton of Mexican growth* is amended to read as follows:

§ 371.25 *General license GMC, unmanufactured cotton.* A general license designated GMC is hereby established, authorizing the exportation of raw cotton and linters, Schedule B Nos. 300311, 300312, 300402, 300403, 300405, and 300406, of the growth of any North or South American country (other than the United States) as listed in Schedule C of the Bureau of the Census: *Provided,* Such cotton and linters are exported from U. S. Bureau of Customs custody and no consumption entry therefor has been officially accepted at a United States customhouse.

This part of the amendment shall become effective as of July 12, 1951.

2. Part 373 Licensing Policies and Related Special Provisions is amended to add the following provisions under § 373.15.[2]

§ 373.15 *Special provisions for sugar*—(a) *Application requirements.* Applications for licenses to export all sugars, classified under Schedule B No. 161905, except glypho syrup and maple sugars, must indicate whether quota sugar (sugar domestically produced or imported for domestic consumption under the Sugar Act of 1948) or non-quota sugar (refined sugar produced from world raw sugar imported under bond for the purpose of refining and re-export) is to be exported.

If non-quota sugar is to be exported, the application must be accompanied by the following certification:

I (we) hereby certify that the sugar covered by this application is refined sugar produced from world raw sugar imported for the purpose of refining and re-exporting, in compliance with a bond (Form SU-17 of the U. S. Department of Agriculture), filed by (name of refiner) with the U. S. Department of Agriculture, covering entry No. ------ pursuant to the Sugar Act of 1948.

If quota sugar is to be exported, the applicant shall state "quota" under item 9 (b) of the license application, Form IT-419.

(b) *Definition.* As used in this section the term "world raw sugar" excludes sugar imported in bond from any of the territories and possessions of the United States.

This part of the amendment shall become effective as of June 1, 1951.

(Sec. 3, 63 Stat. 7; 50 U. S. C. App. Sup. 2023. E. O. 9630, Sept. 27, 1945, 10 F. R. 12245; 3 CFR, 1945 Supp.; E. O. 9919, Jan. 3, 1948, 13 F. R. 59; 3 CFR, 1948 Supp.)

LORING K. MACY, *Acting Director, Office of International Trade.*

[F. R. Doc. 51-8265; Filed, July 18, 1951; 8:51 a. m.]

[1] This amendment was published in Current Export Bulletin No. 628, dated July 12, 1951.

[2] The former provisions of this section were deleted by Amdt. No. 31, 15 F. R. 8925; Current Export Bulletin No. 596, dated December 7, 1950.

TITLE 29—LABOR

Chapter V—Wage and Hour Division, Department of Labor

PART 661—BANKING, INSURANCE AND FINANCE INDUSTRIES IN PUERTO RICO

MINIMUM WAGE ORDER

Pursuant to the Administrative Procedure Act (60 Stat. 237; 5 U. S. C., Supp. 1001) notice was published in the FEDERAL REGISTER on June 20, 1951 (16 F. R. 5874) of my decision to approve the minimum wage recommendation of Special Industry Committee No. 9 for Puerto Rico for the Banking, Insurance and Finance Industries in Puerto Rico, and the wage order which I proposed to issue to carry such recommendation into effect was published therewith. Interested parties were given an opportunity to submit exceptions within 15 days of the date of publication of the notice.

No exceptions were received within the 15-day period.

Accordingly, pursuant to authority under the Fair Labor Standards Act of 1938, as amended (52 Stat. 1060, as amended (29 U. S. C. 201) the said decision is hereby affirmed and made final, and the said wage order is hereby issued, to become effective August 13, 1951.

Sec.
661.1 Approval of recommendation of industry committee.
661.2 Wage rate.
661.3 Notices of order.
661.4 Definition of the banking, insurance and finance industries in Puerto Rico.

AUTHORITY: §§ 661.1 to 661.4 issued under sec. 8, 63 Stat. 915; 29 U. S. C. Sup. 203. Interpret or apply sec. 5, 63 Stat. 911; 29 U. S. C. Sup. 205.

§ 661.1 *Approval of recommendation of industry committee.* The Committee's recommendation is hereby approved.

§ 661.2 *Wage rate.* Wages at a rate of not less than 58 cents per hour shall be paid under section 6 of the Fair Labor Standards Act of 1938, as amended, by every employer to each of his employees in the banking, insurance and finance industries in Puerto Rico who is engaged in commerce or in the production of goods for commerce.

§ 661.3 *Notices of order.* Every employer employing any employees so engaged in commerce or in the production of goods for commerce in the banking, insurance and finance industries in Puerto Rico shall post and keep posted in a conspicuous place in each department of his establishment where such employees are working such notices of this order as shall be prescribed from time to time by the Wage and Hour Division of the United States Department of Labor and shall give such other notice as the Division may prescribe.

§ 661.4 *Definition of the banking, insurance and finance industries in Puerto Rico.* The business, whether or not for profit, carried on by any banking, insurance or other financial institution or enterprise.

Signed at Washington, D. C., this 10th day of July 1951.

WM. R. MCCOMB, *Administrator, Wage and Hour and Public Contracts Divisions.*

[F. R. Doc. 51-8247 Filed, July 18, 1951; 8:47 a. m.]

PART 705—DECORATIONS AND PARTY FAVORS INDUSTRY IN PUERTO RICO

MINIMUM WAGE ORDER

Pursuant to the Administrative Procedure Act (60 Stat. 237; 5 U. S. C., Supp. 1001) notice was published in the FEDERAL REGISTER on June 21, 1951 (16 F. R. 5902) of my decision to approve the minimum wage recommendation of Special Industry Committee No. 9 for Puerto Rico for the Decorations and Party Favors Industry in Puerto Rico, and the wage order which I proposed to issue to carry such recommendation into effect was published therewith. Interested parties were given an opportunity to submit exceptions within 15 days of the date of publication of the notice.

No exceptions were received within the 15-day period.

Accordingly, pursuant to authority under the Fair Labor Standards Act of 1938, as amended (52 Stat. 1060, as amended; 29 U. S. C. 201) the said decision is hereby affirmed and made final, and the said wage order is hereby issued, to become effective August 13, 1951.

Sec.
705.1 Approval of recommendation of industry committee.
705.2 Wage rate.
705.3 Notices of order.
705.4 Definition of the Decorations and Party Favors Industry in Puerto Rico.

AUTHORITY: §§ 705.1 to 705.4 issued under sec. 8, 63 Stat. 915; 29 U. S. C. Sup. 203. Interpret or apply sec. 5, 63 Stat. 911; 29 U. S. C. Sup. 205.

§ 705.1 *Approval of recommendation of industry committee.* The Committee's recommendation is hereby approved.

§ 705.2 *Wage rate.* Wages at a rate of not less than 30 cents per hour shall be paid under section 6 of the Fair Labor Standards Act of 1938, as amended, by every employer to each of his employees in the decorations and party favors industry in Puerto Rico who is engaged in commerce or in the production of goods for commerce.

§ 705.3 *Notices of order* Every employer employing any employees so engaged in commerce or in the production of goods for commerce in the decorations and party favors industry in Puerto Rico shall post and keep posted in a conspicuous place in each department of his establishment where such employees are working such notices of this order as shall be prescribed from time to time by the Wage and Hour Division of the United States Department of Labor and shall give such other notice as the Division may prescribe.

§ 705.4 *Definition of the decorations and party favors industry in Puerto Rico.* The manufacture of ornaments and decorations for Christmas and other holidays, party favors and souvenirs, and similar items primarily ornamental or decorative in character.

Signed at Washington, D. C., this 10th day of July 1951.

WM. R. MCCOMB,
Administrator Wage and Hour and Public Contracts Divisions.

[F. R. Doc. 51-8248; Filed, July 18, 1951; 8:48 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter V—Department of the Army

Subchapter B—Claims and Accounts

PART 538—ALLOTMENTS OF PAY

CLASS Q ALLOTMENTS

Section 538.13 is amended to read as follows:

§ 538.13 *Class Q allotment*—(a) *Requirements*—(1) *General.* (i) Except as provided for in subdivisions (ii) and (iii) of this subparagraph, before an enlisted member is entitled to credit for basic allowance for quarters for dependents, he must have in effect an allotment of pay to be known as class Q to his dependent or dependents in an amount equal to the applicable rate for basic allowance for quarters, plus:

(*a*) $40, if service member is in grade E-1, E-2, or E-3;

(*b*) $60, if service member is in grade E-4 or E-5; or

(*c*) $80, if service member is in grade E-6 or E-7.

The allotment required for any month shall be based upon the lowest rate of basic allowance for quarters to which the member is entitled and the lowest pay grade in which the member is serving during such month; however, no change in allotment will be made for such month to meet this requirement. Therefore, if the member is promoted or demoted or acquires or loses a dependent after the first day of the month, he will be credited with an applicable amount for basic allowance for quarters for such period, but no change in allotment is required for that month; however, if the change results in an increase in the amount of the class Q allotment requirement, a new class Q allotment will be required, effective the first of the following month in an applicable amount. Any necessary adjustment will be made on the pay record. Whenever change in grade or dependency occurs which will affect the amount of the class Q allotment or allotments, forms necessary to cancel the old allotment and initiate a new allotment (effective first of following month) will be submitted. If a member acquires a dependent on the first day of the month or is promoted effective on the first day of the month, or both, the applicable increase in the minimum amount required to be allotted must be effective for such month instead of the first of the succeeding month. The total class Q allotment or allotments of an enlisted member must not be less than the amount of the class Q allotment or allotments required to be established, but may exceed such figure.

(ii) When an enlisted member claims credit for basic allowance for quarters for dependents and determination of dependency or relationship for all dependents claimed is to be made by the Commanding General, Army Finance Center, the member must have in effect a class Q allotment in an amount not less than the member's required contribution pending approval of dependency or relationship. Credit for basic allowance for quarters will not be entered on the military pay record until determination of dependency or relationship is made and appropriate adjustment instructions are furnished by the Commanding General, Army Finance Center. If more than one category of dependent is involved, the apportionment of the allotments should be made by the enlisted member. In determining dependency of a parent, the total amount to be allotted will be considered instead of the amount actually allotted pending dependency determination. If the dependency of the parent is disapproved, the member will be informed of the disapproval and advised that the allotment currently in effect will continue unless he takes action to change or discontinue the allotment. If the member desires to change the allotment after notice of disapproval, he will do so by discontinuing the class Q allotment and initiating a class E allotment. If the relationship of the wife and child is established and the dependency of the parent is disapproved, or vice versa, the Commanding General, Army Finance Center, will increase the allotment to the eligible dependent to the minimum amount required by the Dependents Assistance Act of 1950 (Pub. Law 771, 81st Cong.) and discontinue the allotment to the ineligible dependent. The member's disbursing office will be advised of proper entries to be made on the military pay record to coincide with the action taken. The disbursing officer will notify the personnel officer of the action taken. The personnel officer will advise the member to initiate a class E allotment if he desires to continue support to the ineligible dependent. If the entire claim is disapproved, the allotment authorizations will continue in effect until the member takes action to change or discontinue the allotments, but credit for basic allowance for quarters will not be entered on the military pay record.

(iii) When an enlisted member claims credit for basic allowance for quarters for dependents and determination of dependency or relationship for any part of the claim is to be made by the Commanding General, Army Finance Center, the member must have in effect a class Q allotment or allotments in an amount not less than the applicable rate of basic allowance for quarters for which determination of dependency has been made by the disbursing officer, plus the amount of the member's required contribution. Credit for basic allowance for quarters will be entered on the military pay record for that portion of the approved claim and allotment deductions made in accordance with the allotment authorization(s) A signed statement will be entered on the reverse of the dependency certificate on which determination of dependency has been made authorizing an increase to the existing allotment or allotments to an amount not less than the minimum required to be allotted in the event of approval and indicating the apportionment desired. In determining the dependency of a parent, the total amount to be allotted will be considered instead of the amount actually allotted pending dependency determination. If the dependency of the parent is disapproved, the Commanding General, Army Finance Center, will increase the existing allotment to the wife to the minimum amount required by the Dependents Assistance Act of 1950 and discontinue the allotment to the parent. The member's disbursing officer will be advised of the disapproval. The disbursing officer will notify the personnel officer of the action taken. The personnel officer will advise the member to initiate a class E allotment if he desires to continue support to the ineligible dependent.

(2) *Court order or written agreement*—(i) *Support of child limited by court decree.* Where a divorce decree specifies amount the enlisted member is to pay for the child's support, custody of whom is given the divorced wife, the amount required to be allotted must equal the sum specified in the decree or the applicable amount of basic allowance for quarters, whichever is greater. However, should the parties enter into a valid written agreement as to the actual amount required for the support of the child, the allotment may be modified to the applicable amount of basic allowance for quarters or the amount fixed by such agreement, whichever is greater. In no event will the member be required to allot more than the basic allowance for quarters plus the member's required contribution for his grade.

(ii) *Support for wife limited by separation agreement or court degree.* When support for the wife is limited by separation agreement or court decree, the amount required to be allotted must equal the sum specified in the written agreement or court order, or the amount

of the applicable basic allowance for quarters, whichever is greater. In no event will the member be required to allot more than the basic allowance for quarters plus the member's required contribution for his grade.

(iii) *Support of wife in an institution.* When support of a wife for maintenance in an institution is fixed at a sum less than the amount required to be allotted on her behalf, the allotment may not be less than the minimum amount required by the Dependents Assistance Act of 1950. However, the enlisted member may make the allotment payable to a bank for credit to his account, for the support of dependents, against which he may draw and pay the institution the required amount as long as she remains in said institution, or he may make the allotment payable in his favor as custodian of said dependent.

(iv) *Conversion to foreign currency.* An allotment may not be reduced to an amount less than that required by the Dependents Assistance Act of 1950, even though such allotment when converted to foreign currency exceeds the actual requirements of the dependent.

(3) *Months not required.* No class Q allotment or allotments will be required for the calendar month:

(i) In which the member enters on active duty in a pay status if the allotment is effective from the first day of the following month;

(ii) In which such member is released from active duty or is discharged if not immediately reenlisted (class Q allotment will be discontinued the end of the month preceding separation; however, should there be sufficient time for WD AGO Form 30-S (Allotment Discontinuance) to reach the Army Finance Center by the 20th of the month, amount of class Q allotment will be debited on the military pay record and WD AGO Form 30-S will be prepared to discontinue allotment at end of month in which separation occurs);

(iii) In which such member is assigned Government quarters for himself and his dependents or assignment of such quarters is terminated;

(iv) In which dependency ceases;

(v) In which dependency commences if the allotment is effective from the first day of the following month;

(vi) In which death occurred, in the event of death of the service member.

(4) *Apportionment.* If a class Q allotment involves more than one payee, the following apportionment will govern in the order stated:

(i) Where the member has made the apportionment, such apportionment will govern in the absence of a valid and reasonable objection by any allottee.

(ii) Where the member cannot or will not make the apportionment, the prospective allottees may agree to an apportionment among themselves.

(iii) In all other cases, lawful wives and children will be given maximum consideration equally to a minimum of 80 percent of the total amount available, with the wife receiving twice as much as any one child and other dependents will have the remaining amount apportioned equally among them.

(b) *Application by or on behalf of dependent.* (1) The question of whether or not an enlisted member desires to claim the basic allowance for quarters for his dependent or dependents generally should be resolved by such enlisted member. However, the Commanding General, Army Finance Center, may authorize and direct the payment of the basic allowance for quarters for dependents and the establishment and payment of the class Q allotment or allotments as he shall determine to be in conformity with the regulations in this part for any enlisted member who does not claim such allowance.

(2) (i) *Wife or child.* Upon application by or on behalf of a wife or child, the enlisted member will be advised by his immediate commanding officer that an application has been received by or on behalf of such wife or child, and the enlisted member will be requested to initiate a class Q allotment to provide for the support of his wife or child. The enlisted member also will be advised that the Secretary of the service concerned has the authority to make such class Q allotments for the support of his dependents if he does not do so. The commanding officer will notify the Commanding General, Army Finance Center, of the circumstances, giving information such as a statement that the enlisted member refuses to initiate the required class Q allotment, a statement of the reason given by the enlisted member for not authorizing the class Q allotment, or any pertinent information regarding the situation, such as the service member's inaccessibility. Upon determination by the Commanding General, Army Finance Center, that such dependency does in fact exist, he will authorize payment of a class Q allotment to or on behalf of the wife or child in the amount of the basic allowance for quarters to which the enlisted member is entitled from the date on which the claim was received by the Army Finance Center or from the date in the month upon which the dependency status began, whichever is later. The Commanding General, Army Finance Center, will initiate a class Q allotment or allotments in the full amount to include the enlisted member's mandatory contribution, effective the first day of a current month. The disbursing officer will be notified of the credit for basic allowance for quarters and the proper allotment deductions by the Commanding General, Army Finance Center. A copy of the notification will be furnished the commanding officer of the enlisted member for the information of the enlisted member. The enlisted member will not be permitted to modify or stop a class Q allotment which has been established by the Commanding General, Army Finance Center, but he may furnish such information as he desires if he wishes to contest the establishment and payment of the class Q allotment. The information of the service member, over his signature, together with any additional information the commanding officer may have, will be submitted to the Dependency Division, Army Finance Center. The Commanding General, Army Finance Center, then will take such action as may be necessary to stop, modify, or restrict the class Q allotments.

(ii) *Parent.* In the absence of a court order or decree requiring the support of a parent, no action will be taken to establish an allotment for a parent without the application of the enlisted member. Claims by or on behalf of a parent will be referred in every case to the commanding officer of the enlisted member concerned. If the parent submits a court order or decree requiring the support of such parent and the enlisted member did provide over 50 percent of the parent's support, a class Q allotment may be authorized under the same procedures as in subparagraph (1) of this paragraph. Any amount designated by the court which would provide less than half of the parent's support will not cause the authorization of class Q allotment unless specifically requested by the enlisted member and other conditions of entitlement exist.

(iii) *Missing.* The procedure prescribed in this paragraph does not apply to dependents of enlisted members who are missing, missing in action, interned in a neutral country, captured by an enemy, beleaguered, or besieged.

(3) Upon application by or on behalf of any dependent of an enlisted member who has in effect a class Q allotment, the Commanding General, Army Finance Center, will modify such class Q allotments as may be necessary under this section.

[C 1, SR 35-1405-15, 14 June 1951] Sec. 332, 63 Stat. 812, as amended; 37 U. S. C. 252)

[SEAL] WM. E. BERRY,
Major General, U. S. Army,
Acting The Adjutant General.

[F. R. Doc. 51-8249; Filed, July 18, 1951; 8:45 a. m.]

Chapter XI—National Guard and State Guard, Department of the Army

PART 1101—NATIONAL GUARD REGULATIONS

MISCELLANEOUS AMENDMENTS

PART 1101 is amended as indicated below:

1. Paragraph (e) of § 1101.1 is hereby revoked.

2. Paragraphs (c) (1) and (d) (1) (iii) of § 1101.2 are amended to read as follows:

§ 1101.2 *Federal recognition.* * * *

(c) *Persons eligible*—(1) *For Army National Guard.* (i) Persons commissioned as officers of the National Guard will not be federally recognized as such under any of the provisions of this section unless they have been selected from the following classes, and have taken and subscribed to the oath of office prescribed in section 73, National Defense Act, as amended.

(a) Officers and former officers of any component of the armed forces of the United States; limited to those who have served honorably and creditably in active Federal service in the armed forces of the United States for a period of at least 6 months and who, while so serving,

have demonstrated their qualifications by actual service in the grade or position contemplated or by the satisfactory discharge of equal and corresponding responsibility. Lieutenants with or without wartime service who have served satisfactorily in the grade of second lieutenant, first lieutenant, or an equivalent grade in any regular or reserve component of the armed forces of the United States, and who are otherwise qualified, are eligible for Federal recognition in the same grade in the National Guard.

(*b*) Graduates of accredited senior ROTC units may be federally recognized as second lieutenants.

(*c*) Graduates of Department of the Army officer candidate schools may be federally recognized as second lieutenants.

(*d*) Warrants officer and enlisted men of the upper three enlisted grades with previous honorable and creditable active Federal service of not less than 6 months in those grades in any component of the armed forces, when in the opinion of the examining board their experience clearly satisfies the required standards, may be federally recognized as second lieutenants.

(*e*) Warrant officers and enlisted men who have completed a minimum of 1 year's service with the armed forces, or the National Guard, or a combination of the two, prior to the date of appointment, have successfully completed an appropriate 10-Series of the Army extension courses, or an equivalent course of instruction approved by the Department of the Army, and have been recommended by an examining board for appointment or commission, and are otherwise qualified may be federally recognized as second lieutenants.

(*f*) Former warrant officers or enlisted men who have completed at least 1 year of honorable and creditable active Federal service in any of the armed forces of the United States between December 7, 1941 and June 30, 1947 and who have received a degree from a college or university that is accredited by one of the regional or national education associations (as listed in the Educational Directory of the U. S. Office of Education) may be federally recognized as second lieutenants.

(*g*) (*1*) Wartime service or previous military training are not required for appointment and Federal recognition in the National Guard of clergymen as chaplains, doctors as medical officers, dentists as dental officers, and officers assigned to State Headquarters and Headquarters Detachments. Officers assigned to State Headquarters and Headquarters Detachments will not be eligible for reassignment to other units without meeting the full requirements for age-in-grade, age on initial appointment, World War II service, and physical standards.

(2) If a candidate for appointment has had wartime service or previous military training, the record of that service and training will be considered in determining general suitability for the position to which appointed.

(*3*) Maximum and minimum age-in-grade requirements established in paragraph (d) (1) (iii) (*b*) of this section apply to these officers, except officers for assignment to State Headquarters and Headquarters Detachments. Maximum age-in-grade restrictions will not apply in the appointment of officers assigned to State Headquarters and Headquarters Detachments. Maximum age for such officers is provided for in paragraph (e) (1) of this section.

(ii) Grades to which appointed and in which federally recognized are those specified in the authorized T/O&E of the unit to which assigned.

(iii) Requirements for professional accreditation and professional experience for specialists and technical experts are those outlined in Part 561, Chapter V of this title.

* * * * *

(d) *Requirements for recognition*—(1) *For Army National Guard.* * * *

(iii) *Age.* (*a*) No candidate will be examined for recognition who is less than 21 or more than 59 years old, or unless his age is such that he can serve at least 1 year before recognition will be terminated under age limitations as set forth in (*b*) of this subdivision: *Provided,* That no candidate will be initially federally recognized as a second lieutenant who has attained his 28th birthday.

(*b*) The following maximum age-in-grade limitations are established for officers of the Army National Guard, except those assigned to State Headquarters and Headquarters Detachments. An officer will be considered over the maximum age for his grade upon attaining the birthday prescribed:

(*1*) Combat-type units of Infantry, Armor, Artillery, Engineers of regimental level and below:

	2d lt.	1st lt.	Capt.	Maj.	Lt. col.	Col.
Until Dec. 31, 1951 inclusive	35	35	42	47	52	55
From Jan. 1, 1952, until Dec. 31, 1952, inclusive	34	36	41	46	50	54
From Jan. 1, 1953, until Dec. 31, 1953, inclusive	33	34	40	44	49	53
From Jan. 1, 1954, until Dec. 31, 1954, inclusive	32	34	39	43	47	52
From Jan. 1, 1955, until Dec. 31, 1955, inclusive	31	33	38	42	46	51
From Jan. 1, 1956, until Dec. 31, 1956, inclusive	30	33	38	41	45	50
From Jan. 1, 1957, and thereafter	29	32	37	40	44	49

(2) Chaplains:

	1st lt.	Capt.	Maj.	Lt. col.	Col.
Until Dec. 31, 1951, inclusive	43	46	51	55	60
From Jan. 1, 1952 until Dec. 31, 1952, inclusive	42	45	51	55	60
From Jan. 1, 1953 until Dec. 31, 1953, inclusive	40	45	51	55	60
From Jan. 1, 1954 until Dec. 31, 1954, inclusive	39	45	51	55	60
From Jan. 1, 1955 until Dec. 31, 1955, inclusive	38	44	50	55	60
From Jan. 1, 1956 until Dec. 31, 1956, inclusive	37	44	50	55	60
From Jan. 1, 1957 and thereafter	36	43	50	55	60

(3) In other type units, including MC, DC, JAGC, and Infantry, Armor, Artillery and Combat Engineer units above regimental level, but excluding personnel of State Headquarters and Headquarters Detachments:

	2d lt.	1st lt.	Capt.	Maj.	Lt. col.	Col.
Until 31 Dec. 1951, inclusive	40	43	46	51	55	60
From Jan. 1, 1952 until Dec. 31, 1952, inclusive	38	41	45	50	55	60
From Jan. 1, 1953 until Dec. 31, 1953, inclusive	36	39	44	50	55	60
From Jan. 1, 1954 until Dec. 31, 1954, inclusive	34	38	43	49	55	60
From Jan. 1, 1955 until Dec. 31, 1955, inclusive	32	36	42	49	55	60
From Jan. 1, 1956 until Dec. 31, 1956, inclusive	31	35	42	49	55	60
From Jan. 1, 1957 and thereafter	30	34	41	48	55	60

(*c*) The following minimum ages will apply for original appointment or promotion of officers, except those in State Headquarters and Headquarters Detachment:

	2d lt.	1st lt.	Capt.	Maj.	Lt. col.	Col.
All officers, except Medical Corps, Dental Corps, Judge Advocate General's Corps, and Chaplains	21	25	26	31	34	38
Medical Corps	--------	21	22	27	30	34
Dental Corps, Judge Advocate General's Corps, and Chaplains	--------	21	23	28	31	35

(*d*) Requests for waivers of maximum age-in-grade may be submitted for approval to the National Guard Bureau in individual cases where it can be shown that other qualified officers are not available for assignment to the unit, or for professional and technical specialists where officers of proper age are not available. These waivers will be held to a minimum and will be approved only in exceptional cases where a hardship would result to the unit and the national defense, and where in granting such a waiver the condition upon which it is based will be corrected in a reasonable period of time.

* * * * *

[NGB Cir. 7, 17 May 1951] (R. S. 161; 5 U. S. C. 22)

[SEAL] WM. E. BERGIN,
Major General, U. S. Army,
Acting The Adjutant General.

[F. R. Doc. 51-8270; Filed, July 18, 1951; 8:53 a. m.]

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter III—Office of Price Stabilization, Economic Stabilization Agency

[Ceiling Price Regulation 53]

CPR 53—LEAD SCRAP MATERIALS, SECONDARY LEAD, AND ANTIMONIAL LEAD: CORRECTION

Due to inadvertent errors, the following corrections are made to Ceiling Price Regulation 53 (16 F. R. 6381)

1. The second sentence in section 4 (d) reading, "The ceiling price applicable to a particular sale shall be determined on the basis of the total quantity of the commodity delivered by the seller within a period of three calendar days (excluding Saturdays, Sundays, and holidays) from one or more points of shipment to (1) a public carrier for transportation to the buyer's receiving point, (2) to the buyer at his receiving point in a conveyance owned or controlled by the buyer." is corrected to read as follows: "The ceiling price applicable to a particular sale shall be determined on the basis of the total quantity of the commodity delivered by the seller within a period of three calendar days (excluding Saturdays, Sundays, and holidays) from one or more points of shipment (1) to a public carrier for transportation to the buyer's receiving point, (2) to the buyer at his receiving point in a conveyance owned or controlled by the seller, or (3) upon a conveyance owned or controlled by the buyer."

2. In section 5 (a) Table A, in the column headed "Less than 15,000 pounds," the statement of the price for battery lead plates is corrected to read: "17 cents per pound of lead and antimony content less a smelting charge of 2.25 cents per pound of material. When the buyer and seller so agree, a flat ceiling price of 9.75 cents per pound of battery lead plates may be charged."

3. In the definition of "Antimonial lead" in section 9 (a) correct "96 percent antimony and lead combined" to read "98 percent antimony and lead combined."

(Sec. 704, Pub. Law 774, 81st Cong.)

MICHAEL V. DISALLE,
Director of Price Stabilization.

JULY 18, 1951.

[F. R. Doc. 51-8436; Filed, July 18, 1951; 4:00 p. m.]

[Distribution Regulation I, Amendment 3 to Supplement I]

DR I—FAIR DISTRIBUTION OF LIVESTOCK AND MEAT

SUPP. I—QUOTA PERCENTAGES FOR LIVESTOCK

INCREASED CALVES AND SWINE QUOTAS

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 5 (16 F. R. 1273), this Amendment 3 to Supplement I to Distribution Regulation I (16 F. R. 1273) is hereby issued.

Preamble. Marketings of calves and swine have increased above the expected numbers indicated at the time quotas were established for July. The quota percentage for calves is therefore increased from 85 percent to 100 percent and the quota on swine is increased from 105 percent to 110 percent. These increases apply to accounting periods beginning on or after July 1, 1951.

AMENDATORY PROVISIONS

Paragraph (c) of Table I of Supplement I to Distribution Regulation I is amended by substituting the numeral "100" for the numeral "85" appearing opposite the word "Calves" and substituting the numeral "110" for the numeral "105" appearing opposite the word "Swine"

(Sec. 704, Pub. Law 774, 81st Cong.)

Effective date. This amendment is effective July 18, 1951.

MICHAEL V DISALLE,
Director of Price Stabilization.

JULY 18, 1951.

[F. R. Doc. 51-8435; Filed, July 18, 1951; 12:13 p. m.]

[General Ceiling Price Regulation, Amendment 3 to Supplementary Regulation 13]

GCPR, SR 13—COKE, COAL CHEMICALS AND COKE OVEN GAS

EXTENSION OF EXPIRATION DATE

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738) this Amendment 3 to Supplementary Regulation 13 (16 F. R. 809) to the General Ceiling Price Regulation is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment is issued due to the inadvertent omission in Amendment 2 of an amendatory provision for section 3 (a) as well as section 3 (c). Otherwise, the Statement of Considerations for Amendment 2, Supplementary Regulation 13 is equally applicable hereto.

AMENDATORY PROVISIONS

Supplementary Regulation 13 to the General Ceiling Price Regulation, as amended, is further amended in the following respects:

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

(a) Each producer of coke, coal chemicals and coke oven gas may increase his ceiling prices, determined under the provisions of the GCPR, by an amount sufficient to recover the increase or increases in delivered cost, incurred after January 25, 1951, and prior to September 30, 1951, of the raw materials carbonized or processed, provided such increase or increases in the delivered cost of such raw materials were authorized by a regulation or order of the Office of Price Stabilization or other Federal or State regulatory body or agency.

(Sec. 704, Pub. Law 774, 81st Cong.)

Effective date. This Amendment 3 to Supplementary Regulation 13 to the General Ceiling Price Regulation shall become effective as of June 30, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JULY 18, 1951.

[F. R. Doc. 51-8437; Filed, July 18, 1951; 4:00 p. m.]

Chapter VI—National Production Authority, Department of Commerce

[CMP Regulation 1, Direction 4]

CMP REG. 1—BASIC RULES OF THE CONTROLLED MATERIALS PLAN

DIR. 4—USE OF IMPORTED STEEL

This direction under CMP Regulation No. 1 is found necessary and appropriate to promote the national defense and is issued pursuant to the Defense Production Act of 1950. In the formulation of this direction, consultation with industry representatives has been rendered impracticable due to the need for immediate action and because the direction affects many different industries.

SECTION 1. Notwithstanding the provisions of sections 3 (c) and 17 (a) of CMP Regulation No. 1, as amended, any person who has received an authorized production schedule may use steel in the forms and shapes indicated in Schedule I of CMP Regulation No. 1, produced outside of and imported from outside of the United States and its territories and possessions and the Dominion of Canada, if such steel was acquired by him prior to landing, to produce more than the quantity of the particular product or products provided for in such authorized production schedule: *Provided, however,* That no copper or aluminum in the forms and shapes indicated in Schedule I of CMP Regulation No. 1 shall be used for such additional production: *And provided further* That no products or materials other than controlled materials shall be used for such additional production except as provided in section 2 of this direction.

SEC. 2. The DO rating assigned or applied to such authorized production schedule shall be used in accordance with the provisions of CMP Regulation No. 3 to purchase products or materials other than controlled materials required for such additional production: *Provided, however,* That such DO rating shall not be used to obtain any products or materials containing steel, copper, or aluminum other than fastening devices made of steel such as nuts, bolts, and the like.

SEC. 3. Attention is directed to the provisions of section 4 (f) of CMP Regulation No. 2 (Inventories of Controlled Materials) regarding acceptance of delivery of imported controlled material acquired prior to landing, and restric-

tions on acceptance of further deliveries from domestic sources.

(Sec. 704, Pub. Law 774, 81st Cong., Pub. Law 69, 82nd Cong. Interpret or apply sec. 101, Pub. Law 774, 81st Cong., Pub. Law 69, 82nd Cong., sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp., sec. 2, E O. 10200, Jan. 3, 1951, 16 F. R. 61)

This direction shall take effect on July 17, 1951.

NATIONAL PRODUCTION AUTHORITY,
MANLY FLEISCHMANN,
Administrator

[F. R. Doc. 51-8390; Filed, July 17, 1951; 4:45 p. m.]

[NPA Order M-2 as Amended July 17, 1951]

M-2—RUBBER

This order as amended is found necessary and appropriate to promote the national defense. It is issued pursuant to both the Defense Production Act of 1950 and the Rubber Act of 1948. In the formulation of this order there has been consultation with industry representatives, including trade association representatives, and consideration has been given to their recommendations.

NPA Order M-2 as last amended July 1, 1951, is amended to read as follows:

EXPLANATORY PROVISIONS

Sec.
1. Purpose and effect.
2. Definitions.

RESTRICTIONS ON CONSUMPTION

3. Limit on total new rubber consumption (except natural rubber latex).
4. Limit on natural rubber latex consumption.
5. Rubber to fill certain rated orders.
6. Orders rated DO-MRO.

IMPORTATION AND DISTRIBUTION OF NATURAL RUBBER

7. Private importation of natural rubber prohibited.
8. Purchase of natural rubber.

ALLOCATION OF SYNTHETIC RUBBER

9. Limitation on acquisition of synthetic rubber.
10. Allocation procedure.
11. Basis of allocation.

RUBBER PRODUCT REQUIREMENTS AND LIMITATIONS

12. Camelback production required.
13. Required production of certain tires or tubes.
14. Rubber product simplification and manufacturing specifications.
15. Limitation on high-tenacity rayon for rubber products.

GENERAL PROVISIONS

16. Monthly reports of rubber consumption and stocks.
17. Reports by tire, tube, and camelback manufacturers.
18. Reports by latex importers.
19. Records and reports.
20. Inventory limitations.
21. Applications for adjustment or exception.
22. Communications.
23. Violations.

AUTHORITY: Sections 1 to 23 issued under sec. 10, 62 Stat. 105, as amended; sec. 704, Pub. Law 774, 81st Cong., 50 U. S. C. App. Sup. 1929; Pub. Law 69, 82nd Cong. Interpret or apply sec. 3, 62 Stat. 102; sec. 101, Pub. Law 774, 81st Cong.; 50 U. S. C. App. Sup. 1922, Pub. Law 69, 82d Cong.; E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp., sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61; E. O. 9942, Apr. 1, 1948, 13 F. R. 1823.

EXPLANATORY PROVISIONS

SECTION 1. *Purpose and effect.* The purpose of this order is to conserve the supply of rubber for the needs of national defense and to provide for its equitable distribution. The order places over-all limits on the consumption of new rubber (including both natural and synthetic) It prohibits private importation of natural rubber, provides for allocation of Government-produced synthetic rubber, and for the distribution of natural rubber. It also makes provisions for increasing production of camelback, for directing production of rubber products into standard lines, for restricting the use of natural rubber in certain listed products, and for limiting inventories of tires and tubes.

SEC. 2. *Definitions.* As used in this order:

(a) "Natural rubber" means all new RHC (rubber hydrocarbon) forms and types of tree, vine, or shrub rubber, both dry and latex, including the following grades of wild rubber (cut, uncut, washed, or dried) upriver fine, acre fine, Bolivian fine, beni fine, island fine, and all other types of fine para, which are of equivalent quality regardless of name or origin; but excluding all other South American, Central American, or West African grades of wild rubber, and all rubber from guayule, balata, or gutta percha, as well as reclaimed natural rubber.

(b) "Dry natural rubber" means all natural rubber in solid form.

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

(d) "Synthetic rubber" means all new RHC products of chemical synthesis similar in general properties and applications to natural rubber and specifically capable of vulcanization, including synthetic rubber latex, but excluding reclaimed synthetic rubber.

(e) "GR-S" means a general-purpose synthetic rubber of the butadiene styrene type produced in the United States generally suitable for use in the manufacture of transportation items such as tires or camelback, as well as any other type of synthetic rubber equally or better suited for use in the manufacture of transportation items such as tires or camelback, as determined from time to time by the NPA, but excluding reclaimed general-purpose synthetic rubber.

(f) "Butyl" or "GR-I" means a special-purpose synthetic rubber produced in the United States, suitable for use in the manufacture of transportation items such as pneumatic inner tubes, but excluding reclaimed special-purpose synthetic rubber.

(g) "New RHC" means total new rubber hydrocarbon. This is the total RHC content of dry natural rubber, natural rubber latex, synthetic rubber, uncured scrap rubber, and uncured in-process materials.

(h) "Consume" means, in the case of dry natural rubber, natural rubber latex, or synthetic rubber, to compound, expend, formulate, or in any manner make any substantial change in the form, shape, or chemical composition.

(i) "Person" means any individual, corporation, partnership, association, or any other organized group of persons, and includes any agency of the United States or any other government.

(j) "Reclaimed rubber" means any rubber derived from the processing or treatment of vulcanized rubber or cured scrap rubber.

(k) "NPA" means the National Production Authority in the Department of Commerce.

RESTRICTIONS ON CONSUMPTION

SEC. 3. *Limit on total new rubber consumption (except natural rubber latex)* (a) No person shall (except on prior written authorization of NPA) consume in any calendar quarter a total amount of new rubber (including all synthetic both dry and latex and all natural except latex) in excess of 100 percent of his base quarterly new rubber consumption as computed under paragraph (c) of this section: *Provided, however,* That no person shall consume in the manufacture of any item listed in Appendix B of this order, in any calendar quarter, any new rubber in excess of 90 percent of the proportion of his base quarterly new rubber consumption devoted to the manufacture of each such item during the year ending June 30, 1950.

(b) No person shall (except on prior written authorization of NPA) consume in any calendar month a total amount of new rubber (including all synthetic both dry and latex and all natural except latex) in excess of 40 percent of his base quarterly new rubber consumption as computed under paragraph (c) of this section.

(c) Each person's base quarterly new rubber consumption shall be one-fourth of his actual new rubber consumption (including all synthetic both dry and latex and all natural except latex) during the year ending June 30, 1950, as adjusted by NPA.

(d) Notwithstanding the preceding provisions of this section, any person may consume in any calendar quarter a quantity of new rubber (including all synthetic both dry and latex and all natural except latex) not exceeding 150,000 pounds, but subject to the following conditions:

(1) Any such person remains subject to the proviso in paragraph (a) of this section. That is, he may not in any calendar quarter consume in the manufacture of any item listed in Appendix B more than 90 percent of the proportion of his base quarterly new rubber consumption devoted to the manufacture of each such item during the year ending June 30, 1950.

(2) The purpose of this paragraph being to assist smaller businesses in production of their own lines of rubber products, and not to enable them to divert additional rubber to other manufacturers, any person who consumes more new rubber in any calendar quarter than would be permitted if he were

limited by paragraph (a) of this section is accordingly prohibited from transferring, during such quarter, to consumers of rubber or for export more new RHC (whether or not compounded, expended, or formulated into masterbatches) than he transferred to such persons or for such purpose during the second calendar quarter of 1951.

(3) In order to conserve the limited supplies of natural rubber, any quantities of new rubber to be consumed pursuant to this paragraph, in addition to those quantities which would otherwise be permitted by paragraph (a) of this section, will be made available only in the form of GR-S. NPA will accordingly instruct the Office of Rubber Reserve of the Reconstruction Finance Corporation to increase by 25 percent the previously determined GR-S allocations of all rubber consumers for the third quarter 1951, if their permitted new rubber consumption (exclusive of natural rubber latex) is not thereby made to exceed 150,000 pounds. Subsequent quarterly allocations of GR-S will be made on this increased basis. Any additional GR-S required and allowable under this paragraph must be secured by special application to NPA and will be allocated to the extent permitted by available supplies.

(4) No person who, pursuant to this paragraph, consumes in any calendar quarter more new rubber than would be permitted if he were limited by paragraph (a) of this section, shall purchase or consume in any such quarter a quantity of dry natural rubber which exceeds 64 percent of one-quarter of his dry natural rubber base as determined and adjusted by NPA and heretofore reported to him by NPA (since the consumption of dry natural rubber by the entire rubber industry is currently averaging 64 percent of its total dry natural rubber base) Neither shall any such person purchase or consume more synthetic rubber, other than GR-S, than approved and allocated by NPA.

SEC. 4. *Limit on natural rubber latex consumption.* (a) No person shall (except on prior written authorization of NPA) consume during any calendar quarter, a total quantity of natural rubber latex in excess of one-fourth of his consumption during the year ending June 30, 1950, as adjusted by NPA.

(b) In the event that imports of natural rubber latex are of such volume that an excess remains available for consumption after deducting from total imports (1) the base-period consumption allowed by paragraph (a) of this section, (2) the stockpile requirements of the Government, and (3) a reasonable reserve for adjustments under section 21 of this order, such excess will be allocated quarterly to consumers by NPA on the basis of their pro-rata allocation of natural rubber latex during the first calendar quarter of 1951. Any allocations made under this paragraph may be consumed in addition to the amounts permitted by paragraph (a) of this section.

SEC. 5. *Rubber to fill certain rated orders.* (a) Such quantities of new rubber as are used to fill an order bearing any of the ratings listed in Appendix C of this order or to fill any order required by one of the programs listed in Appendix C whether or not it bears such a rating, are hereby exempted from the limitations on consumption contained in sections 3 and 4 of this order. All such quantities shall accordingly be excluded in computing consumption under those sections. Allocations of synthetic rubber will be made for such purposes, upon application in writing to NPA, in addition to the allocations for which provision is made in sections 9, 10, and 11 of this order.

(b) Any person filing an application for an allocation of 500 pounds or more of new rubber to fill one of the orders described in paragraph (a) of this section, must show (1) the DO rating number or symbol applied to the order, (2) the Government contract or purchase order numbers, (3) the identity and quantity of the product ordered, (4) the Government specifications for the product insofar as they concern the rubber content, (5) the name and address of the customer, and (6) the types (natural rubber, hot GR-S, cold GR-S, or GR-I) and quantities of rubber required by the contract specifications, by month, to fill the order.

(c) Any person filing an application for an allocation of rubber to fill any of the orders described in paragraph (a) of this section, where each of such orders requires less than 500 pounds of new rubber, must set forth (1) the number of orders with each rating or contract number, (2) the types (natural rubber, hot GR-S, cold GR-S, or GR-I) and quantities of rubber required by the contract specifications to fill each group of such orders, and (3) a statement signed by an authorized officer or member of the company to the effect that he has received rated orders or contracts which are on file and which require the amount of rubber applied for.

SEC. 6. *Orders rated DO-MRO.* (a) No person shall apply or extend the rating DO-MRO (formerly DO-97) to any order for any pneumatic tires or tire tubes or other transportation products as listed under code 1 and codes 3 through 8 in Appendix A, and no such rating applied or extended to such orders shall be deemed a valid rating.

(b) Insofar as necessary and practicable, new rubber will be made available once a month, in addition to the quantities otherwise permitted by this order, to manufacturers of those products listed under code 2 and codes 9 through 24 in Appendix A of this order, to replace rubber used to fill orders for such products rated DO-MRO. No additional rubber will be authorized for such purpose, however, except to the extent that the applicant demonstrates that he has filled DO-MRO rated orders for the product in the previous month requiring a greater proportion of his then permitted new rubber consumption than he devoted to the manufacture of that product out of his total new rubber consumption in the year ending June 30, 1950, exclusive of such units as were manufactured and sold as parts of new equipment or for incorporation in new equipment. Application for such additional new rubber shall be made before the 10th day of each month. The quantities approved under this section will be authorized and allocated for use during the remainder of that month. (For example: If a company uses rubber in July for orders rated DO-MRO in excess of the above-described proportion, it may report such excess use before the 10th of August, and additional rubber will be authorized or allocated in August. The applicant must state, if he has not previously submitted the same information, his consumption of new rubber during the year ending June 30, 1950, in making the product involved (broken down to show what proportion went into new equipment) the volume of orders filled for the product during the previous month (broken down to show those rated DO-MRO) the types and quantities of rubber used or acquired therefor, the new rubber authorization requested, and any other data necessary to demonstrate that the applicant has satisfied the above requirements entitling him to additional rubber.)

IMPORTATION AND DISTRIBUTION OF NATURAL RUBBER

SEC. 7. *Private importation of natural rubber prohibited.* (a) On and after December 29, 1950, no person, other than the Administrator of General Services, shall import into the United States, including its territories and possessions, any natural rubber as defined in section 2 (a) of this order, except as specifically authorized in writing by the Administrator of General Services: *Provided, however,* That this prohibition shall not apply to any private importation required by a contract which was made prior to December 29, 1950, and which is registered with the General Services Administration on or before January 5, 1951, except as any such private importation may be disapproved by said Administrator. For purposes of this section, the term "import" includes any physical movement of rubber into the United States, whether placed in general order or in a foreign-trade zone, or whether entered for consumption, bonded customs custody, or otherwise, except where the rubber moves through the United States in transit, under bond, from a consignor in one foreign country to a consignee in another foreign country.

(b) The prohibition in paragraph (a) of this section does not apply to the types and grades of natural rubber excluded from the definition in section 2 (a) of this order.

SEC. 8. *Purchase of natural rubber.* (a) A person may, in any calendar month, purchase as much but no more natural rubber than he is permitted to consume in that month: *Provided, however,* That at the time of such purchase his total inventory of natural rubber does not exceed, or by the delivery of such purchase would not be made to exceed, the amount of natural rubber which he may under this order, consume during the next succeeding 60 days. If his inventory of any particular grade

is less than his requirements for such grade for that calendar month, he may purchase the balance of his requirements for that grade for that month.

(b) Each person who desires to purchase any natural rubber shall furnish the Administrator of General Services a certificate reading substantially as follows:

I hereby certify, subject to the criminal penalties for misrepresentation contained in Title 18, U. S. Code (Crimes), section 1001, that I am authorized to consume all of the natural rubber called for by this purchase order during the current calendar month. I further certify that, after receipt of the rubber called for by this order, my inventory will not exceed the limitations of NPA Order M-2.

ALLOCATION OF SYNTHETIC RUBBER

SEC. 9. *Limitation on acquisition of synthetic rubber* No person shall acquire more Government-produced GR-S or butyl (GR-I) than is allocated to him by NPA. No person shall sell or transfer any synthetic rubber acquired from the Government to any person other than the Office of Rubber Reserve, Reconstruction Finance Corporation: *Provided, however* That this prohibition shall not apply to any transfer of Government-produced synthetic rubber which is part of a bona fide subcontracting arrangement by which the transferee is required to return the equivalent amount of synthetic rubber to the transferor, or where there is no transfer of the right ultimately to dispose of or sell the rubber or rubber product made therefrom.

SEC. 10. *Allocation procedure.* NPA will allocate quarterly, to each consumer of GR-S or butyl, the amounts of Government-produced GR-S and butyl that he may purchase during a specified calender quarter. The allocation will reflect the total quantity of hot rubber and the total quantity of cold rubber which the consumer may purchase, but will not specify particular types within these two categories. NPA will notify the Office of Rubber Reserve, Reconstruction Finance Corporation, of such allocations and the Office of Rubber Reserve will not issue purchase permits in any calendar month to anyone for more than one-third of his quarterly allocation of GR-S or butyl. Persons desiring to purchase GR-S or butyl will submit purchase requests to the Office of Rubber Reserve in accordance with its established procedure.

SEC. 11. *Basis of allocation.* GR-S and butyl for nondefense purposes will be separately allocated by NPA for each calendar quarter on the following basis:

(a) *GR-S.* Subject to the provisions of paragraphs (d) and (e) of this section, each consumer of GR-S will be allocated a fair and proportionate share of the total available Government-produced GR-S (after a reasonable amount has been reserved for rated orders, for such other programs as may be approved by NPA, and for adjustments under section 21 of this order)

(b) *Butyl for tire tubes.* Subject to the provisions of paragraphs (d) and (e) of this section, each manufacturer of tire tubes will be allocated his pro rata share of total available Government-produced butyl (after a reasonable amount has been reserved for rated orders, for such other programs as may be appoved by NPA, and for adjustments under section 21 of this order) based on the proportion which his total new rubber consumption for tire tubes during the year ending June 30, 1950, bears to the total new rubber consumption of the industry for tire tubes during that period as determined by NPA.

(c) *Butyl for other uses.* Subject to the provisions of paragraphs (d) and (e) of this section, each consumer of butyl for purposes other than the manufacture of tire tubes will be allocated, for each calendar quarter, his average quarterly consumption of butyl for such other purposes during the year ending June 30, 1950, as determined by NPA.

(d) *Imports to be considered.* In making allocations described in paragraphs (a) (b) and (c) of this section, NPA will ascertain the quantities of imported GR-S and butyl acquired by each consumer, and will reduce by the amounts of such imported rubber the allocations which would otherwise be made.

(e) *Inventories to be considered.* In making the allocations described in paragraphs (a) (b) and (c) of this section, NPA will ascertain and take into account each consumer's inventory of GR-S and butyl, and will adjust the allocations insofar as practicable so that inventories (including rubber in warehouse and in transit) will not be increased beyond a 20-working-day supply.

(f) *GR-S plant clean-up and dried latex drainings, coagulum, and preflox materials.* Only 50 percent of the quantity of GR-S plant clean-up material purchased from the Office of Rubber Reserve, and only 25 percent of the GR-S dried latex drainings, coagulum, and preflox purchased from the Office of Rubber Reserve, need be considered in computing and reporting the total quantity of synthetic rubber acquired or consumed.

RUBBER PRODUCT REQUIREMENTS AND LIMITATIONS

SEC. 12. *Camelback production required.* Every person who produced camelback during the year ending June 30, 1950, shall produce in each month of 1951, an amount of camelback which by RHC weight is at least one and a half times as great in proportion to his total new rubber consumption in the manufacture of transportation products during such months, respectively, as the proportion which his production of camelback during the year ending June 30, 1950, bore by weight on RHC basis to his total new rubber consumption in transportation products during that year. For example, if a person's production of camelback on RHC basis accounted for 5 percent of his new rubber RHC consumption in transportation products during the year specified, his production of camelback in each month must account for at least 7.5 percent of his new rubber RHC consumption in transportation products during each month of 1951. This means that consumers who produce transportation products other than camelback must sacrifice sufficient RHC from other transportation products to achieve the above results, since no extra allocation of RHC will be made to compensate for increased camelback production. Those who produce camelback and no other transportation items must increase their production only to the extent that they have received a special adjustment from NPA for camelback production.

SEC. 13. *Required production of certain tires or tubes.* No person who, during the second calendar quarter of 1951, manufactured any tires or tubes for use on trucks, buses, and truck trailers, in sizes 8.25 and up, or on tractors or farm equipment, shall, during any month, devote less than the same proportion of his total new rubber consumption as limited by section 3 of this order to the manufacture of each of these items than he did in the second calendar quarter of 1951.

SEC. 14. *Rubber product simplification and manufacturing specifications*—(a) *Manufacture except in accordance with Appendix A prohibited.* No person shall manufacture any rubber product except in accordance with the specifications and other terms and conditions prescribed in Appendix A of this order. More specifically, (1) no person shall consume any natural rubber (dry or latex) in the manufacture of any product not listed in column II of Appendix A, (2) no person shall consume more natural rubber (dry or latex) in the manufacture of any listed product than prescribed in column III (as qualified by column IV) of Appendix A, and (3) no person shall consume any new RHC (natural or synthetic) in the manufacture of any listed product in more or different lines, types, qualities, styles, or colors than those prescribed in column IV of Appendix A. *Provided, however,* That any person who has received an allocation of synthetic rubber, for a given period, which is of a lesser proportion of his total new rubber consumption, as limited by section 3 of this order, than he is required by the specifications contained in Appendix A to use in the manufacture of his usual line of products, may (within the limits of section 3) use such additional natural rubber as is necessary to make up the difference: *And provided further,* That any person who so uses additional natural rubber shall prepare a statement setting forth all of the facts and statistics upon which such additional use was based. This statement, signed by an officer of the company, shall be retained in the files of the company, and made available to NPA upon request. No person who by section 3 (d) is excepted from the limitations on consumption imposed by section 3 (a), however, may deviate from the specifications contained in Appendix A except upon express authorization by NPA.

(b) *Exceptions to limitations of Appendix A*—(1) *Defense orders.* Notwithstanding the provisions of Appendix A, any product manufactured to fill a rated order may be manufactured to the specifications of the order if and to the extent that such specifications are

required by the Government. Efforts will be made, however, to obtain maximum standardization of rubber products for Government defense requirements as well as between defense and nondefense requirements.

(2) *Tire experimentation.* Nothwithstanding the provision of Appendix A, any person may use up to a total of 2,000 pounds of dry natural rubber during any calendar quarter for experimentation in the manufacture of those sizes and types of tires for which specifications are provided in Appendix A.

SEC. 15. *Limitation on high-tenacity rayon for rubber products.* (a) No person shall, in the third calendar quarter of 1951, or in any calendar quarter thereafter, use a greater quantity by weight of high-tenacity rayon in the manufacture of rubber products (other than those products required to fill any contract of the Department of Defense or any division thereof or of the Atomic Energy Commission) than his average quarterly use of high-tenacity rayon in such manufacture during the 6 months ending June 30, 1951.

(b) No person shall, during any such quarter, order more high-tenacity rayon than the quantity he is permitted to use during such quarter pursuant to paragraph (a) of this section.

(c) "High-tenacity rayon" as used in this section includes singles yarn, plies, cord, and cord fabric.

GENERAL PROVISIONS

SEC. 16. *Monthly reports of rubber consumption and stocks.* Every person who consumes or owns, at any time during any month, any type of rubber listed below shall file a monthly report on Form NPAF-3 with NPA in accordance with the instructions accompanying the form. This report form covers consumption, stocks, receipts, production, and shipments. Any person who consumes rubber as part of a scientific laboratory experimental program only shall file his report annually on Form NPAF-4.

TYPES TO BE REPORTED

Dry natural rubber.
Natural rubber latex.
Reclaimed rubber.
GR-S types, excluding latex.[1]
GR-S type latex.[1]
Butyl types.[1]
Neoprene, excluding latex.
Neoprene, latex.
Butadiene-acrylonitrile types (N-type) excluding latex.
Butadiene-acrylonitrile types (N-type) latex.
Scrap rubber, uncured.

SEC. 17. *Reports by tire, tube, and camelback manufacturers*—(a) *Monthly reports.* Each manufacturer of tires, tubes, and camelback shall file with NPA a report of his production, shipments, and inventory for each calendar month on Form NPAF-5 in accordance with the instructions accompanying the form.

(b) *Weekly reports of cured tires.* Each manufacturer of tires shall file with NPA a report of his production of cured tires for each week on Form NPAF-6 in accordance with the instructions accompanying the form.

SEC. 18. *Reports by latex importers.* Every importer of natural rubber latex shall report by letter to NPA by the 15th of each month in long tons of dry latex solids (a) his imports for the current month (actual receipts plus material due to arrive) (b) his scheduled imports for the next succeeding month, and (c) his estimate of his imports for the second and third succeeding months.

SEC. 19. *Records and reports.* (a) Each person participating in any transaction covered by this order shall retain in his possession for at least 2 years records of receipts, deliveries, inventories, production, and use, in sufficient detail to permit an audit that determines that the provisions of this order have been met. This order does not specify any particular accounting method and does not require alteration of the system of records customarily used, provided such records supply an adequate basis for audit. Records may be retained in the form of microfilm or other photographic copies instead of the originals by those persons who have or who may maintain such microfilm or other photographic records in the regular and usual course of business. All records required by this order shall be made available at the usual place of business where maintained, for inspection and audit by duly authorized representatives of the National Production Authority. All persons subject to this order shall keep such records and file such other reports as may be required subject to approval by the Bureau of the Budget in accordance with the Federal Reports Act of 1942 (5 U. S. C. 139-139F).

(b) Each consumer of rubber shall complete and return to NPA, Forms NPAF-56, NPAF-57, NPAF-58 and NPAF-59. These forms will be mailed to each consumer of rubber and shall be filed in accordance with the instructions accompanying them.

SEC. 20. *Inventory limitations.* (a) No person who uses tires or tubes in the course of trade or business shall receive delivery of new tires or tubes of any given size if his inventory of tires or tubes of such size exceeds, or by such receipt would be made to exceed, the minimum requirements for the operation of his business during the succeeding 30 days.

(b) No person who distributes or sells tires or tubes within the continental limits of the United States shall receive the delivery of new tires or tubes of any given size if his inventory of tires or tubes of such size exceeds, or by such receipt will be made to exceed, his minimum requirements for the operation of his business during the succeeding 30 days (or, in the case of passenger car manufacturers, 15 days). Each place of business engaged in the distribution of tires or tubes shall be deemed a separate person for the purpose of this section regardless of its ownership or control, and delivery to it shall be subject to this section regardless of whether such delivery is made on consignment, as an intra-company delivery, or otherwise.

(c) No person shall deliver tires and tubes (1) if he has reason to believe that his customer is not permitted to receive delivery under this section, nor (2) unless his customer (if the sale is to any person other than the Department of Defense) furnishes to him a signed certificate reading substantially as follows:

I hereby certify, subject to the criminal penalties for misrepresentation contained in Title 18, U. S. Code (Crimes), section 1001, that after receipt of the tires or tubes covered by this order my inventory will not exceed the quantity permitted by NPA Order M-2.

_____
(Signature)

_____
(Date)

(d) All of the materials subject to this order are also subject to NPA Reg. 1 which prohibits the accumulation of materials in excess of a practicable minimum working inventory.

SEC. 21. *Applications for adjustment or exception.* Any person affected by any provision of this order may file a request for adjustment or exception upon the ground that such provision works an undue or exceptional hardship upon him not suffered generally by others in the same trade or industry, or that its enforcement against him would not be in the interest of the national defense or in the public interest. In examining requests for adjustment claiming that the public interest is prejudiced by the application of any provision of this order, consideration will be given to the requirements of the public health and safety, civilian defense, and dislocation of labor and resulting unemployment that would impair the defense program. Each request shall be in writing, in duplicate, and shall set forth all pertinent facts, the nature of relief sought, and the justification therefor.

SEC. 22. *Communications.* All applications, reports, and other communications, relating to this order should be addressed to the National Production Authority, Washington 25, D. C., Ref.. Order M-2.

SEC. 23. *Violations.* Any person who wilfully violates any provision of this order, or who furnishes false information or conceals any material fact in the course of operation under it, is guilty of a crime and, upon conviction, may be punished by fine or imprisonment or both. In addition, administrative action may be taken against any such person to compel necessary adjustment of his inventories or consumption or to suspend his privilege of making or receiving further deliveries of, or from processing or using, materials subject to this order.

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

This order as amended shall take effect on July 17, 1951.

NATIONAL PRODUCTION AUTHORITY,
MANLY FLEISCHMANN,
Administrator.

[1] Includes all types whether obtained from Government or other sources, including imports.

APPENDIX A—RUBBER PRODUCTS SUBJECT TO SIMPLIFICATION AND MANUFACTURING SPECIFICATIONS AS PROVIDED IN SECTION 14 OF NPA ORDER M-2

EXPLANATION OF COLUMNS AND SYMBOLS

Column 1. The code number indicated in column 1 is the numerical identification of a similar class of products.

Column 2: The product or product class to which the restrictions apply is described in column 2.

Column 3: The figures and symbols in column 3 specify the amount of natural rubber, if any, that may be used in the listed products.

For product codes 1 through 8 and 14, 15, 16, 17, 23, and 24, the figures in column 3 represent maximum percent of dry natural rubber and/or natural rubber latex to the total weight of new RHC. For product codes 9 through 13 and 18 through 22, such figures represent maximum percent of dry natural rubber and/or natural rubber latex to the total volume of the compound *except* where provided in column 4 that the percent is expressed in terms of total weight of new RHC.

The figure "0" in column 3 means that the use of dry natural rubber or natural rubber latex is prohibited except as may be provided in column 4.

The symbol "X" in column 3 means that dry natural rubber or natural rubber latex may be used in the minimum amount required except as may be provided in column 4.

Column 4: The provisions in column 4 are in some instances qualifications on the use of dry natural rubber or natural rubber latex as otherwise permitted by column 3. These qualifications take precedence over column 3 where there is any apparent inconsistency. Column 4 also contains the simplication and standardization provisions governing the manufacture of the product or product class. These latter provisions do not relate merely to the use of natural rubber but limit the lines, types, qualities, styles, and colors in which the listed products may be manufactured with the use of any kind of new rubber. There are no such limitations on the manufacture of listed products except as indicated in column 4.

Code No. (1)	Product (2)	Percent natural rubber to total new RHC (3)	Special restrictions or provisions (4)
1	Pneumatic tires	(1)	The group average of any product in code 1 may be exceeded, provided the aggregate natural rubber consumed in all products in this code does not exceed the total amount of natural rubber which would have been consumed if calculated on the maximum group averages for code 1.
	Airplane tires	100	Maximum individual tire—100 percent.
	Bicycle tires	13	Black side-wall construction only. Maximum individual tire—95 percent.
	Motorcycle tires	15	Black side-wall construction only. Maximum individual tire—95 percent.
	Passenger: Highway, mud-snow, taxi		Passenger car tire production is restricted as follows: All types—black side-walls only. Standard tread depth highway tires—one line and one quality only. Extra tread depth highway tires—one line only; and no greater quantity may be produced by any manufacturer in any calendar quarter, in proportion to his total production of passenger car tires in that quarter, than the proportion of his extra depth highway passenger car tire production to his total passenger car tire production in the last 6 months of 1950. Special purpose tires—no more or different lines may be produced by any manufacturer than he was producing on Feb. 19, 1951.
	Through 7.10 and 6.50	15	Maximum individual tire—95 percent.
	Over 7.10 and 6.50	22	Maximum individual tire—95 percent.
	Industrial pneumatic	13	Maximum individual tire—95 percent.
	Tractor implement	13	Maximum individual tire—95 percent. Restricted to one line of tires.
	Truck: Highway, heavy highway, traction, off-the-road trailer, flotation type, trailer type.		Truck tire production is restricted as follows: Standard tread depth highway tires—one line only. Extra tread depth highway tires—one line only. Special purpose tires—no more or different lines may be produced by any manufacturer than he was producing on Feb. 19, 1951.
	7.50 and under	33	Maximum individual tire—95 percent.
	8.25 through 9.00	75	Maximum individual tire—99 percent.
	10.00 through 12.00	90	Maximum individual tire—99 percent.
	Over 12.00	92	Maximum individual tire—99 percent.
2	Solid tires:		
	Airplane tires	X	
	Bogie, idler, and support rollers	X	
	Pressed on	50	
	Cured on, 4 x 1½ and up	50	
3	Tire tubes		Any color, but one color only, except that every tube containing butyl must be marked with one or more circumferential light blue stripes, applied on the base section of the tubes, any one of which stripes must be 3/16 inch minimum width. No other tube shall be so marked.
	Airplane	100	
	Bicycle	5	Including valves.
	Industrial pneumatic	50	
	Passenger	0	
	Puncture seal	X	
	Safety tubes	X	
	Tractor implement	0	
	Truck, 8.25 cross-section and under	0	
	Above 8.25 and up to 14.00	5	
	14.00 cross-section and over	80	
4	Tire tube valves and curing bags:		
	Tire tube valves (including repair valves)	X	
	Tire tube valve inside washers	X	
	Curing bags	50	May be averaged with groups in code 1.
5	Tire flaps		May be averaged with groups in code 1.
	10.00 and up	100	
	All others	50	
6	Tire retreading materials:		
	Air bags, full circle for retreading	X	
	Camelback for airplane tires	100	
	Camelback for 9.00 cross-sections and larger, in die sizes 6½-inch crown width and 19/32-inch gage and up.	X	
	Camelback, die sizes under 6½-inch crown width and under 19/32-inch gage.	0	
	Camelback cushion gum	100	1/32-inch gage maximum for synthetic camelback.
	Padding stock	X	
	Stripping stock	X	
	Filler stock	X	
	Cushion repair gum	100	
	Tread repair gum	X	
	Tire vulcanizing cement	X	
7	Tire and tube repair materials:		
	Air bags, sectional	X	
	Bulk tire repair materials	X	
	Tire patches	X	
	Tube patches	X	
	Patching cement	X	
8	Tank blocks, treads, and band tracks	X	

[1] Maximum group average.

Code No. (1)	Product (2)	Percent natural rubber by volume (3)	Special restrictions or provisions (4)
9	Belting: Belting must be manufactured in accordance with the following regulations: Rubber belting utilizing a solid woven carcass is permitted, provided such construction uses no more natural rubber than is permitted in laminated belting of equivalent size and thickness. Constructions using combinations of fabric and other reinforcing materials such as cord or wire are permitted provided total natural rubber does not exceed that which is used in an equivalent grade, cotton fabric ply construction belt.		Color black throughout, except where otherwise specified. No manufacturer shall produce by any single manufacturing process more than one line, type, quality, or style for any one purpose. For interpretation of purpose in this order the commonly accepted service classifications used by industry shall apply.
9-A	Conveyor and elevator belting:		
	For severe service only	25	
	For moderate service	15	
	For hot material	X	Operating temperature, 200° F. and over.
	For conveying unpackaged food materials and materials that would be discolored with black belts.	25	Black friction, amber or tan cover.
9-B	Miscellaneous belt and related products:		
	Hay baler belts	X	
	Other agricultural implement belts	15	
	Belt splicing and repair material	X	
	Chute lining	25	
	Conveyor skirting or skirt board	25	
	Cigar machine aprons		Same restrictions as first grade flat transmission belt (code 9-(C)).
	Concentrator belts	25	
	Escalator hand rails	X	
	Feed belts for paper box machinery	X	
	Hatter belts	X	
	Hog beater belts	40	
	Last puller belts	X	Color optional.
	Package belts	25	
	Paper machine aprons	25	
	Paper making screen diaphragms	15	
	Postal meter and letter opening feed belts	X	
	Powder explosives belts	15	
	Pulley lagging	25	
	Rubber scrapers for conveyor belts	25	
	Safety belts, linemen's	0	Color optional.
	Sling or lifting belts	25	
	Special molded conveyor belts	X	
	Street sweeper belts	25	
	Tube winding belts	X	Tan or amber.
	Tobacco stemmer belts	X	Natural rubber color permitted.
	Molded discs for conveyor belt idlers	25	
	Ozalid seals	X	Color optional.
9-C	Flat transmission belting		Maximum pounds of natural rubber per 1,200 square inches per ply. Color of coaming strip optional.
	For severe service, or high speed or to operate over small pulleys		0.80 pound.
	For moderate service		0.40 pound.
	Hammermill belt		0.80 pound.
	Axle generator belt		0.80 pound.
	Rubber covers for above, maximum thickness 3/64 inch	15	
	Sheeting type, slab belting		Cover plies only may be tan or amber. Carcass black, except 1-ply in carcass may be tan or amber for identification in manufacture.
	Using fabric weighing between 10 and 16.50 ounces per square yard		0.80 pound.
	Using fabric weighing less than 10 ounces per square yard		0.40 pound.
9-D	V belts		Percent based on total volume of belt. In determining belt volume, the published nominal cross-sectional dimensions shall be used where these exist and molded cross-sectional dimensions shall be used in all other cases. All belts black, except as otherwise specified. Buff color permitted for non-marking and food handling.
	Fractional horsepower	25	
	Household equipment	25	
	Automotive:		
	Passenger cars for pulley groove top width more than 0.500 inches	25	
	Trucks under 1½ tons for pulley groove top width more than 0.500 inch.	25	
	Passenger and truck for pulley groove top width 0.500 inch or less	25	
	Trucks 1½ tons and over	25	
	Busses	25	
	Police cars and taxis	25	
	Airplane	25	
	Stationary gas and diesel engines	25	
	Industrial, including agricultural:		
	Heavy duty	25	
	Standard	25	
	Speed changers	25	
	Double V	25	
	Open end	25	
	Round belts	25	
	Railroad axle-drive	25	
10	Hose		All hose to be black throughout, except where specified. Color permitted in frictions, liners, and cements to identify and differentiate between oil resisting and non-oil resisting rubbers. No manufacturer shall produce by any single manufacturing process more than one line, type, quality, or style for any one purpose. For interpretation of purpose, the commonly accepted service classifications used by industry shall apply.
10-A	Aircraft hose:		
	Crash truck AAF 26611 (−65° F.)	X	
	Ducts	X	Government or commercial plane use only.
	Oxygen hose	X	Government or commercial plane use only.
	Airbrake (20-147) (a)	5	Government or commercial plane use only.
	(b)	25	
	Aircraft hose not elsewhere listed	0	
10-B	Automotive hose:		
	Air brake	5	
	Air cleaner	5	
	Hydraulic actuating boot	X	
	Car heater	0	
	Coolant (radiator):		
	Curved	15	
	All other radiator	5	
	Defroster	15	
	Hydraulic brake, S. A. E. R-41	0	
	Windshield wiper	5	
	Vacuum brake	5	
	Automotive hose not elsewhere listed	0	

Code No. (1)	Product (2)	Percent natural rubber by volume (3)	Special restrictions or provisions (4)
10-C	General industrial hose		All hose to be black throughout, except where specified.
	Acid	X	
	Air and air tool: Air drill for mining and quarrying and heavy duty industrial.	30	
	Gas mask air hose	40	
	All other air hose not elsewhere listed	5	Red and green cover permitted on 3/8 inch and under for identification purposes.
	Alcohol, beverage, brewers, wine, vinegar, food, and milk conveying	40	Buff colored tube and cover permitted.
	Ammonia	20	
	Arbor pipe forming	25	
	Booster and chemical engine	10	
	Braided cover tubing	0	
	Cable covering, electric	30	
	Cloth inserted tubing	5	
	Coupling, flexible	5	
	Creamery	20	Buff color cover permitted.
	Divers:		
	Floating	X	Natural rubber color permitted.
	Sinking	5	
	Dredging sleeves	40	
	Expansion joints	40	
	Fire:		
	Cotton rubber lined and rubber covered	25	
	Wrapped duck	25	
	Fire engine suction:		
	Hard	10	
	Soft	25	
	Fire extinguisher tubing	5	
	Flanged flexible pipe	40	
	Garden and lawn	0	Red or green cover permitted. Two qualities: standard and heavy duty.
	Jetting	10	
	Marine exhaust	0	
	Material handling—including grain	40	
	Cement and concrete	40	
	Phosphate flexibles	40	
	Rock dusting	40	
	Insulation blowing	5	
	Paint spray, fluid line	0	5 percent natural rubber by volume permitted when Thiokol is used.
	Paper mill hose	10	
	Petroleum products:		
	Gasoline service station	0	
	Oil suction and discharge	15	Both rough and smooth bore permitted.
	Butane and propane	5	
	Tank wagon	0	
	All other not elsewhere listed	0	
	Pinch valve	X	
	Rotary drilling:		
	Vibrator	15	Color stripe or band permitted.
	Mud suction	15	
	Rotary drilling hose	15	
	Sand blast	X	
	Sand placing and sand suction	40	Natural rubber permitted as required, for 20 inches and over, i. d.
	Shaft covering, flexible	5	
	Spray, horticultural and car washing		For car washing service where pressure exceeds 250 p. s. i.
	Over 400 pounds working pressure	5	
	400 pounds and under working pressure	5	
	Steam:		
	Over 50 pounds working pressure	X	
	50 pounds and under working pressure	20	
	Steam ironing	X	
	Suction, water:		
	Hard rubber and rough bore	5	
	Smooth bore up to 6 inches	10	
	Smooth bore 6 inches and over	20	
	Vacuum:		
	Household, including hotels, office buildings, etc	25	
	Industrial dust collector and blower exhaust	X	
	Washing machine	0	
	Water:		
	Radiator filling	0	
	Industrial:		
	Severe service	10	
	Moderate service	5	
	Welding	5	Hose may be black, red, and/or green as required for safety identification.
	Hose not elsewhere listed	0	
10-D	Railroad hose:		
	Air brake and signal, M-601	20	
	Air pneumatic tool, M-608	5	
	Paint spray, M-610	5	
	Pantograph	10	
	Sand, M-615 and M-616	X	
	Sand pipe nozzles	X	
	Steam, hot water and car heat, M-605	X	
	Tender tank, M-606	10	
	Water, cold, M-604	5	
	Welding, M-603	5	Hose cover may be black, red, and/or green as required for safety identification.
	Railroad hose not elsewhere listed	0	
11	Packing and gaskets not elsewhere listed		Color optional. Restrictions on line, type, quality, and style do not apply.
11-A	Packings without fabric or high percent of fiber, including sheet and also strip, discs, gaskets, rings, cups, U packings, V rings, O rings, nonfabric diaphragms, etc., made by extruding, cutting, or molding:		
	Below 45 durometer	0	
	45 durometer and above	0	
	Pipe coupling gaskets	0	
	Molded and extruded gaskets spliced endless after initial vulcanization.	0	
	Electrical transformer sheet rubber for packing seals	40	
	O rings for sliding contact against steam and chemicals	X	
	Acid carboy gaskets	X	
	Air brake gaskets	X	
	Vulcanizer door gaskets	X	
	All others not elsewhere listed	0	

Code No. (1)	Product (2)	Percent natural rubber by volume (3)	Special restrictions or provisions (4)
11-B	Packings with high fiber content:		
	Sheet (generally known as "compressed asbestos sheet") and gaskets cut from same.	5	By weight.
	Molded gaskets, discs, rings, etc.	5	By weight.
	Rod packing coil, spiral ring form (generally known as "rubber-bonded plastic packing").	5	By weight.
11-C	Packing with fabric or wire insertion:		
	Sheet gasketing (generally known as "C. I. or B. W. I. Sheet") and gaskets cut from same:		
	Cotton insert	5	
	Wire insert	19	
	Asbestos insert	23	
	Rolled or molded gaskets:		
	Cotton insert	23	
	Asbestos insert	23	
	Diaphragm sheet including diaphragms cut from same or molded:		
	Supersensitive gas regulation	X	
	Molded other than above	23	
	Cut other than above	15	
	Rectangular piston packing	50	
	Rod packing including molded cups, U packings, and V rings:		
	Cotton insert	23	
	Asbestos insert	23	
11-D	Valve and valve discs:		
	Valve and valve discs, 45 durometer and under	X	
	Loaded ball valves	X	
	Fabric hydrant valves	23	
	All other valves and valve parts	0	
11-E	Sealing compounds for food containers:		
	Beverage container gaskets, molded, extruded, or lathe-cut	0	
	Food container gaskets, extruded and lathe-cut	----------	15 percent natural rubber by weight of compound permitted.
	Gasket-lined home canning lids	----------	5 percent natural rubber by weight of compound permitted.
	Jar rings, cut rings	23	
	Molded stoppers for food and beverage containers	0	
	Food closure gasket	----------	30 percent natural rubber by weight of compound permitted for food gaskets formed and vulcanized in the closure.
	Sealing compounds, food closures and can ends ("flowed-in" type for glass and metal containers).	X	Natural rubber latex permitted.
12	Other mechanicals	----------	All products in code 12, color optional, unless otherwise specified. Restrictions on line, type, quality, and style do not apply.
12-A	Aircraft equipment:		
	Boots, de-icer and integral parts including hose	X	
	Bumpers	0	
	Cords, alighting gear	X	
	Conductive rubber parts	X	
	Flexible couplings, functional	X	
	Engine instrument mountings and vibration insulators	X	
	Oxygen mask, pilot	X	
	All parts 45 durometer or less	0	
	All other parts not elsewhere listed	0	
12-B	Automotive equipment:		
	Windshield wiper blade	X	
	Bumper, retaining and check (molded)	23	
	Bumpers, functional:		
	Suspension	23	
	Crash	19	
	Bushing:		
	Suspension	X	
	Torque rod	X	
	Coupling, flexible	X	
	Weatherstrips and body seals, extruded, under 50 durometer	0	
	Weatherstrip, injection compound for splicing and forming	X	
	Molded ventilator strips	23	
	Glass run	19	
	Crankshaft torsion dampers	X	
	Transmission and engine mountings:		
	50 durometer and over	49	
	Under 50 durometer	X	
	Body and chassis mountings:		
	50 durometer and over	0	
	Under 50 durometer	0	
	Tail pipe insulator, under 50 durometer	X	
	Torsion springs	X	
	Grommet, core-molded-retaining, for dashboard insulation	23	
	Fuel tank, filler neck seal	23	
	Mats	----------	A color spray containing no natural rubber may be applied to one side. New rubber other than natural may be used in the spray.
	Contour, front compartment only	19	
	Sill with retaining buttons	15	
	All other automotive mats	0	
	Cowl and dash liners	0	
	Seal beam headlights	X	
	Steering wheels	19	
	Pads, no insertion with retaining buttons	15	
	Fender flaps or splash guards	0	
	Silencers, coil spring	0	
	Rear spring seat insulator	X	
	Tubing:		
	Drain	0	
	Windshield wiper, non-reinforced	0	
	Spring tying suspension seat cord	X	
	Molded diaphragms	23	
	Hydraulic, air brake and vacuum brake cups, diaphragms, valves, and seals.	X	
	Seals:		
	Valve stem, tire	X	
	Valve stem, motor	23	
	All other parts not elsewhere listed	0	
12-C	Railroad and streetcar equipment:		
	Car spring snubbers	X	
	Refrigerator friction drive wheel	0	
	Refrigerator car door seal	0	
	Molded seal for double-glazed windows	X	
	Bumpers	----------	Same as automotive.
	Streetcar wheel	X	
	Windshield wiper blades	X	
	Door shoes	5	

Code No. (1)	Product (2)	Percent natural rubber by volume (3)	Special restrictions or provisions (4)
12-C	Railroad and streetcar equipment—Continued		
	Draft gears	X	
	Vibrational insulators, functional	X	
	All other parts not elsewhere listed	0	
12-D	Farm equipment:		
	Flax roll, 50 durometer or under	X	
	Corn husking roll	5	For adhesion.
	Feed conveyor	5	For adhesion.
	Corn snapper roll	5	For adhesion.
	Draper apron roll	5	For adhesion.
	Cotton rubber roll	5	For adhesion.
	Hay baler roll	5	For adhesion.
	Rubber covered canvas	0	
	Cotton picker doffer	0	
	Press wheel tires	X	
	Gauge wheel tires	X	
	Shoe pitman arm torque bushing and torsion bushings	X	
	Bearing cushion cups, non-oil-resisting	X	
	Cotton drier flaps	0	
	Pneumatic seats	0	
	Steering wheels	10	
	Rubber covered beater bars	X	
	All other parts not elsewhere listed	0	
12-E	Electrical products and industrial equipment:		
	Telephone and telegraph insulators	0	
	Lineman protective devices	X	
	Friction tape	----------	5 pounds of natural rubber for 100 square yards.
	Splicing compounds	35	
	Underground cable connectors	X	
	Flexible connections for vacuum and exhaust equipment	X	
	Mandrels for surgical tubing	X	
	Molds	X	
	Sand and shot blast equipment	X	
	Press die pads, draw sheets, and embossing beds	X	
	Bulging rubbers	X	
12-F	Household and appliance products:		
	Refrigerator and freezer parts:		
	Gasket, door	X	
	Gasket, liner opening	X	
	Collars, throat	40	
	Glass and panel seals	40	
	Tubing, drain, molded	25	
	Terminal seal bushings for compressors	X	
	Rollers, tray	0	
	Freezer lid assembly	0	
	All other parts not elsewhere listed	0	
	Vacuum cleaner and sweeper parts:		
	Extensible drive belt	X	
	Bag seal	0	
	Flexing bellows and diaphragms	40	
	Brush guards, collars, and holders	10	
	Sweeper tires and wheels	0	
	Electrical conducting parts	X	
	Grips	0	
	Functional bumper guards with undercuts and retaining buttons	25	
	All other parts not elsewhere listed	0	
	Clothes-washing, dish-washing, drying, and ironing machine parts:		
	Wringer rolls	0	
	Agitators	25	
	Tub and lid gaskets	25	
	Extensible belts, drive	X	
	Drive pulley	X	
	Collapsible tubs	X	
	Flexing boots and diaphragms	X	
	Extruded drain hose or tubing	0	
	Formed pressure tubing	30	
	Couplings and nozzles	15	
	Unconfined lip door gasket	X	
	Water seals	0	
	Flexible pump rotors	40	
	Pump valves, flexing	X	
	All other parts not elsewhere listed	0	
	Miscellaneous houseware accessories:		
	Strain relief grommets, electric irons, and similar appliances	40	
	Light colored molded parts	0	
	Chair tips	0	
	Strainers, sink and drain	0	
	Pans, dust	0	
	Water aerator	0	
	Sewing machine drive pulley and belts	X	
	All other parts not elsewhere listed	0	
	Plumbing specialties:		
	Ball cock washers	10	
	Force cups	0	
	Gaskets and valves designed for back flow preventors	X	
	Tank balls designed for flush valves core molded:		
	With base opening ¾-inch and less	X	
	With base opening over ¾-inch	X	
	Floor flange gaskets	0	
	All other plumbing specialties	0	
12-G	Milk and food handling equipment:		
	Milk and milking equipment:		
	Bottle filler rubbers	0	
	Bowl rings	25	
	Parlor milking gasket	X	
	Gaskets, washers, and couplings:		
	45 durometer or under	35	
	Over 45 durometer	0	
	Milking inflations and cup caps	X	
	Teats for calf feeder pails	X	
	Tubing including duplex, milk, vacuum, air, and stanchion:		
	45 durometer or under	X	
	Over 45 durometer	0	
	Straps, surcingle	9	
	Milk, pasteurizer plate gaskets	X	

Code No. (1)	Product (2)	Percent natural rubber by volume (3)	Special restrictions or provisions (4)
12-G	Milk and food handling equipment—Continued		
	Food and beverage processing and dispensing equipment:		
	Chicken pickers	50	
	Cherry and peach pitters	X	
	Corn husking roll (canning), under 45 durometer	X	
	Can testers	X	
	Molded fittings and tubing for beverage handling	X	
	Stop for ice cream cone dispenser	X	
	Rice polishing blocks	X	
	All other parts not elsewhere listed	0	
12-H	Mining equipment:		
	Air chambers for conset jigs	X	
	Flotation parts, including liners for cells, impellers, and shafts	X	
	Stator and rotor tubes	X	
	Ore car liners	25	
	All other parts not elsewhere listed	0	
12-I	Oil field specialties:		
	Drill pipe protectors	45	
	Packers, production and test without fabric	25	
	With fabric	20	
	Packers, open hole	X	
	Packers, cement retaining	X	
	Packers, casing	25	
	Blowout preventers	X	
	Gland packings	X	
	Slush pump, pistons and liners for fluid packed pumps	X	
	Stabilizers and wire line guides	0	
	Stuffing box rings, polished rod	X	
	Slip pads	25	
	Strippers, pressure pack off	X	
	Pipe and wire line wipers	X	
	Swab rubbers and lining bumpers	10	
	Testing and cementing equipment	25	
	Valves, cups, and discs	X	
	Valve inserts	0	
	All other parts not elsewhere listed	0	
12-J	Miscellaneous mechanical goods and textile industry equipment:		
	Parts for manufacture of rayon:		
	Parts that come in contact with rayon filament	X	
	All other parts	0	
	Parts for Cellophane	0	
	Textile equipment:		
	Pickers, all types	X	
	Lug straps	45	
	T-strap	0	
	Card clothing	X	
	Draw rolls, 30 durometer	X	
	Bolsters, fabric shrinking	X	
	Take-up roll covering	X	
	Hold-ups, and sweep sticks	12	
	All other parts not elsewhere listed	0	
	Miscellaneous mechanical goods:		
	Laboratory supplies:		
	Tubing:		
	45 durometer and under	X	
	Over 45 durometer	0	
	All other parts not elsewhere listed	0	
	Industrial tubing:		
	45 durometer and under	X	
	Over 45 durometer	0	
	Traffic counter tubing	X	
	Soft rubber alkaline storage batteries and parts	0	
	Billiard and pool table cushions	X	
	Brake, clutch, and hydrant expander tubing	X	
	Brush setting compounds	X	
	Budding strips	X	
	Cast rubber products	50	Natural rubber latex only permitted.
	Caster and molded wheels:		
	Under 4 inches diameter	25	By weight.
	4 inches and over	25	By weight.
	Conductive caster wheels	X	
	Core molded parts not elsewhere listed	25	
	Cutting rubbers not elsewhere listed	0	
	Dam and lock-gate seals	X	
	Fish net floats or bladders	X	
	Flexible bags and parts for forming operations in manufacturing plants.	X	
	Flexible couplings, torque	X	
	Flexible sanding and buffing pads	0	
	Gas main bags	X	
	Goggles and parts	25	
	Industrial balls:		
	45 durometer and under	X	For vibration screens and ball mills.
	Over 45 durometer	0	
	Industrial vacuum or suction cups	X	For use in manufacturing operations only.
	Insulation tubing	25	Cork or fiber loaded.
	Labels	X	
	Mine safety lamp parts	X	
	Molded annular tires		Black only.
	Light and medium duty	0	
	Heavy duty	40	
	Molded boots and dust seals	0	
	Rebound discs for well drilling	X	
	Molded parts attached to adjacent parts by integral undercut buttons, and grommets, not elsewhere listed.	25	
	Mountings, shock absorbers, dampers, and vibration insulators:		
	Under 50 durometer	X	
	50 durometer and over	40	
	Pressure sensitive signal controls	10	
	Sandblast stencil sheet for monument work	25	
	Seals for electrolytic condensers	X	
	Tubular grips, including cork or fiber-loaded	0	
	Windshield wiper blades, squeegee rubber and wiper discs	X	
	X-ray sheets	X	
	Belt idler channel	0	
	Parts for ladders	0	

Code No. (1)	Product (2)	Percent natural rubber by volume (3)	Special restrictions or provisions (4)
12-J	Miscellaneous mechanical goods and textile industry equipment—Con.		
	Miscellaneous mechanical goods—Con.		
	Mallets	0	
	Traffic cones and markers	0	
	All other parts not elsewhere listed	0	
	Tires, parts for bicycles, toy vehicles, and lawn mowers		Black only.
	Handle grips	0	
	Fender flaps or splash guards		Same as automotive, code 12-B.
	Pedal pads	0	
	Dodgem bumpers	25	
	All other parts not elsewhere listed	0	
12-K	Printing rubber products:		
	Printing rollers:		
	Newspaper rollers:		
	Form	X	
	Ductor	X	
	Letter press rollers	X	
	Gravure and impression	X	
	Printing rolls to be coated with composition having durometer less than 20.	20	
	All other printing rollers not elsewhere listed	0	
	Printing rubbers:		
	Cutting rubbers	X	
	Pottery dies	X	
	Engraving rubbers	15	
	Plate backing friction and filler	15	
	Stiff plate backing	X	
	Etching plates	X	
	Molded stencil sheet for sand or grit blasting	X	
	Adhesive fabric, including brass adhesive	X	
	Band dater fabric	X	
	Printing blankets for offset, newspaper, and lithograph	X	
	Rubber solution for wet plate negative	X	
	Paper pick-up suction cups	X	For printing press only.
	Paper feed rolls and pads for duplicating machines	X	
	All other printing rubbers not elsewhere listed	0	
12-L	Rolls and roll coverings:		
	Suction press roll covering	X	
	Paper mill roll covering	X	
	Natural crepe rubber shoe cleaning rolls	X	For use only in cleaning soil and cement from shoes.
	Textile	X	
	Other industrial roll covering		25 percent of the total new rubber used in any month may be natural rubber.
	All other roll coverings not elsewhere listed	0	
12-M	Rubber protected or lined equipment:		
	Tank cars, barges, and trucks	X	
	All other	X	
12-N	Mats and matting:		
	Switchboard, not less than ¼ inch thick for 3,000 volts and over	30	Black only.
	Roll matting and stair treads	0	
	Perforated mats	0	
	Link and molded door mats	0	
	Bath mats	0	
	All other mats not elsewhere listed	0	
12-O	Safety respiratory equipment: Breathing apparatus, safety masks, and respirators, including parts.	X	
12-P	Hard rubber products		Restrictions on line, type, quality, and style do not apply.
	Ball gages and molded tie rods	50	
	Baskets (etching), beakers, buckets, dippers, frames, funnels, measures, pails, packs, and trays.	15	
	Bleaching rods	X	
	Blown work	X	
	Combs	50	
	Component hard rubber parts for the manufacture and handling of rayon, explosives, and corrosive chemicals.	50	
	Knife handles	35	
	Dye sticks	X	
	Bowling balls	20	
	Industrial flashlight parts	65	
	Insulated tools	20	
	Jack strips	30	
	Microporous battery separators	X	
	Mouthpieces for musical instruments	X	
	Parts not elsewhere listed for storing, conveying, and processing corrosive chemicals.	50	
	Pipe and fittings	10	
	Pipe bits	15	
	Plating barrels and parts	30	
	Potentiometer cards	X	
	Refrigerator parts	X	
	Rod and tubing for fountain pen parts	X	
	Rods up to 0.040-inch diameter	X	
	Rods 0.040-inch to ½-inch diameter, inclusive	35	
	Rods over ½-inch diameter	20	
	Sheets 1/16-inch thick or less	X	
	Sheets over 1/16-inch to ¼-inch thick, inclusive	50	
	Sheets over ¼-inch thick	30	
	Tubing up to and including 1/32-inch wall	X	
	Tubing over 1/32-inch to ⅛-inch wall, inclusive	50	
	Tubing over ⅛-inch wall	30	
	Cafeteria trays	50	
	Hard rubber parts for alkaline storage batteries	35	
	Heavy duty battery cases over 15 pounds	50	
	Hand wrapped battery cases	30	
	Submarine battery jars	50	
	Storage battery cases where product of tensile and elongation is 10,000 or more.	50	
	Ventilating parts for submarines, hand wrapped	X	
	Ventilating parts for submarines, molded	50	
	Parts for submarines not elsewhere listed	50	
	Telephone commutator inserts	50	
	Tubular retainers	60	
	Parts for water meters	X	
	X-ray and photo tanks	30	
	Forming tanks	40	
	Connector stocks	30	
	Parts not elsewhere listed	0	

Code No. (1)	Product (2)	Percent natural rubber by volume (3)	Special restrictions or provisions (4)
12-Q	Industrial equipment: Industrial abrasive implements		The over-all monthly consumption of natural rubber shall not exceed 60 percent of the total new RHC consumed. Restrictions on line, type, quality, style, and color do not apply.
12-R	Brake linings, brake blocks, and clutch facings		The over-all monthly consumption of natural rubber shall not exceed 40 percent of the total new RHC consumed. Restrictions on line, type, quality, style, and color do not apply.
13	Wire and cable		Except where required for circuit identification, rubber compounds used in the manufacture of wire and cable shall be furnished as: Insulation compounds in natural or black color only; jacket compounds, black or brown color only. Restrictions on line, type, quality, and style do not apply.
13-A	Insulation compounds:		
	Insulation for power and control cable or for building wire rated at 2,000 volts (phase to phase) or less and which has insulation wall thickness of more than 25 mils.	0	
	Insulation compounds having thickness of 25 mils or less	X	
	For all types of insulated wire and cable in excess of 2,000 volts (phase to phase).	70	
13-B	Sheaths and jackets:		
	Sheaths and jackets for operation at temperature of −40° C. or higher.	0	
	Sheaths and jackets for operation at temperatures lower than −40° C.	X	
13-C	Cements and nonreinforced tapes incidental to manufacture, repair, or installation of cables.	70	

Code No. (1)	Product (2)	Percent natural rubber to total new RHC (3)	Special restrictions or provisions (4)
14	Rubber footwear	70	Group average percent. No type rubber footwear shall contain more than 65 percent natural rubber. Line, type, quality, style, and color optional.
15	Shoe products		Line, type, quality, style, and color optional.
15-A	Heels and soles:		
	Heels, soles, and other specialized materials, manufactured by rubber heel and sole manufacturers used in the manufacture and repair of shoes, and excluding those items covered by other subsections of this code.	20	
	Soles	X	DO orders for black, full length, cleated soles or "Tropical Army Combat Boots" and "Ski-Mountain Army Boots."
	Heels	60	DO orders for tan, neutral, white, and nonmarking black heels, except whole heels. For the Armed Forces, Fed. Spec. ZZH141A.
	Soling	85	DO orders for Arctic boot soling for the Armed Forces (U. S. Army Spec. Mil-B-2000).
	Heels	65	DO orders for Arctic Boot Toplifts for the Armed Forces (U. S. Army Spec. Mil-B-2000).
	Crepe soles, heels, welting, and wrappers	0	The consumption, production, or sale (other than to G. S. A., unless specifically authorized by G. S. A.) of natural RHC, for crepe soles, heels, welting, and wrappers is prohibited. Only exception: Existing inventories as of March 15, 1951, in the actual possession of shoe manufacturers and shoe repairmen may be consumed.
15-B	Inner shoe cushions and pads:		
	Rubber, molded or sheet		Natural rubber content to be no greater than that in a comparable product produced during the base period.
	Sponge rubber, nitrogen blown, molded or sheet		60 percent natural rubber to total RHC permitted. Maximum monthly average. Gas chamber method only.
	Sponge rubber, chemically blown, molded or sheet		45 percent natural rubber to total RHC permitted. Maximum monthly average.
	Latex foam, uncured slab sheets		60 percent natural rubber to total RHC permitted.
	Latex foam, molded		75 percent natural rubber to total RHC permitted.
	Sponge rubber-cork granule sheets	0	
15-C	Orthopedic appliances	X	For corrective devices required for deformed, injured, and crippled feet only.
15-D	Impregnated non-woven fibrous shoe components:		
	Insole materials		Natural rubber latex only may be used.
	Welting and stripping	0	
	Midsole materials		Natural rubber latex only may be used.
	Sock lining, heel pad, plumper, and backing materials	0	
	High strength stay and reinforcing materials	X	Natural rubber content to be no greater than that in a comparable product produced during the base period.
	Hair and fulled felts		Natural rubber latex only may be used.
	Box toes	X	Natural rubber content to be no greater than that in a comparable product produced during the base period.
15-E	Combining cements and rubberized woven fabrics for shoes		The over-all monthly consumption of natural rubber shall not exceed 50 percent of the total new RHC consumed in all code 15E products.
	Cements for custom combining piece goods		
	Cements and compounds for coating, finishing, laminating, impregnating, and proofing fabrics used as uppers, linings, sock linings, heel pads, reinforcements, and backers in shoes.		
15-F	Shoe tapes:		
	Bindings, including French cord	X	
	Reinforcing and stay tapes	X	
	Tapes for applied sewing ribs and economy lips	X	
	Pressure sensitive tapes, cloth backed		20 percent of natural rubber by volume permitted.
	Pressure sensitive tapes, paper backed		50 percent of natural rubber by volume permitted.
15-G	Cements for manufacture and repair of shoes and component parts:		
	Shoe factory cements	X	
	Shoe repair cements	X	
	Cements for manufacture of shoe components	X	Except custom combining cements, code 15E; and cement for welting, code 15H.
	Cements and adhesives for anchoring flock	X	Natural rubber content to be no greater than that in a comparable product produced during the base period.
15-H	Cements for manufacturing welting for shoes		Natural rubber latex only may be used.
15-I	Protective coatings for shoes during manufacture	0	Production, consumption, and sale of protective coatings to keep shoes clean during manufacture containing natural rubber is prohibited. Only exception: Existing inventories as of May 1, 1951, in actual possession of shoe manufacturers may be consumed.
15-J	Bonded cork granule material for shoes: Composition cork sheets, not sponge rubber bonded.	0	
15-K	Elastic fabric and tape for shoes:		
	Elasticized fabrics for uppers and linings	X	
	Goring and elastic shoe tapes	X	

Code No. (1)	Product (2)	Percent natural rubber to total new RHC (3)	Special restrictions or provisions (4)
15-L	Bottom filler for shoes:		
	Hot-type thermoplastic fillers	0	
	Cold-type fillers		Natural rubber content to be no greater than that in a comparable product produced during the base period.
16	Cements		Color optional.
16-A	Cements for all purposes		The over-all monthly consumption of natural rubber shall not exceed 67 percent of the total new RHC. Natural rubber latex permitted.
16-B	Miscellaneous cement uses: For manufacture of products covered by all code numbers in this appendix A.	X	
17	Proofing, combining, or coating of fabric		In products where natural-rubber is permitted, no product shall contain a higher percent of natural rubber than a comparable product produced during the base period. Color optional. Restrictions on line, type, quality, and style do not apply.
	Covering material for transportation equipment	0	
	Film and coated materials for medical, health, and safety products	40	
	Anchor coats: spread, frictioned, or impregnated directly on fabric or other material to be later calendered or spread.	100	
	Seaming tapes and strapping	100	
	Cements used in assembly of other products here listed	100	
	Diving and life-saving equipment	100	
	Industrial and protective apparel	40	
	Industrial specialty products	50	
	Except low temperature diaphragm material	100	
	Flocked and imitation sueded materials	0	
	Except adhesive coating for anchoring the flock	100	
	Aprons or liners for handling in-process stock	40	
	Civilian utility products	0	

Code No. (1)	Product (2)	Percent natural rubber by volume (3)	Special restrictions or provisions (4)
18	Drug sundries, medical, surgical, dental, veterinary, and mortuary		Line, type, quality, style, and color optional.
18 A	Adhesive plaster products:		
	Medicated body plasters	50	
	Plain and medicated foot pads and plasters	50	
	Surgical adhesive tape	50	
18-B	Bulbs, including parts	60	
	Medicine dropper bulbs	65	
	Household bulbs	45	
18-C	Dental products:		
	Dental dam	X	
	Dental polishing tips	X	
	Denture rubber	65	
	Orthodontic bands	X	
	Denture suction and model formers	60	
18-D	Flat goods:		
	Fountain syringe bags, molded, and tubing	45	Average.
	Fountain syringe bags, hand-made, and tubing	75	
	Ice bags, molded	45	
	Ice bags, hand-made	60	
	Invalid cushions, molded	45	
	Invalid cushions, hand-made	60	
	Operating cushions	60	
	Water bottles and combinations, molded and tubing	45	
	Water bottles, hand-made	60	
	Latex fountain syringe bags and tubing, ice bags, and bulbs	0	Natural rubber latex permitted.
18-E	Gloves and cots:		
	Finger cots, including industrial and agricultural	X	
	Surgeons gloves	X	
	Net-lined hand-made gloves	75	
	Electricians' gloves, sleeves, and climber guards	X	
	Industrial and general-purpose gloves	X	
18-F	Infant goods:		
	Infant feeding nipples	X	
	Nurser bottle caps	X	
	Pacifiers	X	
	Breast shields	X	
	Teethers and teething rings	35	
	Baby pants	X	
	Parts for baby bath seats	X	
	Unsupported rubber sheeting	45	By weight of compound.
18-G	Miscellaneous sundries:		
	Bath caps		40 percent of base-period monthly average of natural rubber (dry or latex) consumed in bath caps permitted monthly.
	Hand-made	X	
	Molded	60	
	Dipped	X	Natural rubber latex only permitted.
	Blood pressure bags	X	
	Catheters, glass molded	65	
	Catheters, latex	X	
	Castrator rings	45	
	Garter buttons		60 percent natural rubber of the total RHC permitted.
	Hard rubber pipes, connections, and accessories	30	
	Penrose tubing	X	
	Colostomy outfits	X	
	Crutch pads	X	
	Crutch pads, sponge	60	
	Crutch tips (reinforced with metal or cloth)	35	For crutches only.
	Dilators	X	
	Inhalation bags and face pieces	X	
	Miscellaneous medical instrument parts	X	
	Prostatic bags	X	
	Prosthetic devices	X	
	Orthopedic parts, sponge	60	
	Respirator seal for iron lungs, sponge	X	
	Rubber bands and cushions for artificial limbs	X	
	Medical stopples	X	
	Self-adhering tape and gauze bandage	X	

Code No. (1)	Product (2)	Percent natural rubber by volume (3)	Special restrictions or provisions (4)
18-G	Miscellaneous sundries—Continued		
	Tourniquets	X	
	Truss pads	X	
	Urinals	X	
	Vaccine caps	X	
	Veterinary sleeves	X	
	Bath soaps and parts	18	Average.
	Toilet and bath sponges	23	
	Bath socks	X	
	Tension tape	75	
	Rubber sheets for mortuary garments	X	
18-H	Pessaries and prophylactics	X	
18-I	Sheet goods:		
	Bandage gum	X	
	Oxygen tent canopies	X	
18-J	Tubing: Surgical tubes and tubing	X	
18-K	Ladies' personal sanitary items:		
	Dress shields	X	
	Bloomer protective plates	X	
	Sanitary belts	X	
	Sanitary aprons	X	
	Unsupported girdles	X	
	Supported girdles	X	
	All items not elsewhere listed	0	
19	Flotation equipment: Pontoons, rafts, boats, and buoys	----------	Government orders only. Natural rubber permitted as required.
20	Life-saving equipment: Suits, jackets, vests, and belts	----------	Government orders only. Natural rubber permitted as required.
21	Bullet sealing fuel cells	X	
22	Miscellaneous:		
22-A	Athletic goods	----------	Line, type, quality, style, and color optional.
	Golf balls	85	
	Golf club grips	23	
	Tennis balls	81	
	Inflatable athletic balls	63	
	Inflatable playground balls	33	Maximum diameter 10 inches.
	Squash balls	60	
	Hand balls	60	
	Lacrosse balls	60	
	Rubber-covered baseballs	60	
	Baseball centers	10	
	Rubber-covered soft balls	60	
	Ear and nose protective plugs	X	
	Cement for repair kits	X	
	Boxers' teeth protectors	80	
	Athletic bladders	10	Maximum monthly average.
	Athletic bladder valves	85	
	Gun pads	10	
	Lead tennis racquet weights	49	
	Swim fins	35	
	Nose clips	----------	Natural rubber latex permitted.
	All items not elsewhere listed	0	
22-B	Balloons	----------	Line, type, quality, style, and color optional. Natural rubber latex only permitted.
22-C	Sponge rubber	----------	Line, type, quality, style, and color optional.
	Nitrogen blown	----------	60 percent natural rubber to total RHC permitted. Maximum monthly average. Gas chamber method only.
	Chemically blown	----------	45 percent natural rubber to total RHC permitted. Maximum monthly average.
	Kneeling pads	0	
	Church kneelers	0	
	Wallpaper cleaners	0	
	Floor mops	0	
	Seat cushions	0	
	Firemen's landing pads	0	
	Typewriter pads	0	
	Breast pads	0	
	Sponge balls	0	
	Sponge toys	0	
	Sponge novelties	0	
22-E	Miscellaneous products:		
	Radio, radar, and fire control instruments	X	
	Parachute bands and ventilating rings	X	
	Chlorinated and cyclized rubber	X	
	Flavored masticating gum	X	
22-F	Pressure sensitive tape	----------	Line, type, quality, style, and color optional.
	Color decorative tapes	0	For household use sold in lengths less than 1.292 inches.
	General purpose cloth-backed tapes	20	
	Double-faced cloth-backed tapes	20	Adhesive only.
	Nonfibrous film-backed tapes	20	Adhesive only.
	Sand blast stencil tapes	40	Adhesive plus backing.
	Cloth-backed photographic tapes	20	Combined adhesive and impregnating compositions.
	Paper-backed tapes, as follows	20	Combined adhesive and impregnating compositions.
	General purpose masking tapes		
	Frozen food packaging tapes		
	Photographic tapes		
	Double-faced tapes		
	Drafting tapes		
	Shoe tapes		
	Extra-strength tapes		
	Super-strength tapes		
	Printed utility tapes and sheets		
	Tapes with backings of nonfibrous film laminated to paper	20	Combined adhesive laminating and impregnating compositions.
	Electrical tapes	X	Not elsewhere listed.
	High-temperature tapes	X	
	Non staining tapes	X	
	High-strength tapes	X	Tensile strength more than 100 pounds per inch width.
	Protective paper tapes	X	
	Other tapes	X	Purchased by Government to Federal specifications.
22-G	Stationers' supplies:		
	Erasers	20	Line, type, quality, style, and color optional. Percent of natural rubber to total raw RHC.
	Pen sacs	X	Natural rubber latex only permitted.
	Rubber bands	75	
	Finger tips	23	
	Mucilage spreaders	23	

Code No. (1)	Product (2)	Percent natural rubber by volume (3)	Special restrictions or provisions (4)
22-H	Thread and related products:		
	Rubber thread	X	Natural rubber latex permitted. Six colors permitted.
	Garment tape	X	Color optional.
22-K	Toys		Line, type, quality, style, and color optional.
	Latex toys		Natural rubber latex only permitted.
	Doll skins	X	
	Dipped beach balls	X	
	Slush-molded toys	X	
	Crib toys	X	
	Molded (dry rubber) toys		40 percent of base period monthly average of rubber consumed in molded (dry rubber) toys permitted monthly.
	Core-molded dolls and parts	45	
	Inflated dolls	45	
	Inflated balls	45	
	Hand made water toys	45	
	All items not elsewhere listed	0	
22-L	Rubber flooring, floor covering, wall covering		Line, type, quality, style, and color optional.
	Rubber tile flooring	0	
	Coating for fiber floor covering	0	Natural rubber latex permitted.
	Wall covering	0	
22-M	Rubberized fiber and hair cushioning	0	Color optional. Natural rubber latex only permitted.

Code No. (1)	Product (2)	Percent natural rubber to total RHC (3)	Special restrictions or provisions (4)
23	Latex foam products		Line, type, quality, style, and color optional.
	Bedding:		
	Mattresses	X	
	Mattress toppers	X	
	Pillows	X	
	Automotive toppers	55	
	Furniture—transportation seating	75	
	Uncored slab	60	
	Miscellaneous molded parts	75	
24	Any product other than products listed in codes 1 to 23, inclusive	0	

APPENDIX B

The following is the list of products referred to in section 3:

Appendix A

Code No.	*Product*
1	Replacement tires, passenger, highway, mud-snow, taxi.
1	Replacement bicycle tires.
1	Replacement motorcycle tires.
3	Replacement tubes, passenger (including puncture-seal and safety tubes).
3	Replacement tubes, bicycle and motorcycle.
10-C	Garden and lawn hose.
12-B	Replacement automotive equipment (including all items listed thereunder in appendix A).
12-F	Household and appliance products (except for those functional parts which are manufactured for replacement purposes).
12-J	Billiard and pool-table cushions.
12-N	Mats and matting (including all items listed thereunder in appendix A except switchboard matting).
12-P	Bowling balls, knife handles, cafeteria trays, pipe bits, mouthpieces for musical instruments, and rods and tubing for fountain pen parts.
18-G	Bath caps.
18-K	Ladies' personal sanitary items (including all items listed thereunder in appendix A).
22-A	Athletic goods (including all items listed thereunder in appendix A).
22-B	Balloons.
22-C	Sponge rubber products (including all items listed thereunder in appendix A, except firemen's landing pads).
22-E	Flavored masticating gum.
22-G	Stationers' supplies (including all items listed thereunder in appendix A).
22-K	Toys (including all items listed thereunder in appendix A).
22-L	Rubber flooring, floor covering, wall covering (including all items listed thereunder in appendix A, except coating for fiber floor covering).
22-M	Rubberized fiber and hair cushioning.

APPENDIX C

On application to the Rubber Division, NPA, and in accordance with instructions in section 5 of Order M-2, additional quantities of rubber will be made available to fill contracts with the following symbols or allotments:

Allotment and/or DO rating symbol	*Program*
A-1 through A-9, B-1 through B-9, C-1 through C-9, Z-9.	Department of Defense and United States Coast Guard.
D-1 through D-9	Department of the Army.
E-1 through E-9	Atomic Energy Commission.
J-7	Department of State (Voice of America).
DO-22	Department of Defense.
DO-41	Atomic Energy Commission.
DO-62	United States Coast Guard.

[F. R. Doc. 51-8395; Filed, July 17, 1951; 4:46 p. m.]

[CMP Regulation No. 5, as Amended July 17, 1951]

CMP REG. 5—MAINTENANCE, REPAIR, AND OPERATING SUPPLIES AND MINOR CAPITAL ADDITIONS UNDER THE CONTROLLED MATERIALS PLAN

This regulation, as amended, is found necessary and appropriate to promote the national defense and is issued pursuant to the Defense Production Act of 1950. In the formulation of this regulation prior to its amendment, there was consultation with industry representatives, including trade association representatives, and consideration was given to their recommendations. However, consultation with representatives of all trades and industries affected in advance of the issuance of this regulation was rendered impracticable because the regulation affects almost all industries. In the formulation of this regulation as amended, consultation with industry representatives has been rendered impracticable due to the need for immediate action and because the amendment affects many industries.

CMP Regulation No. 5 is hereby amended in the following respects: The last two sentences in paragraph (g) of section 2 are deleted; item 2 of Schedule I, appearing at the end of the regulation, is amended by substituting a new item 2. As so amended, CMP Regulation No. 5 reads as follows:

NPA Reg. 4 is revoked effective July 6, 1951. Direction 2 to NPA Reg. 4, as amended June 25, 1951, shall be considered as a direction to this regulation. On and after July 6, 1951, any reference to NPA Reg. 4 contained in any order or regulation of NPA (other than this regulation) shall be deemed a reference to CMP Regulation No. 5.

Sec.
1. What this regulation does.
2. Definitions.
3. How a person obtains controlled materials.
4. How a person obtains products and materials other than controlled materials.
5. Status of orders rated DO-97.
6. Materials for which the allotment symbol MRO and the rating DO-MRO may not be applied or extended.
7. Quarterly MRO quotas.
8. Charges against quota.
9. Materials obtained for the benefit of another.
10. Use of materials for another purpose.
11. Certification.

Sec.
12. Supplier receiving orders improperly bearing the allotment symbol MRO or the rating DO-MRO.
13. Relation to other regulations and orders.
14. Records and reports.
15. Applications for adjustment or exception.
16. Communications.
17. Violations.

AUTHORITY: Sections 1 to 17 issued under sec. 704, Pub. Law. 774, 81st Cong., Pub. Law 69, 82d Cong. Interpret or apply sec. 101, Pub. Law 774, 81st Cong., Pub. Law 69, 82d Cong.; sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp., sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61.

SECTION 1. *What this regulation does.* The purpose of this regulation is to provide a uniform procedure by which any business enterprise, Government agency, or public or private institution may obtain limited quantities of controlled materials and products and materials other than controlled materials for maintenance, repair, and operating supplies (hereinafter collectively referred to as "MRO") as well as for minor capital additions. It provides for the establishment of quarterly quotas for MRO. The regulation does not limit the quantity of materials and products which a person may obtain without using the procedure provided in this regulation. However, a person who makes use of the procedure provided in this regulation to obtain in any quarter materials or products in excess of 20 percent of his quota shall comply with the quota limitations whether or not he is able to obtain additional materials and products without using the procedure provided in this regulation. A person may use the procedure provided in this regulation to obtain MRO and minor capital additions up to $1,000 in any one quarter regardless of his quota. The procedure provided in this regulation may not be used to secure materials for personal or household use.

SEC. 2. *Definitions.* As used in this regulation:

(a) "Person" means any individual, partnership, corporation, association, or other organized group, and includes any business enterprise, Government agency, or institution. If, in the calendar year 1950, or in his last fiscal year ending prior to March 1, 1951, a person operated more than one plant, division, department, branch, or other unit, and maintained for any such unit separate records showing expenditures therefor for MRO, he may elect to treat any one or more of such units as a separate person for the purposes of this regulation, or to treat his entire operation within the United States, its territories and possessions, as a single person. An election so made may not thereafter be changed without prior written approval of NPA.

(b) "NPA" means the National Production Authority.

(c) "Business enterprise" means a lawful activity conducted for profit in the United States, its territories or possessions.

(d) "Government agency" means the United States, its territories and possessions, any of the 48 States, or the District of Columbia, any political subdivision of any of the foregoing, and any agency of any of the foregoing which is not a business enterprise.

(e) "Institution" means any lawful organization, public or private, within the United States, its territories and possessions, which is neither a business enterprise nor a Government agency. It includes, but is not limited to schools, libraries, hospitals, churches, clubs, and welfare establishments.

(f) "Maintenance" means the minimum upkeep necessary to continue any plant, facility, or equipment in sound working condition, and "repair" means the restoration of any plant, facility, or equipment to sound working condition when it has been rendered unsafe or unfit for service by wear and tear, damage, failure of parts, or the like. Neither "maintenance" nor "repair" includes the replacement of any plant, facility, or equipment, or the improvement of any plant, facility, or equipment by replacing material which is still in sound working condition with materials of a new or different kind, quality, or design.

(g) "Operating supplies" means, in the case of a business enterprise, any kind of material carried by such business enterprise as operating supplies according to its established accounting practice. It includes items, such as hand tools, purchased by an employer for sale to his employees solely for use in his business if such items would have constituted operating supplies had they been issued to employees without charge. "Operating supplies" means, in the case of a Government agency or an institution, any kind of material used by the agency or institution in conducting any activity or rendering any service, provided such material is consumed in the course of operation and was not carried as capital equipment by the agency or institution according to its established accounting practice. Materials incorporated in a product are operating supplies if, but only if, they were carried as operating supplies according to the established accounting practice of the business enterprise, Government agency, or institution.

(h) "Minor capital addition" means any improvement or addition of a kind carried by a person as capital according to his established accounting practice, the total cost of which (excluding the purchaser's cost of labor) does not exceed $750 for any one complete capital addition. No capital addition may be subdivided for the purpose of bringing it or any part of it within this definition. In computing the cost of such improvement or addition, for the purpose of this regulation, the cost of all materials obtained for such improvement or addition shall be included whether or not acquired by use of an allotment symbol or rating, and whether or not ordered or delivered at different times and obtained from different suppliers. Where the capital addition or improvement involves construction of a type which requires authorization under NPA Order M-4, the procedure provided for herein may not be used to obtain materials therefor unless the authorization specifically so provides.

(i) "MRO" means materials for maintenance, repair, and operating supplies. It does not include capital additions. The term "minor capital addition" is specifically used whenever it is intended to be included within the provisions of this regulation. Materials produced or obtained for sale to other persons or for installation upon or attachment to the property of another person, and materials required for the production of such materials are not "MRO" as to the producer or supplier.

(j) "Material" means any raw, in-process, or manufactured commodity equipment, component, accessory, part, or product of any kind.

(k) "Controlled material" means steel, copper, and aluminum in the forms and shapes indicated in Schedule I of CMP Regulation No. 1.

(l) "Established accounting practice" means, in the case of a person in operation on or before December 31, 1950, the accounting practice in use by such person on that date or on the last day of his operation prior thereto. In the case of a person whose operation begins after December 31, 1950, the term means the accounting practice established by him in such operation.

SEC. 3. *How a person obtains controlled materials.* (a) Subject to the quantity restrictions contained in section 7 of this regulation, every business enterprise, Government agency, and institution shall have the right to use the allotment symbol MRO on delivery orders for controlled materials for maintenance, repair, and operating supplies, and minor capital additions. The assignment of the right to use the allotment symbol MRO does not constitute the making of an allotment of the amount of controlled materials for MRO and minor capital additions specified in section 7 of this regulation. The allotment symbol MRO may be used to acquire only that amount of controlled material actually needed for MRO and minor capital additions.

(b) A delivery order bearing the symbol MRO, together with the certification provided for in section 11 of this regulation, shall constitute an authorized controlled material order for the purposes of all CMP regulations.

SEC. 4. *How a person obtains products and materials other than controlled materials.* (a) Subject to the quantity restrictions contained in section 7 of this regulation, every business enterprise, Government agency, and institution shall have the right to use the rating DO-MRO on delivery orders for products and materials other than controlled materials for maintenance, repair, and operating supplies, and minor capital additions. The rating DO-MRO may be used to acquire such products and materials only up to that portion of the amount specified in section 7 of this regulation which is actually needed for the purposes of MRO and minor capital additions.

(b) A delivery order bearing the rating DO-MRO, together with the certification provided for in section 11 of this regulation, shall constitute a rated order with an allotment symbol for the purpose of all NPA regulations and orders.

SEC. 5. *Status of orders rated DO-97* (a) Notwithstanding the provisions of section 4 (c) of CMP Regulation No. 3, a delivery order for controlled materials calling for delivery in the third quarter, 1951, placed prior to the effective date of this regulation in accordance with the provisions of NPA Reg. 4 and bearing the rating DO-97 shall constitute an authorized controlled material order for the purpose of all CMP regulations.

(b) Notwithstanding the provisions of section 5 (c) of CMP Regulation No. 3, a delivery order for products and materials other than controlled materials calling for delivery in the third quarter, 1951, placed prior to the effective date of this regulation in accordance with the provisions of NPA Reg. 4 and bearing the rating DO-97 shall constitute a rated order with the allotment symbol MRO for the purpose of all CMP regulations.

(c) A producer of a Class A or of a Class B product who has, prior to the effective date of this regulation, extended an order bearing the rating DO-97 to a supplier of a controlled material, and who has received an authorized production schedule with a related allotment, shall charge against such allotment the amount of any controlled material which he receives pursuant to such order.

(d) A delivery order calling for delivery after the third quarter, 1951, placed prior to the effective date of this regulation in accordance with the provisions of NPA Reg. 4 and bearing the rating DO-97 must be converted into an authorized controlled material order or into a rated order with the allotment symbol MRO, as the case may be, in accordance with the provisions of CMP Regulation No. 3. In the absence of such conversion on or before August 15, 1951, the order shall constitute an unrated order.

(e) A delivery order for MRO or minor capital additions placed after the effective date of this regulation and in accordance with its provisions must bear the allotment symbol MRO or the rating DO-MRO, as the case may be.

SEC. 6. *Materials for which the allotment symbol MRO and the rating DO-MRO may not be applied or extended*—(a) *Prohibited list.* The allotment symbol MRO and the rating DO-MRO shall not be applied or extended by a person to obtain any of the materials or articles listed in Schedules I and II of this regulation, or to obtain any equipment pursuant to any lease.

(b) *Limitation for minor capital additions.* The allotment symbol MRO and the rating DO-MRO may not be applied by a person to obtain in any quarter (calendar or fiscal) materials for a total of minor capital additions exceeding in the aggregate 10 percent of the quarterly MRO quota established as provided in section 7 of this regulation or $750, whichever is greater.

(c) *Limitation on extension of the rating DO-MRO.* A producer of Class A products who receives a delivery order with the rating DO-MRO shall not extend such rating, but shall obtain his production materials in accordance with the provisions of section 15 of CMP Regulation No. 1. A producer of Class B products who receives a delivery order with the rating DO-MRO shall not extend such rating, but shall obtain his production materials from an industry division or claimant agency, as provided in CMP Regulations No. 1 and No. 3. All other suppliers may extend a DO-MRO rating to obtain materials to the extent permitted by and in accordance with the provisions of NPA Reg. 2.

SEC. 7. *Quarterly MRO quotas.*—(a) *The quota base.* A person who applies the allotment symbol MRO to buy controlled materials or the rating DO-MRO to buy products and materials other than controlled materials must establish his quarterly MRO quota. The MRO quota base to be used in establishing the MRO quota shall include all expenditures made by a person in the base period for MRO (except for materials referred to in Schedule II of this regulation) even though such MRO consists of materials listed in Schedule I of this regulation. Expenditures during the base period for capital additions shall not be included in the quota base.

(b) *Standard base period.* The standard base period is the calendar year 1950.

(c) *Fiscal year base period.* If a person operated on the basis of a fiscal year prior to March 1, 1951, he may elect to take as his base period his last fiscal year ending prior to that date. After such an election has been made, it may not thereafter be changed without the prior written approval of NPA.

(d) *Standard quota.* The standard quarterly quota is 30 percent of the quota base.

(e) *Seasonal quota.* A person may elect to establish seasonal quarterly quotas. An election so made may not be changed thereafter without the prior written approval of NPA. Such seasonal quota for any quarter shall be 120 percent of the expenditures by the person for MRO during the corresponding quarter in 1950.

(f) *Persons not in operation throughout the base period.* A person not in operation throughout the entire base period shall establish and report his quarterly MRO quota as follows:

(1) *Person operating during part of the base period.* A person who was in operation during a part but not all of the calendar year 1950 (or of his last fiscal year ending prior to March 1, 1951) shall determine his quota base by computing the amount he would have spent for MRO (except for materials referred to in Schedule II) had he continued the same rate of expenditure throughout the year as during that part of the year in which he was in operation, making necessary corrections to compensate for seasonal or other exceptional characteristics of the period in which he was in operation. His standard quarterly MRO quota shall be 30 percent of his quota base. If he elects to establish seasonal quarterly quotas, as above provided, he may divide 120 percent of his quota base into four quarterly MRO quotas in accordance with the seasonal demands of the activity in which he is engaged.

(2) *Persons not in operation during the base period.* If a person was not in operation in any part of the calendar year 1950 (or of his last fiscal year ending prior to March 1, 1951), his quarterly MRO quota (standard or seasonal) shall be the amount which he determines to be necessary for his operation. The quota of such person may not, however, exceed $5,000 for any quarter without the prior written approval of NPA.

(3) *Notice to NPA.* A person who establishes a quarterly MRO quota in excess of $1,000 pursuant to subparagraphs (1) or (2) of this paragraph (f) shall, within 30 days after he first applies either the allotment symbol MRO or the rating DO-MRO, notify NPA in writing of the quota he has established, the base period he has used, the method he used in computing his quota, and the corrections he made for seasonal or other factors.

(g) *Future use of increased quotas.* If the quarterly MRO quota of a person is increased by specific authorization of NPA pursuant to section 15 of this regulation, the increased quota becomes his standard quota unless the increase is granted on a temporary or seasonal basis or is otherwise restricted by the terms of the authorization. An increased quarterly MRO quota granted as a seasonal quota may be used only in the corresponding quarter of subsequent years.

(h) *Increase not retroactive.* An increase in quota granted pursuant to section 15 of this regulation is not retroactive.

SEC. 8. *Charges against quota*—(a) *When to charge against quota.* A person may elect to charge expenditures against his MRO quota for the quarter (calendar or fiscal) in which his purchase order specifies delivery is to be made (the delivery basis) or against his MRO quota for the quarter in which the materials are actually received (the receipts basis) Having elected to use one method, he may not thereafter change to the other without the prior written approval of NPA.

(b) *What to charge against quota.* A person shall charge against his MRO quota in each quarter:

(1) All expenditures for materials for MRO (except materials referred to in Schedule II) ordered for delivery (or, if on the receipts basis, received) during the quarter, whether or not obtained by use of the allotment symbol MRO or the rating DO-MRO, and

(2) All expenditures for minor capital additions ordered for delivery (or, if on the receipts basis, received) during the quarter if, but only if, obtained by the use of the allotment symbol MRO or the rating DO-MRO.

(c) *Exceptions.* (1) A person may order (or receive) in any quarter MRO and materials for minor capital additions aggregating not more than $1,000 without regard to quota limitations.

(2) Any person who uses the allotment symbol MRO or the rating DO-MRO to order for delivery (or, if on the receipts basis, to receive) during any quarter materials which aggregate not more than 20 percent of his MRO quota

for such quarter, may, in addition, order for delivery (or receive) in such quarter other material for MRO and minor capital additions without use of the allotment symbol MRO or the rating DO-MRO and without regard to quota limitations.

SEC. 9. *Materials obtained for benefit of another*—(a) *Materials supplied by a repairman.* Any business enterprise (such as a repair shop) engaged in doing maintenance or repair work or installing minor capital additions for any other person may apply the allotment symbol MRO to obtain controlled materials and the rating DO-MRO to obtain products and materials other than controlled materials to the same extent that such other person would be entitled to apply the allotment symbol or rating if he were doing the work himself. The cost of materials so obtained shall be charged to the MRO quota of the person for whom the work is done.

(b) *Obligation to supply MRO under lease or other agreement.* A person who is obligated to maintain, repair, or operate any plant, facility, or equipment, under the terms of any lease or other agreement for the use of such property by another person, may apply the allotment symbol MRO or the rating DO-MRO to obtain materials needed for such purposes. Expenditures for such materials shall be charged to the MRO quota of the person thus applying the allotment symbol MRO or the rating DO-MRO except that, if his purchase is made on a reimbursable basis for the account of the person using the property, the MRO quota of the latter shall be charged.

SEC. 10. *Use of materials for another purpose.* If a person has obtained materials for MRO or minor capital additions by applying the allotment symbol MRO or the rating DO-MRO, as the case may be, he may use them for a different purpose if under an authorized production schedule or authorized construction schedule he could have applied any other allotment number or symbol or rating to acquire them for such purpose. However, if he does use them for such other purpose, he may not use the allotment symbol MRO or the rating DO-MRO to replace them in inventory. To replace such materials in inventory he may use only the allotment number or symbol, or DO rating under such authorized production or construction schedule which he might have applied to obtain them for the purpose for which he used them. If he uses such materials obtained by applying the allotment symbol MRO or rating DO-MRO for such other purpose, his records must be adequate to show that his purchases of material are substantially proportionate to his authorized uses.

SEC. 11. *Certification.* A delivery order for MRO or materials for minor capital additions must contain a certification in addition to the allotment symbol MRO or the rating DO-MRO. Unless another form of certification is specifically prescribed by an applicable order or regulation of NPA, such certification shall be in the following words:

Certified under CMP Regulation No. 5

and shall be signed as provided in NPA Reg. 2. This certification shall constitute a representation to the supplier and to NPA that the purchaser is authorized to use the allotment symbol or the rating under the provisions of this regulation to obtain the materials covered by the delivery order.

SEC. 12. *Supplier receiving orders improperly bearing the allotment symbol MRO or the rating DO-MRO.* When a supplier has received a purchase order bearing the allotment symbol MRO or the rating DO-MRO, which symbol or rating he knows, or has reason to believe, has been used in violation of any NPA regulation or order, the supplier shall refuse to accept it as an authorized controlled material order or rated order, as the case may be. In such event, the supplier shall advise the buyer of his reason for such refusal, and shall also advise NPA of his receipt of the order, his refusal to accept it, and his reason for such refusal.

SEC. 13. *Relation to other regulations and orders*—(a) *Rules governing use of the allotment symbol MRO or the rating DO-MRO.* Any person who is entitled to obtain materials for his MRO or minor capital additions under any other NPA regulation or order, shall be governed by the provisions of such other order or regulation and shall not use the allotment symbol MRO or the rating DO-MRO as provided in this regulation.

(b) *Inventory limitations.* Nothing in this regulation shall be deemed to authorize any person to order or receive any controlled materials if acceptance thereof would increase his inventory beyond the limitations permitted by CMP Regulation No. 2, or the limit fixed in any other applicable NPA regulation or order. Nothing in this regulation shall be deemed to authorize any person to order or receive products or materials other than controlled materials if acceptance thereof would increase his inventory beyond a minimum practicable working inventory as defined in NPA Reg. 1 or beyond the limit fixed in any other applicable NPA order or regulation.

(c) *Delegations to Government agencies.* This regulation does not revoke or prevent the use of any authority delegated by NPA to any other Government agency whereby such agency may use allotment symbols other than MRO or ratings other than DO-MRO, as the case may be, for direct procurement of its own requirements of MRO or minor capital additions.

(d) *Other regulations and orders.* Nothing in this regulation shall be construed to relieve any person from the obligation of complying with such limitations on acquisition or use of materials or such other provisions as may be contained in any applicable regulation or order of NPA or with any order of any other competent authority.

SEC. 14. *Records and reports*—(a) *Records to be kept.* Each person who makes any use of the allotment symbol MRO or the rating DO-MRO pursuant to this regulation shall make and preserve at his regular place of business for at least 2 years accurate and complete records showing what his quarterly MRO quotas are, how he computed them, the factual justification for them and for corrections or revisions thereof, any elections made as to the use of seasonal quotas, methods of figuring quotas and charges against them, or other options exercised, and records of receipts, deliveries, inventories, and use of all materials for use as MRO or minor capital additions, whether or not by use of the allotment symbol or rating, in sufficient detail to permit an audit that will permit determination for each transaction whether the provisions of this regulation have been met. This requirement does not specify any particular accounting method and does not require alteration of the system of records customarily maintained, provided such records disclose the above data and supply an adequate basis for audit. Records may be retained in the form of microfilm or other photographic copies instead of the originals.

(b) *Inspection and audit.* All records required by this regulation shall be made available at the usual place of business where maintained for inspection and audit by duly authorized representatives of NPA.

(c) *Other records and reports.* Persons subject to this regulation shall maintain such further records and submit such reports to NPA as it shall require, subject to the terms of the Federal Reports Act of 1942 (5 U. S. C. 139-139F).

SEC. 15. *Applications for adjustment or exception.* (a) Any person subject to any provision of this regulation may file a request for adjustment or exception upon the ground that such provision works an undue or exceptional hardship upon him not suffered generally by others in the same trade or industry, or that its enforcement against him would not be in the interest of the national defense or in the public interest. In examining requests claiming that the public interest is prejudiced, consideration will be given to the requirements of the public health and safety, civilian defense, and dislocation of labor and resulting unemployment that would impair the defense program. Each request shall be in writing submitted in triplicate on Form NPAF-78. The request shall set forth all pertinent facts and the nature of the relief sought, and shall state the justification therefor.

(b) Subject to the provisions of paragraphs (g) and (h) of section 7 of this regulation, any adjustments or exceptions granted under the provisions of NPA Reg. 4 shall continue to apply under this regulation.

SEC. 16. *Communications.* All communications concerning this regulation shall be addressed to the National Production Authority, Washington 25, D. C., Ref: CMP Regulation No. 5.

SEC. 17. *Violations.* Any person who wilfully violates any provision of this regulation or any other regulation or order of NPA, or who wilfully conceals a material fact or furnishes false information in the course of operation under this regulation, is guilty of a crime and,

upon conviction, may be punished by fine or imprisonment, or both. In addition, administrative action may be taken against any such person to suspend his privilege of making or receiving further deliveries of materials or using facilities under priority or allocation control and to deprive him of further priorities assistance.

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.

This regulation shall take effect on July 17, 1951.

NATIONAL PRODUCTION AUTHORITY,
MANLY FLEISCHMANN,
Administrator

SCHEDULE I

Materials to which the allotment symbol MRO or the rating DO-MRO may not be applied or extended under CMP Regulation No. 5:

1. All basic, organic, or inorganic chemicals, their intermediates and derivatives other than compounded end-products not customarily sold as chemicals.
2. Products appearing in List A of NPA Order M-47A, as that order may be amended from time to time (except in item 28 of Section VIII of List A), or in List B of said order (except painters' and industrial brushes, as defined in NPA Order M-18, as that order may be amended from time to time).
3. Nylon fibers and yarns.
4. Packaging materials and containers.
5. Paint, lacquer, and varnish.
6. Paper and paper products.
7. Paperboard and paperboard products.
8. Printed matter.
9. Photographic film.
10. Rails, tie plates, track spikes, splice bars, rail joints, frogs, and switches. (See NPA Order M-73)
11. Rubber tires and tubes.

SCHEDULE II

Materials contained in NPA Reg. 2, List A, as the same may be amended or supplemented from time to time, the allocation and distribution of which are subject to regulation by other Government agencies and which, therefore, are not subject to any DO rating issued by or under the authority of NPA.

[F. R. Doc. 51-8394; Filed, July 17, 1951; 4:46 p. m.]

[NPA Order M-12 as Amended July 2, 1951 Amendment 1]

M-12—USE OF COPPER AND COPPER-BASE ALLOYS

This amendment to NPA Order M-12, as amended July 2, 1951, is found necessary and appropriate to promote the national defense and is issued pursuant to the Defense Production Act of 1950. In the formulation of this amendment consultation with industry representatives has been rendered impracticable because of the need for immediate action.

The amendment affects NPA Order M-12, as previously amended, as follows:

(1) The words "which is not listed in NPA Order M-47A or which is not a part of a product so listed" in section 6 shall be deleted and the following inserted in place thereof:

"which is not covered by NPA Order M-47A or NPA Order M-68, or which is not a part of a product so covered,"

(2) The words "including List A and B" in the last sentence of the order shall be deleted.

(Sec. 704, Pub. Law 774, 81st Cong., Pub. Law 69, 82d Cong.)

This amendment shall take effect on July 17, 1951.

NATIONAL PRODUCTION AUTHORITY,
MANLY FLEISCHMANN,
Administrator

[F. R. Doc. 51-8389; Filed, July 17, 1951; 4:45 p. m.]

[NPA Order M-32 as Amended July 17, 1951]

M-32—CHEMICALS

LIMITATION FOR DO RATED ORDERS

This amendment of NPA Order M-32, as amended May 1, 1951, is found necessary and appropriate to promote the national defense and is issued pursuant to the authority granted by section 101 of the Defense Production Act of 1950. In the formulation of this amendment there has been consultation with industry representatives, including trade association representatives, and consideration has been given to their recommendations.

This amendment affects NPA Order M-32, as amended, by adding three items to Schedule A. As so amended, NPA Order M-32 reads as follows:

Sec.
1. What this order does.
2. Definitions.
3. Chemicals to which this order applies.
4. Required shipment dates.
5. Rejection of rated orders.
6. Limitation for acceptance of rated orders.
7. NPA assistance in placing rated orders.
8. Applications for adjustment or exception.
9. Communications.
10. Records.
11. Audit and inspection.
12. Reports.
13. Violations.

AUTHORITY: Sections 1 to 13 issued under sec. 704, Pub. Law 774, 81st Cong., Pub. Law 69, 82d Cong. Interpret or apply sec. 101, Pub Law 774, 81st Cong., Pub Law 69, 82d Cong., sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp., sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61.

SECTION 1. *What this order does.* This order applies particularly to producers and distributors of each chemical listed in Schedule A appearing at the end of this order and provides rules for placing, accepting, and scheduling rated orders for such chemical. Its purpose is to provide equitable distribution of rated orders among all producers and distributors thereof, in order to make possible maximum production and to reduce to a minimum disruption of normal distribution. It supplements NPA Reg. 2 but only those provisions of Reg. 2 which are inconsistent with this order are superseded and all other provisions of Reg. 2 continue to apply to the chemical industry.

SEC. 2. *Definitions.* As used in this order:

(a) "Person" means any individual, corporation, partnership, association, or any other organized group of persons, and includes agencies of the United States or any other government.

(b) "Producer" means any person engaged in the business of producing for sale any chemical listed in Schedule A.

(c) "Distributor" means any person who buys and receives from a producer any chemical listed in Schedule A and who resells or holds for resale such chemical.

(d) "Schedule A" means the list of chemicals marked "Schedule A" appearing at the end of this order.

(e) "NPA" means National Production Authority.

SEC. 3. *Chemicals to which this order applies.* This order applies only to the chemicals listed in Schedule A, as amended from time to time. It is the intention of NPA that if and when the need arises, additional chemicals will be added to Schedule A.

SEC. 4. *Required shipment dates.* A rated order for any chemical listed in Schedule A must specify shipment on a particular date or dates or during a particular month, which in no case may be earlier than required by the person placing the order. The producer of such chemical must schedule the order for shipment within the requested month as close to the requested shipment date as is practicable, considering the need for maximum production. The distributor must schedule the order for shipment within the requested month as close to the requested shipment date as is practicable.

SEC. 5. *Rejection of rated orders.* Unless otherwise specifically directed by NPA, no producer or distributor need accept a rated order for any chemical listed in Schedule A which is received by him less than the number of days (lead time) if any, set forth in Schedule A opposite the name of such chemical, prior to the first day of the month in which shipment is requested. Rated orders for any such chemical as to which no such period of time is specified in Schedule A are not subject to the provisions of this section.

SEC. 6. *Limitation for acceptance of rated orders.* Unless otherwise specifically directed by NPA, no producer or distributor shall be required to accept rated orders for shipment of any chemical listed in Schedule A in any one month in excess of the percentage specified in Schedule A.

SEC. 7. *NPA assistance in placing rated orders.* Any person who is unable to place a rated order for any chemical listed in Schedule A due to the limitation imposed by section 6 of this order should apply to NPA, Ref: Order M-32, specifying the producers or distributors who refused to accept the order. NPA will arrange to assist him in locating sources of supply.

SEC. 8. *Applications for adjustment or exception.* Any person affected by any provision of this order may file with NPA a request for adjustment or exception upon the ground that such provision

works an undue or exceptional hardship upon him not suffered generally by others in the same trade or industry, or that its enforcement against him would not be in the interest of the national defense or in the public interest. In considering requests for adjustment which claim that the public interest is prejudiced by the application of any provision of this order, consideration will be given to the requirements of public health and safety, civilian defense, and dislocation of labor and resulting unemployment that would impair the defense program. Each such request shall be in writing and shall set forth all pertinent facts, the nature of the relief sought, and the justification therefor.

SEC. 9. *Communications.* All communications concerning this order shall be addressed to National Production Authority, Washington 25, D. C., Ref: M-32.

SEC. 10. *Records.* Each person participating in any transaction covered by this order shall retain in his possession for at least 2 years records of receipts, deliveries, inventories, and use, in sufficient detail to permit an audit that determines for each transaction that the provisions of this order have been met. This does not specify any particular accounting method and does not require alteration of the system of records customarily maintained, provided such records supply an adequate basis for audit. Records may be retained in the form of microfilm or other photographic copies instead of the originals.

SEC. 11. *Audit and inspection.* All records required by this order shall be made available at the usual place of business where maintained for inspection and audit by duly authorized representatives of NPA.

SEC. 12. *Reports.* Persons subject to this order shall make such records and submit such reports to NPA as it shall require, subject to the terms of the Federal Reports Act of 1942 (5 U. S. C. 139–139F)

SEC. 13. *Violations.* Any person who wilfully violates any provision of this order or any other order or regulation of NPA or who wilfully conceals a material fact or furnishes false information in the course of operation under this order is guilty of a crime and, upon conviction, may be punished by fine or imprisonment or both. In addition, administrative action may be taken against any such person to suspend his privilege of making or receiving further deliveries of materials or using facilities under priority or allocation control and to deprive him of further priorities assistance.

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

This order as amended shall take effect on July 17, 1951.

NATIONAL PRODUCTION AUTHORITY,
MANLY FLEISCHMANN,
Administrator.

SCHEDULE A

Name of chemical	Limitation for compliance of rated order		Number of days (lead time) if any	
	By producers	By distributors	For producers	For distributors
Ethyl ether of cellulose (known as "ethyl cellulose").	40 percent by weight of the producer's scheduled production for the month of shipment.	None	15	None
DDT (Dichlorodiphenyl-trichloroethane)	20 percent by weight of the producer's scheduled production for the month of shipment.	None	15	None
Barium carbonate	20 percent by weight of the producer's scheduled production for the month of shipment.	None	None	None
Melamine and melamine-containing compounds.	None	None	15	None
Anthraquinone vat dyes of the following types: Brown G—CI 1112. Brown R—CI 1151. Khaki 2G—Pr 122. Olive Green B—Pr 123. Olive GGL. Olive R—CI 1110. Olive T. Yellow GC—Pr 9. Orange RRT—CI 1073.	20 percent by weight of the producer's scheduled production for the month of shipment of each of the specified types.	None	None	None
Carbon tetrachloride	None	None	15	20
Methylene chloride	None	None	15	20
Perchlor-ethylene	None	None	15	20
Dichloro-difluoromethane (known as "Freon-12").	None	None	15	None
Trichloro-monofluoromethane (known as "Freon-11").	None	None	15	None
Monochloro-difluoromethane (known as "Freon-22").	None	None	15	None
Chrome yellow	20 percent by weight of the producer's scheduled production for the month of shipment.	None	None	None
Chrome orange	20 percent by weight of the producer's scheduled production for the month of shipment.	None	None	None
Phenol formaldehyde resin:				
(a) Without filler	45 percent by weight of the producer's scheduled production for the month of shipment.	None	15	None
(b) With filler	25 percent by weight of the producer's scheduled production for the month of shipment.	None	15	None

[F. R. Doc. 51-8392; Filed, July 17, 1951; 4:45 p. m.]

[NPA Order M-50 as Amended July 17, 1951]

M-50—ELECTRIC UTILITIES

This order as amended is found necessary and appropriate to promote the national defense and is issued pursuant to the authority of section 101 of the Defense Production Act of 1950. In the formulation of this order, as amended, there has been consultation with industry representatives, including trade association representatives, and consideration has been given to their recommendations.

This amendment affects NPA Order M-50 by placing electric utilities under the Controlled Materials Plan. As amended, NPA Order M-50 reads as follows:

ARTICLE I—GENERAL PROVISIONS

Sec.
1. What this order does.
2. Definitions.
3. Applications for adjustment or exception.
4. Records and reports.
5. Communications.
6. Violations.

ARTICLE II—PROCUREMENT OF CONTROLLED MATERIALS GENERALLY

21. Effect on other orders.
22. Restrictions on placement of delivery orders for controlled materials.
23. Conversion of outstanding orders.
24. Use of allotment numbers and certification.

ARTICLE III—MAJOR PLANT ADDITIONS

31. Restrictions on construction.
32. Construction schedules and allotments for major plant additions.
33. Required use of excess inventory.
34. Authorization to use DO rating to obtain products and materials other than controlled materials for major plant additions.

ARTICLE IV—MINOR REQUIREMENTS

41. Allotments of controlled materials for minor requirements.
42. Quarterly controlled material quotas for minor requirements.
43. Applications for increased controlled materials quotas.
44. Authorization to use DO ratings to obtain products and materials other than controlled materials for minor requirements.
45. Inventory restrictions.

AUTHORITY: Sections 1 to 45 issued under sec. 704, Pub. Law 774, 81st Cong., Pub. Law 69, 82d Cong. Interpret or apply sec. 101, Pub. Law 774, 81st Cong., Pub. Law 69, 82d Cong.; sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.; sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61.

ARTICLE I—GENERAL PROVISIONS

SECTION 1. *What this order does.* This order provides rules of special application to the procurement and use of materials by electric utilities. It sets forth the procedure by which electric utilities procure materials under the Controlled Materials Plan. It modifies the application to electric utilities of CMP Regulations Nos. 2 and 6, as well as other orders and regulations of NPA.

SEC. 2. *Definitions.* (a) "Electric utility" means any individual, partnership, association, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not, located in the United States, its territories or possessions, supplying, or having facilities built for supplying, electric power, directly or indirectly, for general use by the public or, in the case of a cooperative, for use by its members. If an electric utility is engaged in the supply of electric power and in other activities, this order shall apply only to the procurement and use of materials required directly or indirectly for the supply of electric power.

(b) "DEPA" means the Administrator of Defense Electric Power Administration.

(c) "Maintenance" means the continuation of any plant, facility, or equipment in sound working condition; and "repair" means the restoration of any plant, facility, or equipment to sound working condition when it has been rendered unsafe or unfit for service by wear and tear, damage, failure of parts, or the like. "Maintenance" and "repair" include the replacement of any equipment regardless of its accounting classification, but neither "maintenance" nor "repair" includes the improvement of any plant, facility, or equipment, or the replacement of material which is in sound working condition with material of a better kind, quality, design, or greater capacity.

(d) "Operating supplies" means material, other than fuel, which is consumed in the course of an electric utility's operations, except in maintenance, repair, and plant additions.

(e) "Gross weight of conductor" means, in the case of overhead lines, the weight of conductor as installed, including steel content in the case of conductor containing steel, without deduction for material salvaged; and in the case of underground lines the copper and aluminum content only, without deduction for material salvaged.

(f) "Line construction" means construction of both overhead and underground lines.

(g) "Net material cost" means the cost of all material, including any commodity equipment, accessory, part, assembly or product of any kind, incorporated in plant, less the cost of all material removed from plant, priced in accordance with the electric utility's regular accounting practice.

(h) "Plant addition" means the construction or installation of new facilities or the replacement or existing facilities with facilities of greater capacity. Single plant additions may not be combined or subdivided for purposes of affecting their classification as "major plant additions," as defined in this section. To assist in determining whether particular construction constitutes one, or more than one, plant addition, it shall be considered that a single plant addition consists of:

(1) Any construction of related facilities, excluding maintenance and repair work, which is completed during a continuous period of construction, not interrupted by periods of time such as months or years, except where such interruption is caused by uncontrollable forces, such as adverse weather conditions.

(2) In the case of line construction, a single continuous integrated system of lines, with necessary connected substations. (Thus, several sections of line emanating from different points on a utility's system would be several plant additions, not one plant addition.)

(i) "Major plant addition" means any plant addition which involves one or more of the following:

(1) Line construction designed for operation at more than 15 kv where the plant addition requires more than 10,000 pounds gross weight of conductor; or

(2) Line construction designed for operation at 15 kv or less where the plant addition has a net material cost exceeding $50,000; or

(3) Non-line construction necessary for the generation, transmission, and distribution of electric power, where the plant addition has a net material cost over $50,000, excluding construction of facilities for use as a garage, warehouse, operating headquarters, office building, administrative building, or other similar use, unless such facilities are essential for the generation, transmission, and distribution of electric power.

(j) "Approved major plant addition" means any major plant addition in which DEPA has authorized commencement or continuation of construction.

(k) "Minor requirements" means electric utility requirements of controlled materials and other materials for all purposes (including MRO) except major plant additions, and except construction of facilities for use as a garage, warehouse, office building, administrative building, or other similar use, unless such facilities are essential for the generation, transmission, and distribution of electric power.

(l) "Inventory" of any item of material means new or salvaged material in the possession of an electric utility, unless physically incorporated in plant, without regard to its accounting classification, excluding, however:

(1) Any material specifically set aside on April 1, 1951, for use in time of emergency, and replacement thereof; and

(2) Any material set aside on July 17, 1951, for use in an approved major plant addition. Any material set aside for use in any such major plant addition shall be returned to inventory as soon as it becomes apparent that such material will not be used in such major plant addition.

(m) "Practicable minimum working inventory" means the smallest quantity of material from which an electric utility can reasonably supply its services on the basis of its currently scheduled method and rate of operation. In the absence of unusual circumstances, if the ratio of an electric utility's inventory to its currently scheduled operations is substantially greater than the ratio which it found necessary to maintain between inventory and operations during the recent past, its inventory will be considered excessive.

(n) "Permissible inventory" of any item of material means the quantity of such material which is necessary for use in supplying electric service on the basis of an electric utility's scheduled method and rate of operation pursuant to this order during the succeeding 90-day period, or a practicable minimum working inventory, whichever is less.

(o) "Excess inventory" of any item means that part of an electric utility's inventory of such item which exceeds its permissible inventory of such item.

(p) "Authorized construction schedule," "controlled material," "allotment," "Class A product," "Class B product," "delivery order," and "authorized controlled material order" shall have the meanings respectively assigned to such terms in CMP Regulation No. 6.

SEC. 3. *Applications for adjustment or exception.* (a) Any electric utility affected by any provision of this order may file a request for adjustment or exception on the ground that such provision works an undue or exceptional hardship upon such utility not suffered generally by other electric utilities, or that its enforcement against such utility would not be in the interest of national defense or in the public interest. Each request shall be in writing, shall set forth all pertinent facts and the nature of the relief sought, and shall state the justification therefor.

(b) Each such request shall be addressed to DEPA and, if approved, DEPA will grant an appropriate adjustment or exception.

SEC. 4. *Records and reports.* (a) Each electric utility participating in any transaction covered by this order shall retain in its possession for at least 2 years records of receipts, deliveries, inventories, and use, in sufficient detail to permit an audit that determines for each transaction that the provisions of this order have been met, including the amounts of quarterly quotas, the method of computation, factual justification, methods of figuring quotas, and charges against them. This does not specify any particular accounting method and does not require alteration of the system of records customarily maintained, provided such records supply an adequate basis for audit. Records may be retained in the form of microfilm or other photographic copies instead of the originals.

(b) Each electric utility shall make such further records and submit such further reports to DEPA as it shall require, subject to the terms of the Federal Reports Act of 1942 (5 U. S. C. 139–139F)

SEC. 5. *Communications.* All communications concerning this order, and CMP Regulation No. 6 as modified by this order, and all requests for forms, shall be addressed to the Defense Electric Power Administration, Department of the Interior, Washington 25, D. C.

SEC. 6. *Violations.* Any person who wilfully violates any provision of this order or any other order or regulation of NPA, or who wilfully conceals a material fact or furnishes false information in the course of operation under this order, is guilty of a crime and, upon conviction, may be punished by fine or imprisonment or both. In addition, administrative action may be taken against any such person to suspend his privilege of making or receiving further deliveries of materials, or of using facilities under priority or allocation control, and to deprive him of further priorities assistance.

ARTICLE II—PROCUREMENT OF CONTROLLED MATERIALS GENERALLY

SEC. 21. *Effect on other orders.* (a) This order modifies the application of CMP Regulation No. 6 (Construction) to electric utilities and supersedes any conflicting provisions in CMP Regulation No. 6. All of the provisions of CMP Regulation No. 6 apply to electric utilities except as modified by this order.

(b) The provisions of CMP Regulation No. 5 shall not apply to electric utilities. Electric utilities shall procure materials for maintenance, repair, and operating supplies in the manner provided in Article IV of this order.

(c) The provisions of section 45 of this order supersede any conflicting provisions in CMP Regulation No. 2.

SEC. 22. *Restrictions on placement of delivery orders for controlled materials.* No electric utility shall make any allotments of controlled materials unless such allotments are made pursuant to allotments authorized by DEPA.

SEC. 23. *Conversion of outstanding orders.* DO-48 or DO-48 (Minor) rated orders calling for delivery in the third quarter which were placed on or after July 3, 1951, shall be converted into authorized controlled material orders in the manner provided in paragraph (e) of section 19 of CMP Regulation No. 1. Any use of the CMP symbols H-3 or H-4 to order controlled materials or Class A products in the third quarter, including their use for the conversion of outstanding orders, shall constitute a charge against allotments of controlled materials for the third quarter.

SEC. 24. *Use of allotment numbers and certification.* Authorized controlled material orders for major plant additions shall show the allotment number H-3; authorized controlled material orders for minor requirements shall show the allotment number H-4. Such orders shall also show the calendar quarter in which the allotment is valid. For example, a delivery order for controlled materials for a major plant addition placed pursuant to an allotment valid for the third quarter of 1951 shall be designated as follows:

H-3-3Q51.

In addition, each authorized controlled material order shall be certified as follows:

Certified under CMP Regulation No. 6 and NPA Order M-50

This certification shall be signed manually or as provided in NPA Reg. 2. DO-H-3 rated orders and DO-H-4 rated orders shall also be certified and signed in such manner.

ARTICLE III—MAJOR PLANT ADDITIONS

SEC. 31. *Restrictions on construction.* No electric utility may commence construction of any major plant addition or use any controlled material in any major plant addition commenced as of the date of this order without specific authorization from DEPA. DEPA authorization to commence or continue construction does not necessarily mean that DEPA will allot materials in the amounts requested by any electric utility.

SEC. 32. *Construction schedules and allotments for major plant additions.* A construction schedule for each major plant addition will be authorized by DEPA on Form DEPA-7, or as otherwise provided in this section. Construction schedules will be authorized on the basis of information furnished by electric utilities on the Forms DEPA-2, DEPA-3, and DEPA-3S submitted for such major plant addition, or pursuant to application made in such manner as DEPA may hereafter require. Accordingly, for any major plant addition, no electric utility is required to file Form CMP-4C for authorization to commence construction or to request an allotment of controlled materials. Unless otherwise instructed by DEPA, any previous DEPA authorization to apply DO-48 ratings to order any controlled material for delivery in the third quarter, or DEPA authorization to use controlled materials on hand in any major plant addition during the third quarter, shall constitute DEPA authorization of the construction schedule for such major plant addition. Each electric utility which has heretofore received any such authorization is hereby allotted controlled material for the third quarter of 1951 in the quantity of each controlled material designated in such authorization.

SEC. 33. *Required use of excess inventory.* Any electric utility which has an excess inventory of any material shall use such material in approved major plant additions to the extent, and on the earliest date, that such materials are required in any approved major plant addition. In filing applications for allotments of controlled materials for major plant additions, excess inventories shall be taken into account, and in stating its requirements of controlled material for any major plant addition, no electric utility shall include in its requirements any quantity of material which is available in excess inventory.

SEC. 34. *Authorization to use DO rating to obtain products and materials other than controlled materials for major plant additions.* Subject to any special provisions contained in any appendix to this order, a DO-H-3 rating is hereby assigned to each authorized construction schedule for a major plant addition. This rating may be used only to acquire products and materials other than controlled materials in the minimum practicable amounts required and on a date or dates no earlier than required to fulfill such schedule or to replace in inventory products and materials other than controlled materials used to fulfill authorized construction schedules for major plant additions. The DO-H-3 rating shall not be used to obtain any material listed in Schedules I and II of CMP Regulation No. 5, as amended from time to time.

ARTICLE IV—MINOR REQUIREMENTS

SEC. 41. *Allotments of controlled materials for minor requirements.* Subject to the restrictions contained in section 45 of this order, each electric utility is hereby granted an allotment of controlled materials for minor requirements in the amount of its quota for each controlled material as provided in section 42 of this order. No electric utility shall place delivery orders for any controlled material in excess of its quota for such controlled material. Each delivery order for controlled material for minor requirements shall contain the allotment number H-4 as provided in section 24 of this order.

SEC. 42. *Quarterly controlled material quotas for minor requirements.* Unless DEPA has prescribed otherwise, an electric utility may elect to use either a standard quota or an alternative quota, but may not thereafter change from one quota to the other without the express approval of DEPA.

(a) *Standard quota.* An electric utility's standard quota for any controlled material for any calendar quarter is the percentage specified in the applicable appendix to this order of the quantity of such material which was used for minor requirements in the calendar year 1950 (or, if it operated on a fiscal year basis, in its fiscal year ending nearest to December 31, 1950)

(b) *Alternative quota.* An electric utility's alternative quota for any controlled material for any calendar quarter is the percentage specified in the applicable appendix to this order of the quantity of such material which it used in the corresponding calendar quarter of 1950 (or, if it operated on a fiscal year basis, in the corresponding quarter of its fiscal year ending nearest to December 31, 1950)

(c) *Quota where 1950 base inapplicable.* An electric utility not in operation throughout the year 1950 (calendar or fiscal) shall establish its standard or alternative controlled material quota in accordance with this section by adjusting, in direct proportion, its actual use of such controlled material for part of the year to an annual basis. To determine an alternative quota in such cases, the adjusted annual use may be unequally distributed among 4 quarters to reflect seasonal variations. An electric utility not in operation throughout 1950 shall report to DEPA the controlled material quota which it establishes in accordance with this section. If an electric utility was not in operation during any

part of the year 1950 (calendar or fiscal) it may apply to DEPA for a controlled material quota, supplying, in detail, information pertinent to a proper evaluation of its application.

(d) *Special provisions.* DEPA may, by notice addressed to individual electric utilities, prescribe quarterly controlled material quotas for minor requirements greater or less than such utility's standard of alternative quotas.

SEC. 43. *Applications for increased controlled materials quotas.* Each application for an increased controlled material quota shall contain the following information:

(a) Statement of the amount of any special authorization which the utility has received.

(b) Statement of the total amount, in pounds or tons, of each controlled material requested to be authorized for use in minor requirements during each quarter, including the base period quota permitted by the applicable appendix to this order.

(c) Detailed statement of necessity for larger quota.

(d) Any additional information which may be pertinent to proper evaluation of the application.

SEC. 44. *Authorization to use DO ratings to obtain products and materials other than controlled materials for minor requirements*—(a) *Assignment of DO-H-4 ratings.* Subject to any special provisions in any appendix to this order, and subject to the provisions of paragraph (b) of this section, each electric utility is hereby authorized to use a DO-H-4 rating to order products and materials other than controlled materials necessary for use in connection with any minor requirements project which involves the use of any portion of its minor requirements allotment of any controlled material, and to order such additional amounts of products and materials other than controlled materials as are necessary for the operation, maintenance, and repair of its electric system.

(b) *Restrictions on the use of the DO-H-4 rating.* Use of the DO-H-4 rating by electric utilities is subject to the following restrictions:

(1) The DO-H-4 rating may be used only to acquire products and materials other than controlled materials in the minimum practicable amounts required and on a date or dates no earlier than required for the purposes specified in paragraph (a) of this section, or to replace in inventory products and materials other than controlled materials used for such purposes.

(2) No electric utility shall use the DO-H-4 rating to obtain any item costing more than $10,000 without specific authorization by DEPA. Requests for such authorization may be made by letter setting forth, in detail, any information pertinent to proper evaluation of such requests.

(3) No electric utility shall use the DO-H-4 rating to obtain any materials on lease.

(4) No electric utility shall use the DO-H-4 rating to obtain any material listed in Schedules I and II of CMP Regulation No. 5, as amended from time to time.

SEC. 45. *Inventory restrictions.* No electric utility shall place delivery orders for any item of controlled material or other material if its inventory of such item is, or by receipt of such material would become, in excess of a permissible inventory. If an electric utility would be authorized by this section to place a delivery order for a quantity of any item of controlled material or other material less than the minimum sales quantity of such item, it may accept delivery of the minimum sales quantity of such item. The minimum sales quantity of any item of controlled material shall be the quantity designated in Schedule IV of CMP Regulation No. 1.

NOTE: All reporting and record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942 (5 U. S. C. 139-139F).

This order as amended shall take effect on July 17, 1951.

NATIONAL PRODUCTION AUTHORITY,
MANLY FLEISCHMANN,
Administrator.

APPENDIX A—ALUMINUM

1. *Definition.* "Aluminum" means aluminum in the forms and shapes indicated in Schedule I of CMP Regulation No. 1.

2. *Aluminum quotas for minor requirements for third quarter.*
Standard quota: 12.5 percent.
Alternative quota: 50 percent.

3. *Advance aluminum quotas for minor requirements for fourth quarter.*
Standard quota: 9.2 percent.
Alternative quota: 37.5 percent.

4. *Exemption from quantity restrictions.* The quantity restrictions applicable to aluminum shall not apply to any electric utility which orders for delivery, in any calendar quarter, a weight of aluminum which does not exceed 1,000 pounds.

5. *Special provisions for ACSR.* Delivery orders for Aluminum Conductor Steel Reinforced for the third quarter of 1951 shall bear the allotment symbol H-3-3Q51 for major plant additions, and the allotment symbol H-4-3Q51 for minor requirements. Orders so placed shall constitute a charge against each utility's aluminum allotment in the amount of the aluminum content of ACSR, but shall not constitute a charge against its steel allotment.

APPENDIX B—COPPER

1. *Definition.* "Copper" means the shapes and forms indicated in Schedule I of CMP Regulation No. 1 under the headings "Copper and copper-base alloy brass mill products," "Copper wire mill products," and "Copper and copper-base alloy foundry products and powder."

2. *Copper quotas for minor requirements for third quarter.*
Standard quota: 18.75 percent.
Alternative quota: 75 percent.

3. *Advance copper quotas for minor requirements for fourth quarter.*
Standard quota: 14.1 percent.
Alternative quota: 56.25 percent.

4. *Exemption from quantity restrictions.* The quantity restrictions applicable to copper shall not apply to any electric utility which orders for delivery in any calendar quarter a quantity of copper which does not exceed 1,000 pounds in the aggregate.

5. *Special provisions for Copperweld conductor.* Delivery orders for Copperweld conductor for the third quarter of 1951 shall bear the allotment symbol H-3-3Q51 for major plant additions, and the allotment symbol H-4-3Q51 for minor requirements. Orders so placed shall constitute a charge against each utility's copper allotment in the amount of the copper content of Copperweld conductor, but shall not constitute a charge against its steel allotment.

APPENDIX C—CARBON STEEL

1. *Definition.* "Carbon steel" means carbon steel, including wrought iron, in the forms and shapes indicated in Schedule I of CMP Regulation No. 1.

2. *Carbon steel quotas for minor requirements.*
Standard quota: 18.75 percent.
Alternative quota: 75 percent.

3. *Advance carbon steel quotas for minor requirements for fourth quarter.*
Standard quota: 14.1 percent.
Alternative quota: 56.25 percent.

APPENDIX D—ALLOY STEEL (EXCEPT STAINLESS STEEL)

1. *Definition.* "Alloy steel" means alloy steel in the forms and shapes indicated in Schedule I of CMP Regulation No. 1.

2. *Alloy steel quotas for minor requirements for third quarter.*
Standard quota: 18.75 percent.
Alternative quota: 75 percent.

3. *Advance alloy steel (except stainless steel) quotas for minor requirements for fourth quarter.*
Standard quota: 14.1 percent.
Alternative quota: 56.25 percent.

APPENDIX E—STAINLESS STEEL

1. *Definition.* "Stainless steel" means stainless steel in the forms and shapes indicated in Schedule I of CMP Regulation No. 1.

2. *Stainless steel quotas for minor requirements for third quarter.*
Standard quota: 18.75 percent.
Alternative quota: 75 percent.

3. *Advance stainless steel quotas for minor requirements for fourth quarter.*
Standard quota: 14.1 percent.
Alternative quota: 56.25 percent.

[F. R. Doc. 51-8391; Filed, July 17, 1951; 4:45 p. m.]

[NPA Reg. 2, as Amended July 17, 1951]

REG. 2—BASIC RULES OF THE PRIORITIES SYSTEM

This amendment to NPA Reg. 2 is found necessary and appropriate to promote the national defense and is issued pursuant to the authority granted by section 101 of the Defense Production Act of 1950. Consultation with industry representatives, including trade association representatives, in advance of the issuance of this amendment has been rendered impracticable by the fact that this amendment applies to all trades and industries.

This amendment affects NPA Reg. 2, as amended Feb. 27, 1951, as follows: It amends paragraph (d) of section 2; amends section 3 and adds a new paragraph designated (b), amends the title of section 4; redesignates paragraphs (a) and (b) of section 4 and inserts a new paragraph (a) amends paragraphs (a) and (b) of section 5 and deletes a sentence in said paragraph (b), amends section 6, and paragraph (a) of section 8; amends paragraphs (a) (c), and (d) of section 9; adds subparagraph (5) to

paragraph (c) of section 10; amends paragraph (d) of section 10; amends sections 16 and 20; amends section 27; renumbers sections 26 and 27 and inserts a new section 27; deletes section 31; and adds List A at the end of the regulation.

As amended, NPA Reg. 2 reads as follows:

GENERAL

Sec.
1. What this order does.
2. Definitions.
3. Rating authorized.
4. When ratings may be assigned or applied.
5. When ratings may be extended for material.
6. Additional restrictions upon the use of ratings for certain materials.
7. Use of ratings for services.
8. How to apply or extend a rating.
9. Special provisions applicable to extensions; grouping of orders.
10. Rules for acceptance and rejection of rated orders.
11. Report to NPA of improperly rejected orders.
12. Cancellation of ratings.
13. Sequence of filling rated orders.
14. Changes in customers' orders.
15. Delivery or performance dates.
16. Mandatory orders and directives.
17. Use or disposition of material acquired under this order.
18. Delivery for unlawful purposes prohibited.
19. Intracompany deliveries.
20. Inventory restrictions on materials acquired with a rating.
21. Scope of regulations and orders.
22. Defense against claims for damages.
23. Records.
24. Audit and inspection.
25. Reports.
26. Applications for adjustment or exception.
27. Communications.
28. Violations.

AUTHORITY: Sections 1 to 28 issued under sec. 704, Pub. Law 774, 81st Cong., Pub. Law 69, 82d Cong. Interpret or apply sec. 101, Pub. Law 774, 81st Cong., Pub. Law 69, 82d Cong.; sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105 3 CFR, 1950 Supp., sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61.

SECTION 1. *What this order does.* This order states the basic rules of the priorities system to be administered by the National Production Authority. It states what kind of orders are rated orders, how to place them, and the preference status of such orders. These rules apply to all business transactions within the jurisdiction of NPA unless more specific regulations, orders, or directives of NPA state otherwise.

SEC. 2. *Definitions.* (a) "Person" means any individual, corporation, partnership, association, or any other organized group of persons, and includes any agency of the United States or any other government.

(b) "Materials" means any raw, in-process, or manufactured commodity, equipment, component, accessory, part, assembly, or product of any kind.

(c) "NPA" means the National Production Authority.

(d) "Rated order" means any purchase order, contract, or other form of procurement for materials or services bearing an authorized rating and the certification required by this regulation or any other applicable regulation or order of NPA.

(e) "Assignment" of a rating. A rating is assigned when NPA, or a Government agency that it has authorized, grants a person the right to use the rating.

(f) "Application" of a rating. A rating is applied when the person to whom it is assigned uses the rating.

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

SEC. 3. *Rating authorized.* (a) Only a single rating is authorized, to be known as a "DO rating." This rating will be indicated by the prefix DO and an identification of the program, which must be furnished a supplier by the person who is using the rating. All DO rated orders will have equal preferential status as provided in this regulation, except that (subject to contrary written directives issued by the NPA) a DO rated order with a program identification consisting of a letter and one digit (for example, DO-K 5) or consisting of two or more letters (for example, DO-SU), which calls for delivery during the third calendar quarter of 1951, takes priority over a DO rated order with a program identification consisting of two digits (for example, DO-39) A DO rated order with a program identification consisting of a letter and one digit or consisting of two or more letters constitutes a "rating with an allotment number or symbol" as referred to in CMP regulations.

(b) A DO rating shall have no effect on deliveries on orders calling for delivery of controlled materials (as defined in CMP Regulation No. 1) after September 30, 1951.

SEC. 4. *When ratings may be assigned or applied.* (a) A claimant agency, or other person designated by NPA, may be authorized by NPA to assign or apply a DO rating.

(b) When a regulation, order, or certificate assigns a DO rating to any person either by naming him or by describing the class of persons to which he belongs, that person may apply the DO rating to get delivery of material or the performance of certain services.

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

SEC. 5. *When ratings may be extended for material.* (a) When a person has received a rated order for the delivery of material, he may extend the rating to get the material which he will deliver on that order, or which will be physically incorporated in the material which he will deliver, including containers and packaging materials required to make the delivery, and including also chemicals directly used in the production of the material. If the material is to be processed, this includes the portion of it which would normally be consumed or converted into scrap or byproducts in the course of processing. However, he may not extend such a rating to get material for plant improvement, expansion, or construction, or to get machine tools or other items which he will carry as capital equipment, or to get maintenance, repair, or operating applies.

(b) If a person has made delivery of material or has incorporated it into the material which he has delivered on a rated order, he may extend the rating to replace it in his inventory subject to the inventory provisions of any NPA regulation or order. Any material ordered with a rating as replacement in inventory must be substantially the same as the material which the person delivered or incorporated in the material which he delivered, except for minor variations in size, shape, or design.

SEC. 6. *Additional restrictions upon the use of ratings for certain materials.* The ratings established by this regulation shall have no effect upon deliveries of any of the items listed or referred to in List A at the end of this regulation. No person shall use ratings to obtain any of such items, and no person selling any such items shall require a rating as a condition of sale. Any rating purporting to be used to obtain any such items on a preferred basis shall be void.

SEC. 7. *Use of ratings for services.* (a) When a person is entitled to use a rating to get processed material, he may furnish the unprocessed material to a processor and use the same rating to get the material processed.

(b) If NPA specifically authorizes a person to use a rating to get services, he may use it for that purpose.

(c) Except as provided in paragraphs (a) and (b) of this section, no person may use a rating to get services.

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

SEC. 8. *How to apply or extend a rating.* (a) When a person applies or extends a rating, he must put the prefix DO and an identification of the program supplied to him, for example DO-39, or DO-K2 or DO-SU on his purchase order, or on a separate piece of paper attached to the order or clearly identifying it, together with the words "Certified under NPA Reg. 2," signed as prescribed in this section. This certificate constitutes a representation to the supplier and to NPA that the purchaser is authorized under the provisions of this regulation or CMP regulations to use the rating for the delivery of the materials covered by the purchase order. A certification under any CMP regulations shall be deemed to be a certification under this regulation.

(b) Certifications on purchase or delivery orders must be signed by the person placing the order or by a responsible individual who is duly authorized to sign for that purpose. The signature must be either by hand or in the form of a rubber stamp or other facsimile reproduction of a handwritten signature. If a facsimile signature is used, the individual who uses it must be duly authorized in writing to use it for this purpose by the person whose signature it is, and a written record of the authorization must be kept.

(c) When a rated order is placed by telegram, the rating identification and certificate must be set out in full in the telegram. It will be sufficient if the file copy of the telegram is signed in the manner required for certification by this order.

(d) On rated orders requiring shipment within 7 days, the substance of the certification may be stated verbally or by telephone. However, the following rules must be complied with:

(1) The person making the statement for the buyer must be a person duly authorized to make the certification.

(2) Both the buyer and the seller must promptly make a written record of the fact that the certification was given orally and the record must be signed by the buyer in the same way as a certification.

(e) The person who places a rated order, the individual whose signature is used, and the individual who approves the use of the signature, will each be considered to be making a representation to NPA that the statements contained in the certification are true to the best of his knowledge and belief. The person receiving the certification and any other information required to be included with it, shall be entitled to rely on it as a representation of the buyer unless he knows or has reason to believe that it is false.

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

SEC. 9. *Special provisions applicable to extensions; grouping of orders.* (a) No person may extend any rating to replace inventory after the expiration of 3 months from the date of receipt of the order bearing the rating, or 1 month from the date he took from inventory the material being replaced, whichever date is later.

(b) If the purchase requirements for filling a number of rated orders for different items bearing different rating identifications are combined in one purchase order, each applicable rating identification must be placed alongside the related item.

(c) If the purchase requirements for filling a number of rated orders for the same material but bearing different rating identifications are combined in one purchase order, the purchase order must show the amount of such material to which a particular rating identification is extended.

(d) In the case of a manufacturer of common components or shelf items or any other person who has a number of rated orders for which he cannot place orders for minimum commercially procurable quantities of materials, to fill the rated orders individually, he may place one rated order for all the materials using the identification symbol DO-Z8 (formerly DO-99) Orders bearing the rating DO-99 and outstanding on July 17, 1951, shall have the same preferential status as though they were rated DO-Z8. However, the amounts so ordered may not exceed the total amount of the material required for the rated orders so combined.

SEC. 10. *Rules for acceptance and rejection of rated orders.* Every order bearing a rating must be accepted and filled regardless of existing contracts and orders except as provided in this section. The "existing contracts and orders" referred to include not only ordinary purchase contracts but other arrangements achieving substantially the same results, though in form they may concern the use of production facilities rather than the material produced.

(a) A person must not accept a rated order for delivery on a date which would interfere with delivery of rated orders which he has already accepted, nor if delivery of the material ordered would interfere with delivery on an order which NPA has previously directed him to fill.

(b) If a person, when receiving a rated order bearing a specific delivery date, does not expect to be able to fill it by the time requested, he must not accept it for delivery at that time. He must either (1) reject the order, stating when he could fill it, or (2) accept it for delivery on the earliest date he expects to be able to deliver, informing the customer of that date. He may adopt either of these two courses, depending on his understanding of which his customer would prefer. He may not reject a rated order just because he expects to receive other rated orders in the future.

(c) A supplier does not have to accept a rated order in any of the following cases, but there must be no discrimination in such cases against rated orders or between rated orders of different customers:

(1) If the person seeking to place the order is unwilling or unable to meet regularly established prices and terms of sale or payment. When a person who has a rated order asks a supplier to quote his regularly established prices and terms of sale or payment, the supplier must do so, except that if this would require detailed engineering or accounting work, he may give his best estimate without such work and say that it is not binding. However, the supplier need not quote if he is not required to accept the rated order and advises the person seeking the quotation of the reason for his refusal.

(2) If the order is for the manufacture of a product or the performance of a service of a kind which the person to whom the order is offered has not usually made or performed, and in addition, if either (i) he cannot fill the order without substantially altering or adding to his facilities or (ii) the order can readily be performed by someone else who has usually accepted and performed such orders.

(3) If an order for material is offered to a person who produces or acquires it for his own use only and he has not filled any orders for that material within the past 2 years. If he has filled any orders within that period, but the rated order would take more than the excess over his own needs, he may reject the order for any amount over the excess.

(4) If filling the order would stop or interrupt the supplier's operations during the next 60 days in a way which would cause a substantial loss of total production or a substantial delay in operations.

(5) If the acceptance or performance of the order would violate any other regulation or order of NPA in effect at the time such order is received.

(d) A producer need not accept a rated order from another person who produces the same product. A processor need not accept a rated order from another person who performs the same processing service.

(e) Any person who refuses to accept a rated order shall, upon written request of the person placing the order, promptly give his reasons in writing for his refusal.

SEC. 11. *Report to NPA of improperly rejected orders.* When a rated order is rejected in violation of this regulation, a report of the relevant facts may be filed with the National Production Authority, Washington 25, D. C., Ref: NPA Reg. 2. NPA will take such action as it considers appropriate after requiring an explanation from the person rejecting the order.

SEC. 12. *Cancellation of ratings.* If a rating which has been used by a person is revoked, he must immediately, in the case of each order to which he has applied such rating, either cancel the order or inform his supplier that it is no longer to be treated as a rated order. If any person receives notice from his customer or otherwise that the customer's order is no longer a rated order or that the customer's order is cancelled, he must immediately withdraw any extensions of that rating which he has made to any purchase order placed by him.

SEC. 13. *Sequence of filling rated orders.* (a) Every person who has rated orders on hand must schedule his operations, if possible, so as to fill each rated order by the required delivery or performance date. If this is not possible for any reason, he must give precedence to all rated orders over unrated orders.

(b) As between conflicting rated orders, precedence must be given to the order which was received first with the rating: *Provided,* That orders received prior to October 3, 1950, and which received ratings prior to October 31, 1950, take precedence as of the dates on which orders were first placed. As between conflicting rated orders received on the same date, precedence must be given to the order which has the earliest required delivery or performance date.

(c) A rated order calling for earlier delivery than a rated order already accepted must not be allowed to interfere with scheduled delivery on the first order, but if both deliveries can be made on schedule it is not necessary to produce or make delivery on the first customer's order ahead of the second.

(d) In the usual case, the date on which specifications have been furnished to the manufacturer in sufficient detail to enable him to put the product

into production is to be considered the date on which the rated order is received.

(e) If a rated order or a rating applicable to an order is cancelled when the supplier has material in production to fill it, he need not immediately stop processing in order to put other rated orders into production. He may continue to process the material which he had put into production for the cancelled order to a stage of completion which will avoid a substantial loss of total production, but he may not incorporate any material which he needs to fill any rated orders on hand. He may not, however, delay putting other rated orders into production for more than 15 days.

SEC. 14. *Changes in customers' orders.* (a) The general rule is that any change in a customer's rated order constitutes a cancellation of the order and must be considered as a new order received on the date of the change, if the change will require the manufacturer to interfere with his production. For example:

(1) A change in shipping destination does not constitute the placing of a new order.

(2) An increase in the total amount ordered is a new order to the extent of the increase unless it can be filled with only a negligible interference with the filling of later rated orders.

(3) A change in the date of the delivery, whether advanced or deferred, when made by the customer, is a new rated order if it interferes with production or delays delivery on another rated order.

(4) A reduction in the total amount ordered will presumably not require a change in the manufacturer's schedule and will not constitute a new rated order. If the quantity is reduced below a minimum production quantity, the manufacturer may insist on the delivery of not less than a minimum production quantity. If the customer is not willing to order that amount, the manufacturer may reject the order. The manufacturer may not discriminate between customers in requiring delivery of minimum production amounts.

(5) When the customer directs the manufacturer to hold or suspend production without specifying a new delivery date, the rated order must be considered cancelled. If requested to do so within 10 days after receiving such an instruction, the manufacturer must reinstate the order as nearly as possible to its former place in his proposed schedule of delivery as long as the reinstatement does not cause loss of production or delay in the scheduled deliveries of other rated orders. Any request for reinstatement made after 10 days shall be treated as the placing of a new rated order.

(6) Where minor variations in size, design, capacity, etc., are requested by the customer and can be arranged by the manufacturer without interfering with his production, such changes do not constitute a new rated order.

(b) Where a change in an order constitutes a new rated order, the conditions existing at the time the change is received govern the acceptance of the rated order and its sequence in delivery under the rules of this regulation.

SEC. 15. *Delivery or performance dates.* (a) Every rated order must specify delivery or performance on a particular date or dates or during a particular month, which, in no case, may be earlier than required by the person placing the order. Any order which fails to comply with this requirement shall not be treated as a rated order. The words "immediately" or "as soon as possible" or other words to that effect do not meet the requirements of this paragraph.

(b) The required delivery or performance date, for purposes of determining the sequence of deliveries or performance pursuant to section 13 of this regulation, shall be the date on which delivery or performance is actually required. The person with whom the rated order is placed may assume that the required delivery or performance date is the date specified in the order or contract unless he knows either (1) that the date so specified was earlier than required at the time the order was placed, or (2) that delivery or performance by the date originally specified is no longer required by reason of any change of circumstances. A delay in the scheduled receipt of any other material which the person placing the order requires prior to or concurrently with the material ordered, shall be deemed a change of circumstances.

(c) If, after accepting a rated order which specifies the time of delivery, the person with whom it is placed finds that he cannot fill it approximately on time, he must promptly notify the customer, telling him when he expects to be able to fill the order.

SEC. 16. *Mandatory orders and directives.* Every person shall comply with each mandatory order and directive issued to him by the NPA. Mandatory orders and directives issued by the NPA take precedence over rated orders previously or subsequently received, unless a contrary instruction appears in the mandatory order or directive.

SEC. 17. *Use or disposition of material acquired under this order* (a) Any person who gets material with a rating or through a specific authorization or a directive of NPA must, if possible, use or dispose of it (or of the product into which it has been incorporated) for the purpose for which the assistance was given. Physical segregation is not required as long as the restrictions applicable to any specific lot of material or product are observed with respect to an equivalent amount of the same material or product.

(b) The restriction in paragraph (a) of this section does not apply when a material, or a product into which it has been incorporated, can no longer be used for the purpose for which the priority assistance was given, for example, when the assistance was given to fill a particular order and the material or product does not meet the customer's specifications or the contract order is cancelled. In such cases the rules on further use or disposition in paragraph (c) of this section must be observed.

(c) The holder of a material or product subject to paragraph (b) of this section may sell it as long as he complies with all requirements of other applicable section of this order and of other orders and regulations of NPA, or he may use it himself in any manner or for any purpose as long as he complies with such requirements.

SEC. 18. *Delivery for unlawful purposes prohibited.* No person shall deliver any material which he knows or has reason to believe will be accepted, redelivered, held, or used in violation of any order or regulation of NPA.

SEC. 19. *Intracompany deliveries.* The provisions of this regulation apply not only to deliveries to other persons, including affiliates, and subsidiaries, but also to deliveries from one branch, division, or section of a single enterprise to another branch, division, or section of the same or any other enterprise under common ownership or control.

SEC. 20. *Inventory restrictions on materials acquired with a rating.* The inventory restrictions described in all NPA regulations and orders (including CMP Regulation No. 2) apply to all materials subject thereto.

SEC. 21. *Scope of regulations and orders.* (a) All regulations and orders of NPA (including directions, directives, and other instructions) apply to all subsequent transactions even though they are covered by contracts previously entered into. Regulations and orders apply to transactions in the territories or insular possessions of the United States unless the regulation or order specifically states that it is limited to the continental United States or to the 48 States and the District of Columbia. However, restrictions of NPA orders or regulations on the use of material or on the amount of inventory shall not apply when the material is used or the inventory is held directly by the Department of Defense outside the 48 States and the District of Columbia, unless otherwise specifically provided.

(b) All orders and regulations of NPA which control the sale, transfer, or delivery of any material, product, or equipment, apply to sales made by any person, whether for his own account or for the account of others, and all restrictions upon accepting delivery apply to acceptance of delivery at any type of sale, including sales made by auctioneers, receivers, and trustees in bankruptcy, and in other cases where the assets of a business are being liquidated.

SEC. 22. *Defense against claims for damages.* No person shall be held liable for damages or penalties for any default under any contract or order which shall result directly or indirectly from compliance with any regulation or order of NPA (including any direction, directive, or other instruction) notwithstanding that any such regulation or order shall thereafter be declared by judicial or other competent authority to be invalid.

SEC. 23. *Records.* Each person participating in any transaction covered by this regulation shall retain in his possession

for at least 2 years records of receipts, deliveries, inventories, and use, in sufficient detail to permit an audit that determines for each transaction that the provisions of this regulation have been met. This does not specify any particular accounting method and does not require alteration of the system of records customarily maintained, provided such records supply an adequate basis for audit. Records may be retained in the form of microfilm or other photographic copies instead of the originals.

SEC. 24. *Audit and inspection.* All records required by this regulation shall be made available at the usual place of business where maintained for inspection and audit by duly authorized representatives of NPA.

SEC. 25. *Reports.* Persons subject to this regulation shall make such records and submit such reports to NPA as it shall require, subject to the terms of the Federal Reports Act of 1942 (5 U. S. C. 139-139F)

SEC. 26. *Applications for adjustment and exception.* Any person affected by this regulation may file an application for adjustment or exception upon the ground that it works an undue or exceptional hardship upon him not suffered generally by others in the same trade or industry or that its application to him would not be in the interest of the national defense or in the public interest. In examining requests for adjustment claiming that the public interest is prejudiced by the application of any provision of this regulation, consideration will be given to the requirements of the public health and safety, civilian defense, and dislocation of labor and resulting unemployment that would impair the defense program. Applications shall be in writing, filed in triplicate with NPA, Washington 25, D. C., Ref: NPA Reg. 2, and shall set forth all pertinent facts, the nature of the relief sought, and the justification therefor.

SEC. 27. *Communications.* All communications concerning this regulation shall be addressed to the National Production Authority Washington 25, D. C., Ref: NPA Reg. 2.

SEC. 28. *Violations.* Any person who wilfully violates any provision of this regulation or any other regulation or order of NPA, or who furnishes false information or conceals any material fact in the course of operation under any such regulation or order, is guilty of a crime and, upon conviction, may be punished by fine or imprisonment or both. In addition, administrative action may be taken against any such person to suspend his privilege of making or receiving further deliveries of materials or using facilities under priority or allocation control and to deprive him of further priorities assistance.

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.

NPA Reg. 2 as amended shall take effect on July 17, 1951.

NATIONAL PRODUCTION AUTHORITY,
MANLY FLEISCHMANN,
Administrator.

LIST A

1. The following items are not subject to any DO ratings issued by or under the authority of NPA at the present time and therefore DO ratings shall not be effective to obtain them:

Communications services.
Crushed stone.
Gravel.
Sand.
Scrap.
Slag.
Steam heat, central.
Transportation services, other than those referred to in subdivision 2 of this list.
Waste paper.
Water.
Wood pulp.

2. Allocation and distribution of the items listed or referred to below are subject to regulation by other Government agencies and such items are therefore not subject to ratings issued by or under the authority of NPA. However, producers of such items are subject to NPA regulations with respect to other materials used by them.

(a) Solid fuels: [1] All forms of anthracite, bituminous, subbituminous, and lignitic coals, and coke and its byproducts.

(b) Gas and gas pipelines: [1] Natural gas, manufactured gas, and pipelines for the movement thereof.

(c) Petroleum and petroleum pipelines: [1] Crude oil, synthetic liquid fuel, their products and associated hydrocarbons, including pipelines for the movement thereof.

(d) Electric power: [1] All forms of electric power and energy.

(e) Radioisotopes, stable isotopes, source and fissionable materials.[2]

(f) Farm equipment: [3] Domestic distribution of equipment manufactured for use on farms in connection with the production or processing of food. Such equipment includes, but is not limited to, the items listed in Schedule I of NPA Order N-55A as the same may be amended or supplemented from time to time.

(g) Fertilizer, commercial: [3] In form for distribution to users.

(h) Food, except in certain cases where used industrially: [3] In general, foods and other agricultural commodities and products are within the jurisdiction of the Department of Agriculture, but those which have industrial uses are within the jurisdiction of NPA when they lose their identity as food or agricultural commodities or products. The respective jurisdictions of the Department of Agriculture and NPA are described generally (and in certain cases, specifically) in an Agreement between the Production and Marketing Administration (Department of Agriculture) and NPA signed on March 30 and April 13, 1951, respectively (16 F R. 3410), which agreement is referred to in NPA Delegation 10 of April 26, 1951 (16 F. R. 3669).

The Agreement (reference to which should be made) does not attempt to list all foods and agricultural commodities and products which involve industrial uses but does cover the major items as to which there might be a question of jurisdiction. In general, the respective jurisdictions fall within the following categories:

(1) Commodities which are within the jurisdiction of the Department of Agriculture until they enter any manufacturing process which results in their being neither food nor agricultural commodities or products (certain examples of which are listed in the Agreement, such as egg products, fats, oils, grain and grain products, molasses, potatoes, spices, starches, sugar, and tartaric acid).

(2) Commodities which are within the jurisdiction of the Department of Agriculture until the point specified in the Agreement (such as cotton lint and linters, hemp, flax, fiber, skim milk for casein, wool, and mohair).

(3) Commodities which are within the exclusive jurisdiction of the Department of Agriculture (ice, naval stores, tobacco, and tobacco products).

(i) Transportation services (domestic), storage and port facilities.[4]

(j) Products (production and distribution) used in the petroleum industry and listed in NPA Delegation 9 (Feb. 26, 1951), as follows: [5]

(1) Tetraethyl lead fluid.
(2) Petroleum cracking catalysts.
(3) Special inhibitors used in gasoline.
(4) Lubricating oil additives.
(5) Fluids and additives made especially for oil and gas drilling, and demulsifiers.

(k) Ores, minerals, concentrates, residues, and other products (until processing is completed) listed in NPA Delegation 5 (May 22, 1951).[6]

[F. R. Doc. 51-8393; Filed, July 17, 1951; 4:46 p. m.]

[1] Under jurisdiction of the Department of the Interior—E. O. 10161, 15 F. R. 6105; E. O. 10200, 16 F. R. 61; DPA Del. 1, 16 F. R. 738.

[2] Under jurisdiction of the Atomic Energy Commission—60 Stat. 755; 42 U. S. C. et seq.

[3] Under jurisdiction of the Department of Agriculture—E. O. 10161, 15 F. R. 6105; E. O. 10200, 16 F. R. 61; DPA Del. 1, 16 F. R. 738.

[4] Under jurisdiction of the Interstate Commerce Commission—E. O. 10161, 15 F. R. 6105; E. O. 10200, 16 F. R. 61; DPA Del. 1, 16 F. R. 738.

[5] Under jurisdiction of the Department of the Interior—NPA Delegation 9, 15 F. R. 1908.

[6] Under jurisdiction of the Department of the Interior—NPA Delegation 5, 15 F. R. 4907.

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

Appendix—Public Land Orders

[Public Land Order 732]

ARIZONA

REVOCATION OF EXECUTIVE ORDER NO. 5522 OF DECEMBER 31, 1930

By virtue of the authority vested in the President by section 1 of the act of June 25, 1910 (c. 421, 36 Stat. 847; 43 U. S. C. 141), and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

Executive Order No. 5522 of December 31, 1930, temporarily withdrawing the public lands within a described area in Arizona for classification and in aid of legislation, is hereby revoked.

The lands released from withdrawal by this order are described as follows:

GILA AND SALT RIVER MERIDIAN

T. 36 N., R. 4 E.,
Secs. 1 to 4, inclusive;
Sec. 5, E½,
Sec. 8, E½,
Secs. 9 to 16, inclusive;
Sec. 17, E½.

T. 37 N., R. 4 E.,
Secs. 13 to 17, inclusive;
Secs. 20 to 29, inclusive;
Secs. 32 to 36, inclusive.
T. 36 N., R. 5 E.,
Sec. 2, unsurveyed, that part west of the west rim of Marble Canyon;
Secs. 3 to 9, inclusive;
Secs. 10, 11, 15, and 16, partly unsurveyed, those parts west of the west rim of Marble Canyon;
Sec. 17;
Secs. 18, 19, and 20, those parts north of the north rim of South Canyon;
Sec. 21, that part north of the north rim of South Canyon and west of the west rim of Marble Canyon;
T. 37 N., R. 5 E.,
Secs. 11, 12, 13, and 14, those parts south of the north rim of North Canyon;
Secs. 15 to 24, inclusive;
Sec. 25, unsurveyed, that part west of the west rim of Marble Canyon;
Secs. 26 to 34, inclusive;
Secs. 35 and 36, partly unsurveyed, those parts west of the west rim of Marble Canyon.
T. 37 N., R. 6 E., partly unsurveyed,
Secs. 5, 7, 8, 17, 18, 19, 20, and 30, those parts south and east of the north rim of North Canyon and north and west of the west rim of Marble Canyon.

The areas described aggregate approximately 44,000 acres.

The lands are primarily suitable for grazing. No application for these lands may be allowed under the homestead, small-tract, or desert-land laws unless the land has already been classified as valuable or suitable for such type of application or shall be so classified upon consideration of an application.

This order shall not otherwise become effective to change the status of such lands until 10:00 a. m. on the 35th day after the date of this order. At that time the said lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, and selection as follows:

(a) *Ninety-one day period for preference-right filings.* For a period of 91 days, commencing at the hour and on the day specified above, the surveyed public lands affected by this order shall be subject only to (1) application under the homestead or the desert-land laws or the Small Tract Act of June 1, 1938, 52 Stat. 609 (43 U. S. C. 682a) as amended, by qualified veterans of World War II and other qualified persons entitled to preference under the act of September 27, 1944, 58 Stat. 747 (43 U. S. C. 279-284) as amended, subject to the requirements of applicable law, and (2) application under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications under subdivision (1) of this paragraph shall be subject to applications and claims of the classes described in subdivision (2) of this paragraph. All applications filed under this paragraph either at or before 10:00 a. m. on the 35th day after the date of this order shall be treated as though filed simultaneously at that time. All applications filed under this paragraph after 10:00 a. m. on the said 35th day shall be considered in the order of filing.

(b) *Date for non-preference-right filings.* Commencing at 10:00 a. m. on the 126th day after the date of this order, any lands remaining unappropriated shall become subject to such application, petition, location, selection, or other appropriation by the public generally as may be authorized by the public-land laws. All such applications filed either at or before 10:00 a. m. on the 126th day after the date of this order, shall be treated as though filed simultaneously at the hour specified on such 126th day. All applications filed thereafter shall be considered in the order of filing.

A veteran shall accompany his application with a complete photostatic, or other copy (both sides), of his certificate of honorable discharge, or of an official document of his branch of the service which shows clearly his honorable discharge as defined in § 181.36 of Title 43 of the Code of Federal Regulations, or constitutes evidence of other facts upon which the claim for preference is based and which shows clearly the period of service. Other persons claiming credit for service of veterans must furnish like proof in support of their claims. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated statements in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the Land and Survey Office, Phoenix, Arizona, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 166 to 170, inclusive, of Title 43 of the Code of Federal Regulations, and applications under the desert-land laws and the said Small Tract Act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

Inquiries concerning these lands shall be addressed to the Manager, Land and Survey Office, Phoenix, Arizona.

OSCAR L. CHAPMAN,
Secretary of the Interior.

JULY 13, 1951.

[F. R. Doc. 51-8245; Filed, July 18, 1951; 8:47 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

PART 8—STATIONS ON THE SHIPBOARD IN THE MARITIME SERVICES

EDITORIAL NOTE: The following correction has been made in F. R. Doc. 51-7320 appearing in the Tuesday, June 26, 1951, issue of the FEDERAL REGISTER:

At page 6096, column 3, § 8.155 (a) (5), the semicolon has been deleted and the following added at the end of the paragraph: "who shall be responsible for the proper functioning of the station equipment."

The above was adopted by the Commission June 26, 1951, and was inadvertently omitted when this section was revised by the Commission's order, which order is hereby corrected.

TITLE 49—TRANSPORTATION

Chapter III—Motor Carrier Claims Commission

PART 600—GENERAL RULES OF PROCEDURE

MISCELLANEOUS AMENDMENTS

The rules of procedure of the Motor Carrier Claims Commission, adopted February 24, 1950 (published in FEDERAL REGISTER March 1, 1950, Title 49, Chapter III, Part 600) are hereby amended as follows:

1. Section 600.23 is revised and amended so that said section shall read as follows:

§ 600.23 *Proposed findings of fact—submitted to a Commissioner or an Assistant Commissioner.* Upon the closing of proof by the parties in any case heard by a Commissioner or an Assistant Commissioner, the parties shall, unless otherwise directed by the Commission, a Commissioner or an Assistant Commissioner, have 15 days from the filing of the transcript within which to file proposed findings of fact and suggested conclusions of law. Such proposed findings of fact and suggested conclusions of law need not be printed. Such proposed findings and suggested conclusions shall, upon the filing of the report, be filed with the original record in the case for consideration of the Commission in connection with any exceptions which may be submitted under § 600.25 of these rules.

2. Section 600.24 is revised and amended so that said section shall read as follows:

§ 600.24 *Report.* After the filing of proposed findings of fact, and suggested conclusions of law, or after expiration of the time for such filings, the Commissioner or Assistant Commissioner shall proceed to ascertain the facts, including ultimate facts, considered by him to be established by the evidence, and make a report thereof to the Commission within 20 days after the filing of proposed findings of fact and suggested conclusions of law or, if none are filed, within 20 days after the expiration of the time for such filings; and when directed by the Commission, he shall also file his recommendations and suggested conclusions of law; and he shall certify the entire record to the Commission. Two copies of this report shall be furnished to the attorneys of record for the interested parties.

3. Paragraph (a) of § 600.25 is revised and amended so that said paragraph shall read as follows:

(a) *Time for filing.* Within 10 days after notice by the Clerk by registered mail that the Commission's or Assistant Commissioner's report has been filed, the plaintiff shall file his or its exceptions to the findings and his or its brief on the facts and law of the case. Appropriate references to the parts of the record relied upon in suport thereof shall be made at the end of each exception. The exceptions and briefs may be contained in a single document or may be typed or printed separately. Subject to the same requirements, the defendant shall have 10 days from the date plaintiff's exceptions and brief are filed (or if none are filed, then 10 days from the last day for filing) within which to file defendant's exceptions to the findings and its brief. Plaintiff shall have 5 days from the date of filing defendant's brief within which to file reply brief.

The above and foregoing amendments to the rules of procedure of the Motor Carrier Claims Commission were adopted by the Motor Carrier Claims Commission at a meeting of the Commission duly called for that purpose at its office in Kansas City, Missouri, on the 12th day of July 1951.

(Sec. 5, 62 Stat. 1222; 49 U. S. C. 305 note)

MOTOR CARRIER CLAIMS COMMISSION,
[SEAL] THOMAS W O'HARA, *Chairman.*
ERNEST M. SMITH, *Commissioner.*
RANDOLPH CARPENTER, *Commissioner*

[F. R. Doc. 51-8253; Filed, July 18, 1951; 8:49 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

[25 CFR Part 130]

OPERATION AND MAINTENANCE CHARGES ON THE CROW INDIAN IRRIGATION PROJECT, MONTANA

NOTICE OF PROPOSED RULE MAKING

Pursuant to section 4 (a) of the Administrative Procedure Act of June 11, 1946 (Pub. Law 404, 79th Cong., 60 Stat. 238), and authority contained in the acts of Congress approved August 1, 1914, May 18, 1916; and March 2, 1928 (38 Stat. 583, 25 U. S. C. 385; 39 Stat. 142; and 45 Stat. 210, 25 U. S. C. 387) and by virtue of authority delegated by the Secretary of the Interior to the Commissioner of Indian Affairs August 28, 1946, and by virtue of the authority delegated by the Commissioner of Indian Affairs to the Regional Director September 14, 1946, which title was changed to Area Director September 13, 1949, by Order No. 2535, notice is hereby given of intent to further modify §§ 130.13b, 130.13c, and 130.13d of Title 25, Code of Federal Regulations, dealing with irrigable lands of the Crow Indian Irrigation Project, Montana, that are subject to the jurisdiction of the several irrigation districts.

Charges applicable to all irrigable lands of the Crow Indian Project receiving benefits from the Willow Creek storage and that are included in an irrigation district organization and are subject to the jurisdiction of these districts.

§ 130.13b *Lower Little Horn and Lodge Grass Irrigation District, Crow Indian Reservation, Montana, charges.* Pursuant to a contract executed by the Lower Little Horn and Lodge Grass Irrigation District, Crow Indian Irrigation Project, Montana, and approved by the Secretary of the Interior on June 28, 1948, notice is hereby given that an assessment of $5,500 is hereby fixed for the season of 1952 for the operation and maintenance of the irrigation systems which serve that portion of the project within the confines and under the jurisdiction of the Lower Little Horn and Lodge Grass Irrigation District. This assessment involves an area of approximately 2,430 acres; does not include any lands held in trust for Indians and covers all proper general charges and project overhead.

Pursuant to a second contract executed by the above irrigation district and approved by the Assistant Secretary of the Interior on June 28, 1951, notice is hereby given of an intent to fix an assessment of ten cents ($0.10) per acre for the season of 1952 for the operation and maintenance of the Willow Creek storage works which serve that portion of the project within the confines and under the jurisdiction of the Lower Little Horn and Lodge Grass Irrigation District.

§ 130.13c *Upper Little Horn Irrigation District, Crow Indian Reservation, Montana, charges.* Pursuant to a contract executed by the Upper Little Horn Irrigation District, Crow Indian Irrigation Project, Montana, and approved by the Secretary of the Interior on June 28, 1948, notice is hereby given that an assessment of $3,300 is hereby fixed for the season of 1952 for the operation and maintenance of the irrigation systems which serve that portion of the project within the confines and under the jurisdiction of the Upper Little Horn Irrigation District. This assessment involves an area of approximately 1,460 acres; does not include any land held in trust for Indians and covers all proper general charges and project overhead.

Pursuant to a second contract executed by the above irrigation district and approved by the Assistant Secretary of the Interior of June 28, 1951, notice is hereby given of an intent to fix an assessment of ten cents ($0.10) per acre for the season of 1952 for the operation and maintenance of the Willow Creek storage works which serve that portion of the project within the confines and under the jurisdiction of the Upper Little Horn Irrigation District.

§ 130.13d *Time of payment.* The amount of assessments fixed in §§ 130.13a, 130.13b, and 130.13c shall be paid by the respective irrigation districts to the United States, one-half thereof on or before February 1, in advance of the delivery of water for that season, and the remainder on or before July 1 following, of each year. To all assessments not paid on July 1 of each year, there shall be added a penalty of one-half of one percent per month, or fraction thereof, from the due date so long as the delinquencies continue; and the right is reserved to refuse delivery of water to a district or individual landowner in the event of default by the district or landowner in the payment of assessments, including penalties on account of delinquencies.

The foregoing proposed additions to §§ 130.13b and 130.13c and modification of § 130.13d are to become effective for the irrigation season of 1952 and thereafter until further notice.

Interested persons are hereby given opportunity to participate in preparing the proposed amendments by submitting their views, data, or arguments in writing to Paul L. Fickinger, Area Director, Bureau of Indian Affairs, 804 North 29th Street, Billings, Montana, within 30 days from the date of publication of this notice of intention in the daily issue of the FEDERAL REGISTER.

PAUL L. FICKINGER, *Area Director*

[F. R. Doc. 51-8273; Filed, July 18, 1951; 8:54 a. m.]

[25 CFR Part 130]

OPERATION AND MAINTENANCE CHARGES FOR THE WAPATO INDIAN IRRIGATION PROJECT, WASHINGTON

NOTICE OF PROPOSED RULE MAKING

JULY 9, 1951.

Pursuant to section 4 (a) of the Administrative Procedure Act of June 11, 1946 (60 Stat. 238) and authority contained in the act of Congress of August 1, 1914 (38 Stat. 583.25; U. S. C., 385), and by virtue of authority delegated by the Commissioner of Indian Affairs to the undersigned Area Director, Area No. III, Portland, Oregon, September 10, 1946 (11 F R. 10267) notice is hereby given of intention to modify § 130.86 operation and maintenance charge of Title 25, Code of Federal Regulations, dealing with the operation and maintenance assessments against the irrigable area of the Wapato-Satus Unit of the Wapato Indian Irrigation Project, Yakima Indian Reservation, Washington, as follows:

By increasing the annual operation and maintenance charge per acre by $2.25 for each irrigable acre of land

within the Wapato-Satus Unit of the Wapato Indian Irrigation Project. No increase is proposed on either the Toppenish-Simcoe Unit nor the Ahtanum Unit.

The foregoing proposed charge is to become effective for the irrigation season 1952 and to continue in effect thereafter until further notice.

The proposed schedule will therefore be as follows:

(a) Minimum charges for all tracts in non-contiguous single ownership	$7.25
(b) Flat rate upon all farm units or tracts for each assessable acre	5.50
(c) Storage operation and maintenance. For all lands with a storage water right, known as "B" lands, in addition to other charges per acre	.30

Interested persons are hereby given opportunity to participate in preparing the proposed amendments by submitting their views and data or argument in writing to E. Morgan Pryse, Area Director, Bureau of Indian Affairs, Building 1, Swan Island, Portland 18, Oregon, within 30 days from the date of publication of this notice of intention in the daily issue of the FEDERAL REGISTER.

L. P. TOWLE,
Acting Area Director.

[F. R. Doc. 51-8244; Filed, July 18, 1951; 8:47 a. m.]

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[7 CFR Part 52]

UNITED STATES STANDARDS FOR GRADES OF FROZEN CAULIFLOWER [1]

NOTICE OF PROPOSED RULE MAKING

Notice is hereby given that the United States Department of Agriculture is considering the revision, as herein proposed, of the current United States Standards for Grades of Frozen Cauliflower, pursuant to the authority contained in the Agricultural Marketing Act of 1946 (60 Stat. 1087; 7 U. S. C. 1621, et seq.) and Public Law 70 (82d Cong., approved July 1, 1951). This revision, if made effective, will be the third issue by the Department of grade standards for this product.

All persons who desire to submit written data, views, or arguments for consideration in connection with the proposed revision should file the same, in duplicate, with the Chief, Processed Products Standardization and Inspection Division, Fruit and Vegetable Branch, Production and Marketing Administration, United States Department of Agriculture, Washington 25, D. C., not later than 30 days after publication hereof in the FEDERAL REGISTER.

The proposed revision is as follows:

§ 52.228 *Frozen cauliflower* Frozen cauliflower is prepared from the fresh flower heads of the cauliflower plant (Brassica oleracea botrytis) by trimming, washing, and blanching and is frozen and maintained at temperatures necessary for preservation of the product.

(a) *Grades of frozen cauliflower.* (1) "U. S. Grade A" or "U. S. Fancy" is the quality of frozen cauliflower that possesses similar varietal characteristics; that possesses a good flavor and odor; that possesses a good color; that is practically free from defects; that possesses a good character; and that scores not less than 85 points when scored in accordance with the scoring system outlined in this section.

(2) "U. S. Grade B" or "U. S. Extra Standard" is the quality of frozen cauliflower that possesses similar varietal characteristics; that possesses a fairly good flavor and odor; that possesses a reasonably good color; that is reasonably free from defects; that possesses a reasonably good character; and that scores not less than 70 points when scored in accordance with the scoring system outlined in this section.

(3) "Substandard" is the quality of frozen cauliflower that fails to meet the requirements of U. S. Grade B or U. S. Extra Standard.

(b) *Ascertaining the grade.* (1) The grade of frozen cauliflower is ascertained by considering, in conjunction with the requirements of the respective grade, the respective ratings for the factors of color, absence of defects, and character.

(2) The relative importance of each factor which is scored is expressed numerically on the scale of 100. The maximum number of points that may be given such factors are:

Factors:	Points
(i) Color	40
(ii) Absence of defects	40
(iii) Character	20
Total score	100

(3) The scores for the factors of color, absence of defects, and character are determined immediately after thawing so that the product is sufficiently free from ice crystals to permit proper handling as individual units, except that buds or buttons which are slightly dark in typical color are cooked before evaluating the factor of color. The product is cooked to determine the flavor and odor.

(4) "Good flavor and odor" means that the product after cooking has a good, characteristic, normal flavor and odor and is free from objectionable flavors and objectionable odors of any kind.

(5) "Fairly good flavor and odor" means that the product after cooking may be lacking in good flavor and odor but is free from objectionable flavors and objectionable odors of any kind.

(c) *Ascertaining the rating for the factors which are scored.* The essential variations within each factor which is scored are so described that the value may be ascertained for each factor and expressed numerically. The numerical range within each factor which is scored is inclusive (for example, "17 to 20 points" means 17, 18, 19, or 20 points).

(1) *Color.* (i) Frozen cauliflower that possesses a good color may be given a score of 34 to 40 points. "Good color" means that the buds or buttons possess a characteristic white to light cream color over the tops, which color may be slightly variable, and that the product may possess a characteristic green or bluish tint on the branches and greenish yellow to light green modified leaves or bracts: *Provided,* That the buds or buttons may possess a color slightly darker than light cream which disappears upon cooking.

(ii) If the frozen cauliflower possesses a reasonably good color, a score of 28 to 33 points may be given. Frozen cauliflower that falls into this classification shall not be graded above U. S. Grade B or U. S. Extra Standard, regardless of the total score for the product (this is a limiting rule). "Reasonably good color" means that the buds or buttons may possess a variable characteristic color ranging from white or light cream to dull white or dark cream over the tops, and that the product may possess a characteristic green or bluish tint on the branches and greenish yellow to light green modified leaves or bracts: *Provided,* That the buds or buttons may possess a color darker than dark cream, but not seriously darkened, which color disappears upon cooking to the extent the appearance of the product is no more than slightly affected.

(iii) Frozen cauliflower that is off color for any reason or that fails to meet the requirements of subdivision (ii) of this subparagraph may be given a score of 0 to 27 points and shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule).

(2) *Absence of defects.* The factor of absence of defects refers to the degree of freedom from poorly trimmed clusters and small clusters, from damaged and seriously damaged clusters and small clusters, from pieces and detached fragments, and from any other defects which detract from the appearance or edibility of the product.

(i) "Portion of a head" means an individual portion or section of a head made up of buds or buttons and the adjoining stems or portions of stems and attached modified leaves or bracts.

(ii) "Cluster" means a portion of a head which weighs more than ¼ ounce.

(iii) "Small cluster" means a portion of a head which weighs not more than ¼ ounce and which is not less than ¾ inch in the greatest dimension measured across the top of the cluster.

(iv) "Piece" means a small portion of a head which is less than ¾ inch in the greatest dimension measured across the top of the cluster. "Pieces" are considered as defects whether or not defective.

(v) "Detached fragments" are detached leaves, detached modified leaves or bracts, or detached portions of stems. Detached fragments are considered as defects whether or not defective.

(vi) "Poorly trimmed cluster" or "poorly trimmed small cluster" means that the appearance of the cluster is seriously affected by ragged cutting or gouging, or both, or is seriously affected by attached modified leaves or bracts.

(vii) "Damaged cluster" or "damaged small cluster" means a cluster damaged

[1] The requirements of these standards shall not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act.

by dark discoloration, pathological injury, insect injury, or any other injury or defect which singly or in combination affect materially the appearance or edibility of the product.

(viii) "Seriously damaged cluster" or "seriously damaged small cluster" means that the cluster is damaged to the extent that the appearance or edibility of the cluster is seriously affected.

(ix) Frozen cauliflower that is practically free from defects may be given a score of 34 to 40 points. "Practically free from defects" means that the product is practically free from pieces and detached fragments and from any defects not specifically mentioned that affect materially the appearance or edibility of the product, and, in addition, means that:

(*a*) No seriously damaged clusters are present; and

(*b*) Not more than a total of 15 percent, by weight, of the cauliflower may be poorly trimmed clusters, poorly trimmed small clusters, damaged clusters, damaged small clusters, and seriously damaged small clusters: *Provided,*

(*1*) Not more than 10 percent, by weight, of the cauliflower are damaged clusters,[2] damaged small clusters, and seriously damaged small clusters: *Provided further*

(*i*) Not more than 5 percent, by weight, of the cauliflower are seriously damaged small clusters.

(x) If the frozen cauliflower is reasonably free from defects, a score of 28 to 33 points may be given. Frozen cauliflower that falls into this classification shall not be graded above U. S. Grade B or U. S. Extra Standard, regardless of the total score for the product (this is a limiting rule) "Reasonably free from defects" means that the product is reasonably free from pieces and detached fragments and from any defects not specifically mentioned that affect seriously the appearance or edibility of the product, and, in addition, means that:

(*a*) Not more than a total of 30 percent, by weight, of the cauliflower may be poorly trimmed clusters, poorly trimmed small clusters, damaged clusters, damaged small clusters, seriously damaged clusters, and seriously damaged small clusters: *Provided,*

(*1*) Not more than 15 percent, by weight, of the cauliflower are damaged clusters, damaged small clusters, seriously damaged clusters, seriously damaged small clusters: *Provided further,*

(*i*) Not more than 10 percent, by weight, of the cauliflower are seriously damaged clusters and seriously damaged small clusters.

(xi) Frozen cauliflower that fails to meet the requirements of subdivision (x) of this subparagraph may be given a score of 0 to 27 points and shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule)

(3) *Character* The factor of character refers to the development, texture, and degree of freedom from ricey and fuzzy units.

(i) "Ricey units" are sections of the head on which the ultimate branches have become elongated, causing the flower clusters to separate and present a loose or open and sometimes granular appearance.

(ii) "Fuzzy units" are sections of the head that have elongated individual flowers or pedicels that result in a very fuzzy appearance.

(iii) Frozen cauliflower that possesses a good character may be given a score of 17 to 20 points. "Good character" means that not less than 80 percent, by weight, of the cauliflower are firm and compact clusters of buds or buttons; and that the remainder of the clusters may be slightly soft, ricey, or fuzzy.

(iv) If the frozen cauliflower possesses a reasonably good character, a score of 14 to 16 points may be given. Frozen cauliflower that falls into this classification shall not be graded above U. S. Grade B or U. S. Extra Standard, regardless of the total score for the product (this is a limiting rule) "Reasonably good character" means that not less than 60 percent, by weight, of the cauliflower are firm or reasonably firm or reasonably compact clusters of buds or buttons and the remainder of the clusters may be soft, ricey, or fuzzy but not more than 10 percent, by weight, of the cauliflower may be mushy.

(v) Frozen cauliflower that fails to meet the requirements of subdivision (iv) of this subparagraph may be given a score of 0 to 13 points and shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule)

(d) *Tolerances for certification of officially drawn samples.* (1) When certifying samples that have been officially drawn and which represent a specific lot of frozen cauliflower, the grade for such lot will be determined by averaging the total scores of the containers comprising the sample, if:

(i) Not more than one-sixth of such containers fails to meet all the requirements of the grade indicated by the average of such total scores, and, with respect to such containers which fail to meet the requirements of the indicated grade by reason of a limiting rule, the average score of all containers in the sample for the factor, subject to such limiting rule, is within the range for the grade indicated:

(ii) None of the containers comprising the sample falls more than 4 points below the minimum score for the grade indicated by the average of the total scores; and

(iii) All containers comprising the sample meet all applicable standards of quality promulgated under the Federal Food, Drug, and Cosmetic Act and in effect at the time of the aforesaid certification.

(e) *Score sheet for frozen cauliflower*

Size and kind of container		
Container marks or identification		
Label		
Net weight (ounces)		
Factors	**Score points**	
I. Color	40	(A) 34-40 (B) [1] 28-33 (S Std) [1] 0-27
II. Absence of defects	40	(A) 34-40 (B) [1] 28-33 (S Std) [1] 0-27
III. Character	20	(A) 17-20 (B) [1] 14-16 (S Std) [1] 0-13
Total score	100	
Flavor and odor		
Grade		

[1] Indicates limiting rule.

Issued this 16th day of July 1951.

[SEAL] ROY W LENNARTSON,
Assistant Administrator, Production and Marketing Administration.

[F. R. Doc. 51-8309; Filed, July 18, 1951; 8:59 a. m.]

[7 CFR Part 988]

[Docket No. AO-195-A3]

HANDLING OF MILK IN THE KNOXVILLE, TENN., MARKETING AREA

DECISION WITH RESPECT TO A PROPOSED MARKETING AGREEMENT AND A PROPOSED ORDER AMENDING THE ORDER NOW IN EFFECT

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.) and the applicable rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and marketing orders (7 CFR Part 900) a public hearing was conducted at Knoxville, Tennessee, during the period January 16-20, 1951, pursuant to notice thereof duly published in the FEDERAL REGISTER (15 F R. 9396) upon proposed amendments to the tentative marketing agreement and to the order, as amended, regulating the handling of milk in the Knoxville, Tennessee, marketing area.

Upon the basis of the evidence introduced at the hearing and the record thereof, the Assistant Administrator, Production and Marketing Administration, on May 31, 1951, filed with the Hearing Clerk, United States Department of Agriculture, his recommended decision and opportunity to file written exceptions thereto which was published in the FEDERAL REGISTER on June 5, 1951 (16 F. R. 5285; F. R. Doc. 51-6482)

Within the period reserved for exceptions the producers' association and handlers filed exceptions to certain of the findings, conclusions and actions recommended by the Assistant Administrator. In arriving at the findings, conclusions, and regulatory provisions of this decision, each of such exceptions was care-

[2] One cluster in a single container is permitted to be damaged if such cluster exceeds 10 percent, by weight, provided that in all containers comprising the sample, such damaged cluster does not exceed an average of 10 percent by weight.

fully and fully considered in conjunction with the record evidence pertaining thereto. In some instances comment has been made below. To the extent that the findings, conclusions, and actions decided upon herein are at variance with the exceptions, such exceptions are overruled.

The material issues of record are concerned with the following:

(1) An extension of the marketing area to include certain surrounding towns and places;

(2) A change in the allocation provisions to provide for the classification of a limited quantity of producer milk as Class II milk before assigning other source milk to Class II utilization.

(3) A revision of the payment provisions of the order to incorporate a base-rating plan; and

(4) The inclusion of standard provisions pertaining to retention of records and termination of obligations.

Findings and conclusions. The following findings and conclusions are based upon the evidence introduced at the hearing and the record thereof:

1. The definition of the marketing area should not be changed.

The definition of the "marketing area" in conjunction with the definitions of "producer" and "handler" determine the milk to be subject to the minimum pricing provisions of the order and the milk distributors who must conform with the various order provisions:

The boundaries of the present marketing area coincide with the corporate limits of the city of Knoxville. Handlers proposed that the marketing area be defined to include in addition to the city of Knoxville, the following towns and places, all in the state of Tennessee: Morristown, Jefferson City, Dandridge, Maryville, Alcoa, Loudon, Harriman, Clinton, the county of Knox, and Oak Ridge Directed Operations.

The record indicates that the 13 handlers now subject to the order dispose of more than 35 percent of their total Class I sales outside the present marketing area. These handlers supply approximately 70 percent of the total fluid milk disposed of to consumers in Knox County, Oak Ridge Directed Operations, Alcoa and Maryville—which include approximately 80 percent of the total population of the additional areas proposed. Knoxville handlers also supply a substantial proportion of the fluid milk sales in the other towns proposed.

Knox County is densely populated; the rate of population growth in Knox County, outside the city of Knoxville, and in nearby towns has exceeded that in the city of Knoxville; and historically the entire area is considered as a natural trading area. Although the health ordinances pertaining to the sanitary requirements for the production and handling of milk in the proposed areas are similar to the ordinance in effect for the city of Knoxville and all of the ordinances are patterned after the United States Public Health Milk Ordinance and Code and bottled milk may be labeled "Grade A" in each area, there appears to be differences in the interpretation and administration of the various ordinances. With the exception of Knoxville, most of the health departments permit the sale of milk in their respective areas if it is qualified to be sold in any of the other areas including Knoxville. All milk received from producers for fluid distribution within the city limits of Knoxville, however, must be produced on farms and processed in plants holding permits issued by the Knoxville Health Department.

The principal reason given by handlers for including the above stated places in the marketing area was that purchases of milk by unregulated distributors who dispose of fluid milk in these areas in competition with Knoxville handlers, were at prices less than those required of Knoxville handlers, and that this gave unregulated distributors a competitive advantage in the procurement of milk.

This claim is not substantiated by the record. A detailed comparison of prices contained in the hearing record shows that the principal competitors in a substantial portion of the proposed area have actually paid somewhat higher prices than Knoxville handlers for that portion of their receipts devoted to fluid disposition.

This is particularly true for the unregulated distributors supplying milk in Knox County, Oak Ridge Directed Operations, and other proposed towns to the east of Knoxville where prices are influenced by competition for milk from the Kingsport market. Furthermore, the level of prices prevailing in nearly all of the proposed area are influenced by the level of prices prevailing under Order 88. The evidence failed to show that the cost of milk to distributors in any of the proposed areas is less than to handlers subject to Order 88. It also was not shown that the salient provisions of the present order are appropriate for application to the handling of milk in the proposed areas.

Dairy farmers selling milk to some of the distributors, who would be subject to regulation if the marketing area were extended, opposed an enlargement of the marketing area on the basis of an opinion that their returns would be reduced. No direct testimony was presented by Knoxville producers.

The evidence fails to show that a change in the marketing area to include any or all of the proposed towns or places is necessary to carry out the declared purpose of the act.

2. The allocation provisions of the order should not be changed.

Handlers proposed that a quantity of skim milk and butterfat derived from producer milk, equal to 5 percent of total receipts from producers be classified as Class II milk in each month that an equivalent amount of milk is disposed of in Class II uses, except that during the months of relatively rapid seasonal change in receipts 10 percent should be so classified. Under the present allocation provisions, other source milk is allocated first to Class II utilization and producer milk, less allowable shrinkage, is allocated to Class I utilization to the extent of Class I utilization for the entire month.

Handlers contended that because of variations in receipts, fluid sales and bottled milk returns some producer milk must be devoted to Class II uses in nearly all months of the year. Under the Knoxville health ordinance, Grade A condensed milk and nonfat dry milk solids may be used to supplement producer milk in Class I uses. Handlers also may, and do, maintain day-to-day revolving inventories of fluid milk in their plants. Bottled milk is not required to be dated. For these reasons the day-to-day variations in receipts and sales do not appear to result in a serious allocation problem.

Another objection to the present allocation provisions was directed to the months in which receipts usually change rather sharply from the beginning to the end of the month. During these months a handler may have more than an adequate supply of producer milk for Class I uses during part of the month and receives less producer milk than Class I sales during the other part of the month. The monthly basis of accounting has been found to be more practical than bi-monthly or a shorter accounting period. This, of course, may result in the classification of a quantity of producer milk in Class I utilization which may not have been available for such utilization during a portion of the transition months. Handlers who are able to arrange for sufficient milk from producers to fulfill Class I utilization are not confronted with this problem. The long run intention of the regulation is to promote an adequate supply of local producer milk and the proper allocation of this supply among handlers. The present allocation provisions tends to further this intent by offering some incentive for the proper allocation of the available supplies of milk among handlers and for increasing local supplies through increased returns to local producers.

Another objection to the present method of classification and allocation appeared to be related to the method of classifying inventories rather than to the allocation provisions of the order.

For the above stated reasons, the present allocation provisions should not be changed.

3. A "base and excess" plan of distributing among producers the market returns for milk should be employed in connection with the market-wide pool now provided in the order.

There is considerable seasonal variations in the receipts of milk for the Knoxville market, with receipts in the fall and winter months considerably less than in the spring and summer months. The disposition of fluid milk and other products required to be made from approved milk is relatively uniform from season to season; however, data for the market since the promulgation of Order 88 indicate that fluid disposition has been slightly higher at the same season of the year when receipts have been at relatively low levels. Fall shortages and spring excesses result from this situation. A production pattern of milk more nearly fitted to the sales pattern of fluid milk and other fluid products should be encouraged.

Producers testified that a "base and excess" plan which provides returns to each producer related directly to his

ability to deliver milk during the fall and winter seasons will encourage a more level production pattern for the market as a whole. Such a plan was widely discussed with producers before the amendment was proposed and a majority of those responding to a questionnaire survey favored such a plan. Prior to World War II some distributors paid producers on a base plan. The plan was discontinued during the war because at that time receipts of milk from local producers were not sufficient to meet market requirements at any season of the year. With the promulgation of Order 88 in 1949, seasonal pricing for producer deliveries was accomplished through seasonal class prices. Producers testified that seasonal pricing has not reduced the seasonal variation in receipts to the extent desired and the proposed base plan is necessary to encourage more even production at a faster rate.

The plan proposed by producers would establish for each producer a base quantity of milk equal to his average daily deliveries of milk during the six month period of September through February (total deliveries divided by the number of days in this period). During these months all producers would be paid the "pool" or uniform price for all deliveries. For each of the other months separate uniform prices for base milk (that delivered by each producer up to but not in excess of his daily "base" times the number of days he delivers in the month) and excess milk would be computed so that Class I sales would be first allocated to base milk. The suggestion was made on the record that some modification of this plan be made in determining bases for producers who enter the market after September 1 but during the fall shortage months of each year. It was proposed that this be accomplished by dividing deliveries by the number of days the producer delivers milk during the base forming period or 90 days whichever is the greater.

A base plan is designed to apportion the total value of the milk purchased by all handlers among producers on the basis of their marketings of milk during a representative period of time. By the application of the base plan it is intended to provide this market with receipts of milk which is correlated with fluid uses in all seasons of the year. For these purposes the plan to be adopted may logically be designed not only to influence the production patterns of old producers but also to influence the time of the year at which new producers will enter the market.

A large degree of flexibility should be incorporated in the base plan without destroying the desired effectiveness. This may be accomplished in part by limiting the effective period of the bases to a reasonable number of months when receipts are expected to be greatest in relation to fluid sales, the establishment of new bases by each producer each year during the months of lowest production, providing for increasing the excess price during those months when Class I utilization exceeds receipts of base milk and by providing for the payment of the uniform market-wide pool price to all producers during all months except the period when bases are applicable.

The months proposed for establishing bases (September through February) appear to be those which are normally the period of lowest production and should be used for establishing bases (§ 988.60). Payments on the base plan, however, need not be made in all other months in order for the plan to be effective. Limiting the base effective period to as few months as practical will increase the flexibility of the plan and provides greater opportunity for individual producers to make adjustments in their production plans. Producers pointed out in their exceptions that the effectiveness of the base plan in encouraging more even production is greatly reduced by not including March and August. The record shows, however, that receipts of milk during March are relatively low in relation to fluid sales and this month should be omitted from the base effective period. The omission of March will provide the time needed for calculating and announcing individual producer bases prior to the base effective period. During August, 1949, the only year for which market-wide data are available, receipts of milk in relation to Class I sales were nearly as great as for the month of April. Producers testified that the seasonal variation in production during 1949 was considered representative of past years. It is concluded, therefore, that the base effective period should include the months of April through August.

Producers who enter the market during the fall and winter months when additional milk is usually needed should be permitted to establish a base on the basis of deliveries during a portion of the base forming period. This may be accomplished without destroying equities among producers by determining such bases on the basis of the number of days in the period a new producer is on the market but in any event not less than 120 days (§ 988.60) Producers contended that a period of less than 120 days will create unfair and inequitable relationships between bases which may be established by new and by regular producers. With the exception of September, production per farm in February is higher on the average than in any other month of the base forming period. Provision for establishing bases on a period of less than 120 days, therefore, could result in relatively higher bases for new producers than for regular producers. A minimum of 120 days for determining bases will also tend to encourage dairy farmers who may enter the market to do so prior to the time of the year when additional receipts are needed most.

The plan proposed herein will permit new producers entering the market when payments are made on the base plan to share with all other producers any Class I sales in excess of deliveries of base milk. Thus a new producer will share in some Class I sales if milk is needed at the time he enters the market. Payment on a uniform price in all other months (September through March) will provide ample opportunity for new producers to enter the market to meet prospective needs (§ 988.71) This payment plan is to become first effective during 1952.

It is necessary to provide certain rules in connection with the establishment and transfer of bases to provide reasonable administrative workability of the plan (§ 988.61). To accomplish this purpose and to preserve the effectiveness of the base plan, transfers of bases should be limited to entire bases of producers who may retire from farming, in cases of death and of joint production arrangements such as landlord-tenant relationships. Since the base plan is effective in determining producer payments in only four of the twelve months of each year, and all producers must establish a new base each year, provisions in addition to those contained herein for the establishment and transfer of bases or to meet unusual situations are not needed.

In order to incorporate the base plan in the order, additional sections also are needed to define base and excess milk (§§ 988.15 and 988.16) and to provide for the announcement of established bases by the market administrator prior to the months bases are applied (§ 988.62) Several conforming changes are necessary in the order provisions relative to reports by handlers, and the computation and announcement of uniform prices by the market administrator. Conforming changes have been made in the following sections of the attached amended order: §§ 988.30 (a) (1) (i), 988.31 (a) 988.73, 988.80, 988.82, 988.83 and 988.85.

4. The order should provide for a limit on the time records must be retained by handlers and for the termination of obligations under the order.

Handlers proposed that the standard provision heretofore incorporated in other milk marketing orders for the "Retention of Records" and "Termination of Obligations" be incorporated in Order 88.

Handlers must retain records in order to prove the utilization of milk and the payments made to producers. It is necessary that these records be kept for a substantial period of time since some transactions are not completed and audited until several months after the milk has been received from producers. Detailed records of this kind soon reach large physical proportions and become burdensome. The order should provide a definite time period within which handlers must maintain their records and after which they will be relieved of so doing. A period of three years is considered necessary and reasonable. If litigation is in progress, however, it may be necessary to require records to be retained for a longer period and provision should be made for this contingency (§ 988.33)

Without a provision for the termination of obligations handlers may file claims which might extend back over many years and which may be in substantial amounts. This creates uncertainties which would endanger the stability of the market and lead to serious inequities. The order should provide that any obligation to pay a handler shall terminate two years after the

month in which the milk was received if an underpayment is claimed, or within two years after payment was made if a refund is claimed, unless within such period of time the handler files a petition pursuant to section 8c (15) (A) of the act, claiming such money (§ 988.89). Handlers also need the protection of provisions terminating their obligations to make payments. Since handlers cannot be forewarned always as to contingent liabilities it is extremely difficult and burdensome for them to make adequate provisions therefor by setting up reserves or by taking other precautionary measures (§ 988.89) The obligation of any handler to pay money should, except under certain extraordinary conditions, such as litigation, terminate two years after the last day of the month during which the market administrator receives the handler's report of utilization of the milk involved in such obligation, unless within such two-year period the market administrator notifies the handler in writing that such money is due and payable.

It is concluded that in general a period of two years is a reasonable time within which a market administrator should complete his auditing and inspection work and render any billings for money due under the order. Provisions are necessary also to meet such contingencies as failure of the handler to submit required books and records and to deal with situations where fraud or willful concealment of information may be involved (§ 988.89)

5. General. (a) The proposed marketing agreement and the order, as amended, and as hereby proposed to be further amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the act;

(b) The proposed marketing agreement and the order, as amended, and as hereby proposed to be further amended, regulates the handling of milk in the same manner and is applicable only to persons in the respective classes of industrial and commercial activity specified in the marketing agreement upon which a hearing has been held; and

(c) The parity prices of milk as determined pursuant to section 2 of the act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the proposed marketing agreement and in the order, as amended, and as hereby proposed to be further amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest.

Determination of representative period. The month of May 1951 is hereby determined to be the representative period for the purpose of ascertaining whether the issuance of the order amending the order, now in effect, regulating the handling of milk in the Knoxville, Tennessee, marketing area, in the manner set forth in the attached amending order is approved or favored by producers who, during such period, were engaged in the production of milk for sale in the marketing area specified in such marketing order.

Annexed hereto and made a part hereof are two documents entitled, respectively, "Marketing Agreement Regulating the Handling of Milk in the Knoxville, Tennessee, Marketing Area," and "Order Amending the Order, as Amended, Regulating the Handling of Milk in the Knoxville, Tennessee, Marketing Area," which have been decided upon as the detailed and appropriate means of effectuating the foregoing conclusions. These documents shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and orders have been met.

It is hereby ordered, That all of this decision, except the attached marketing agreement, be published in the FEDERAL REGISTER. The regulatory provisions of said marketing agreement are identical with those contained in the order, as amended, and as hereby proposed to be further amended by the attached order which will be published with this decision.

This decision filed at Washington, D. C., this 13th day of July 1951.

[SEAL] CHARLES F. BRANNAN, *Secretary.*

Order[1] *Amending the Order, as Amended, Regulating the Handling of Milk in the Knoxville, Tennessee, Marketing Area*

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AUTHORITY: §§ 988.0 to 988.111 issued under sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup., 608c.

§ 988.0 *Findings and determinations.* The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and each of the priviously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.) and the applicable rules of practice and procedure, as amended governing the formulation of marketing agreements and marketing orders (7 CFR Part 900) a public hearing was held at Knoxville, Tennessee, on January 16–20, 1951, upon a proposed marketing agreement and certain proposed amendments to the order, as amended, regulating the handling of milk in the Knoxville, Tennessee, marketing area. Upon the basis of the evi-

[1] This order shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and orders have been met.

dence introduced at such hearing and the record thereof, it is found that:

(1) The said order, as amended, and as hereby further amended, and all of the terms and conditions of said order, as amended, and as hereby further amended, will tend to effectuate the declared policy of the act;

(2) The parity prices of milk as determined pursuant to section 2 of the act are not reasonable in view of the price of feeds, available supplies of feeds and other economic conditions which affect market supply of and demand for milk in the marketing area, and the minimum prices specified in the order, as amended and as hereby further amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk and be in the public interest; and

(3) The said order, as amended, and as hereby further amended, regulates the handling of milk in the same manner as and is applicable only to persons in the respective classes of industrial and commercial activity specified in a marketing agreement upon which a hearing has been held.

Order relative to handling. It is therefore ordered, That on and after the effective date hereof the handling of milk in the Knoxville, Tennessee, marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended, and as hereby further amended, and the aforesaid order, as amended, is hereby further amended to read as follows:

DEFINITIONS

§ 988.1 *Act.* "Act" means Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937 as amended (7 U. S. C. 601 et seq.).

§ 988.2 *Secretary.* "Secretary" means the Secretary of Agriculture or any officer or employee of the United States authorized to exercise the powers and to perform the duties of the Secretary of Agriculture.

§ 988.3 *Department of Agriculture.* "Department of Agriculture" means the United States Department of Agriculture or any other Federal agency as may be authorized by act of Congress or by Executive order to perform the price reporting functions of the United States Department of Agriculture.

§ 988.4 *Person.* "Person" means any individual, partnership, corporation, association, or any other business unit.

§ 988.5 *Knoxville, Tennessee, marketing area.* "Knoxville, Tennessee, marketing area" hereinafter called the "marketing area" means all the territory within the corporate limits of the City of Knoxville, Tennessee.

§ 988.6 *Cooperative association.* "Cooperative association" means any cooperative marketing association of producers which the Secretary determines to be qualified pursuant to the provisions of the act of Congress of February 18, 1922, as amended, known as the "Capper-Volstead Act," and is authorized by its members to make collective sales or to market milk or its products for the producers thereof.

§ 988.7 *Producer-handler.* "Producer-handler" means any person who produces milk under a dairy farm inspection permit issued by the appropriate health authority in the marketing area and who processes milk from his own production, distributing all or a portion of such milk within the marketing area as Class I milk, but who receives no milk from producers.

§ 988.8 *Delivery period.* "Delivery period" means a calendar month, or the portion thereof during which this part is in effect.

§ 988.9 *Fluid milk plant.* "Fluid milk plant" means the premises and the portions of the building and facilities, approved by the appropriate health authority in the marketing area, which are used in: (a) The receipt and processing or packaging of producer milk, all, or a portion, of which is disposed of from such plant on wholesale or retail routes within the delivery period as Class I milk in the marketing area, or (b) the receipt and cooling of producer milk for shipment to a plant described in paragraph (a) of this section: *Provided,* That any portion of such building or facilities, used for receiving or processing milk or any milk product, required by the appropriate health authority in the marketing area to be kept physically separate from the receiving and processing or packaging of milk for disposition as Class I milk in the marketing area shall not be included.

§ 988.10 *Producer.* "Producer" means any person, except a producer-handler, who produces milk under a dairy farm inspection permit issued by the appropriate health authority in the marketing area, and whose milk conforms to the appropriate health standards for milk for fluid consumption, which milk is: (a) Received at a fluid milk plant, or (b) diverted from a fluid milk plant to any milk distributing or milk manufacturing plant: *Provided,* That any such milk so diverted shall be deemed to have been received by the handler for whose account it was diverted.

§ 988.11 *Handler* "Handler" means (a) any person in his capacity as operator of a fluid milk plant, (b) a producer-handler or (c) any cooperative association of producers with respect to producer milk diverted by if from a fluid milk plant to a nonfluid milk plant for the account of such association.

§ 988.12 *Nonfluid milk plant.* "Nonfluid milk plant" means any milk manufacturing, processing, or bottling plant other than a fluid milk plant described in § 988.9.

§ 988.13 *Other source milk.* "Other source milk" means all skim milk and butterfat received in any form from a producer-handler or from a source other than producers or other handlers except any nonfluid milk product received and disposed of in the same form.

§ 988.14 *Producer milk.* "Producer milk" means milk produced by one or more producers.

§ 988.15 *Base milk.* "Base milk" means milk received by a handler from a producer during any of the months of April through August which is not in excess of such producer's daily average base computed pursuant to § 988.60 multiplied by the number of days such producer delivered milk to such handler in such month: *Provided,* That with respect to any producer on "every-other-day" delivery to a fluid milk plant, the days of nondelivery, intervening days of delivery, shall be considered as days of delivery.

§ 988.16 *Excess milk.* "Excess milk" means milk received by a handler from a producer during any of the months of April through August which is in excess of base milk received from such producer during such month, and shall include all milk received during such month from a producer from whom no daily average base can be computed pursuant to § 988.60.

MARKET ADMINISTRATOR

§ 988.20 *Designation.* The agency for the administration of this part shall be a market administrator, selected by the Secretary, who shall be entitled to such compensation as may be determined by, and shall be subject to removal at the discretion of, the Secretary.

§ 988.21 *Powers.* The market administrator shall have the following powers with respect to this part:

(a) To administer its terms and provisions;

(b) To receive, investigate, and report to the Secretary complaints of violations;

(c) To make rules and regulations to effectuate its terms and provisions; and

(d) To recommend amendments to the Secretary.

§ 988.22 *Duties.* The market administrator shall perform all duties necessary to administer the terms and provisions of this part, including, but not limited to, the following:

(a) Within 45 days following the date on which he enters upon his duties, or such lesser period as may be prescribed by the Secretary, execute and deliver to the Secretary a bond, effective as of the date on which he enters upon his duties and conditioned upon the faithful performance of such duties, in an amount and with surety thereon satisfactory to the Secretary;

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

(c) Obtain a bond in a reasonable amount and with reasonable surety thereon covering each employee who handles funds entrusted to the market administrator;

(d) Pay, out of the funds provided by § 988.87, (1) the cost of his bond and of the bonds of his employees, (2) his own compensation, and (3) all other expenses, except those incurred under

§ 988.88, necessarily incurred by him in the maintenance and functioning of his office and in the performance of his duties;

(e) Keep such books and records as will clearly reflect the transactions provided for herein, and, upon request by the Secretary, surrender the same to such other person as the Secretary may designate;

(f) Publicly disclose to handlers and producers, unless otherwise directed by the Secretary the name of any person who, within 5 days after the day upon which he is required to perform such acts, has not made (1) reports pursuant to § 988.30 or (2) payments pursuant to § 988.80 and § 988.82;

(g) Submit his books and records to examination by the Secretary and furnish such information and reports as may be required by the Secretary;

(h) Prepare and make available for the benefit of producers, consumers, and handlers such general statistics and information concerning the operation hereof as are necessary and essential to the proper functioning of this part;

(i) Verify all reports and payments by each handler by audit, if necessary, of such handler's records and the records of any other handler or person upon whose utilization the classification of skim milk and butterfat for such handler depends; and

(j) Publicly announce and notify each handler in writing the prices and butterfat differentials determined for each delivery period as follows: (1) On or before the 6th day after the end of such delivery period the prices and butterfat differentials for each class computed pursuant to §§ 988.51 and 988.52; and (2) on or before the 10th day after the end of such delivery period, the uniform price(s) computed pursuant to §§ 988.71 and 988.72 and the butterfat differentials to be paid pursuant to § 988.85.

REPORTS, RECORDS, AND FACILITIES

§ 988.30 *Reports of receipts and utilization.* On or before the 6th day after the end of each delivery period each handler, except a producer-handler, shall report to the market administrator in the detail and on forms prescribed by the market administrator:

(a) The quantities of skim milk and butterfat contained in (1) all receipts at his fluid milk plant(s) within such delivery period of (i) producer milk and for the months of April through August, the aggregate quantities of base and excess milk, (ii) skim milk and butterfat in any form from other handlers, and (iii) other source milk; and (2) milk diverted pursuant to § 988.10 (b) and

(b) The utilization of all skim milk and butterfat required to be reported under paragraph (a) of this section.

§ 988.31 *Other reports.* Each handler shall report to the market administrator, in the detail and on forms prescribed by the market administrator as follows, except that each producer-handler shall make reports to the market administrator at such time and in such manner as the market administrator may request:

(a) On or before the 20th day after the end of the delivery period, his producer pay roll for such delivery period which shall show: (1) The total pounds of milk received from each producer or cooperative association, including for the delivery periods of April through August the total deliveries of base milk and excess milk by each producer, (2) the number of days deliveries are made and if less than a full calendar month, the date of first and last delivery, (3) the average butterfat content of such milk; and (4) the net amount of such handler's payment to each producer or a cooperative association, together with the prices paid, deductions and charges involved.

(b) On or before the first day other source milk is received, his intention to receive such milk and on or before the last day such milk is received, his intention to discontinue such receipts.

§ 988.32 *Records and facilities.* Each handler shall keep adequate records of receipts and utilization of skim milk and butterfat and shall, during the usual hours of business, make available to the market administrator or his representative such records and facilities as will enable the market administrator to (a) verify the receipts and utilization of all skim milk and butterfat and, in case of errors or omissions, ascertain the correct figures; (b) weigh, sample, and test for butterfat content all milk and milk products handled; (c) verify payment to producers; and (d) make such examinations of operations, equipment, and facilities, as are necessary and essential to the proper administration of this part or any amendments thereto.

§ 988.33 *Retention of records.* All books and records required under this part to be made available to the market administrator shall be retained by the handler for a period of three years to begin at the end of the month to which such books and records pertain: *Provided,* That if, within such three-year period, the market administrator notifies the handler in writing that the retention of such books and records, or of specified books and records, is necessary in connection with a proceeding under section 8c (15) (A) of the act or a court action specified in such notice, the handler shall retain such books and records, or specified books and records, until further written notification from the market administrator. In either case the market administrator shall give further written notification to the handler promptly, upon the termination of the litigation or when the records are no longer necessary in connection therewith.

CLASSIFICATION OF MILK

§ 988.40 *Basis of classification.* All skim milk and butterfat contained in (a) receipts at a fluid milk plant(s), within such delivery period, of (1) producer milk, (2) skim milk and butterfat in any form from other handlers, and (3) other source milk, and (b) milk diverted pursuant to § 988.10 (b) shall be classified by the market administrator in the classes set forth in § 988.41.

§ 988.41 *Classes of utilization.* Subject to the conditions set forth in § 988.42 through § 988.45 the classes of utilization shall be as follows:

(a) Class I milk shall be all skim milk and butterfat (1) disposed of in fluid form (except for livestock feed) as milk, skim milk, buttermilk, flavored milk, flavored milk drinks, cream and any cream product, except ice cream mix and (2) not specifically accounted for as Class II milk.

(b) Class II milk shall be all skim milk and butterfat: (1) Used to produce any item other than those specified in paragraph (a) of this section; (2) in inventory variation; (3) disposed of for livestock feed; (4) in actual plant shrinkage of skim milk and butterfat received in producer milk, but not in excess of 2.5 percent of such receipts of skim milk and butterfat, respectively, and (5) in actual plant shrinkage of skim milk and butterfat, respectively, in other source milk received: *Provided,* That if producer milk and other source milk are both received in a fluid milk plant during the same delivery period the shrinkage of skim milk and butterfat, respectively, allocated to producer milk and other source milk shall be computed pro rata according to the proportions of the volumes of skim milk and butterfat, respectively, received from such sources to their total.

§ 988.42 *Responsibility of handlers and reclassification of milk.* (a) All skim milk and butterfat shall be classified as Class I milk, unless the handler who first receives such skim milk or butterfat proves to the market administrator that such skim milk or butterfat should be classified in Class II.

(b) Any skim milk or butterfat classified (except that transferred to a producer-handler) in one class shall be reclassified if used or reused by such handler or by another handler in another class.

§ 988.43 *Transfers.* Skim milk or butterfat disposed of by a handler either by transfer or diversion shall be classified:

(a) As Class I milk if transferred or diverted in the form of milk, skim milk, or cream to a fluid milk plant of another handler (except a producer-handler), unless utilization in Class II is mutually indicated in writing to the market administrator by both handlers on or before the 6th day after the end of the delivery period within which such transaction occurred, but in no event shall the amount classified in any class exceed the total use in such class by the transferee-handler: *Provided,* That if either or both handlers have received other source milk, such milk so disposed of shall be classified at both plants so as to return the higher class utilization to producer milk.

(b) As Class I milk if transferred or diverted in the form of milk, skim milk, or cream to a producer-handler.

(c) As Class I milk if transferred or diverted in the form of milk, skim milk, or cream to a nonfluid milk plant, except that of a producer-handler, unless (1) the handler claims Class II on the basis of a utilization mutually indicated in writing to the market administrator by both the operator of the nonfluid milk plant and the handler on or before the 6th day after the end of the delivery

period within which such transfer occurred, (2) the operator of the nonfluid milk plant maintains books and records showing the utilization of all skim milk and butterfat at such plant which are made available if requested by the market administrator for the purpose of verification, and (3) not less than an equivalent amount of skim milk and butterfat was actually utilized in such plant in the use indicated in such statement: *Provided*, That if upon inspection of the records of such plant it is found that an equivalent amount of skim milk and butterfat was not actually used in such indicated use the remaining pounds shall be classified as Class I: *Provided further*, That if such plant disposes of fluid cream to another nonfluid milk plant which conforms with the requirements of subparagraphs (1) (2) and (3) of this paragraph, such cream shall be classified as Class II milk.

§ 988.44 *Computation of skim milk and butterfat in each class.* For each delivery period, the market administrator shall correct for mathematical and other obvious errors the delivery period report submitted by each handler and compute the total pounds of skim milk and butterfat, respectively, in Class I milk and Class II milk for such handler.

§ 988.45 *Allocation of skim milk and butterfat classified.* (a) The pounds of skim milk remaining in each class after making the following computations for each handler for each delivery period shall be the pounds in such class allocated to producer milk received by such handler:

(1) Subtract the shrinkage of skim milk, computed pursuant to § 988.41 (b) (4) from the total pounds of skim milk in Class II milk;

(2) Subtract from the pounds of skim milk remaining in each class, in series beginning with the lowest price Class II milk, the pounds of skim milk in other source milk;

(3) Subtract from the pounds of skim milk remaining in each class the pounds of skim milk received from other handlers and assigned to such class pursuant to § 988.43 (a)

(4) Add to the pounds of skim milk remaining in Class II milk the pounds of skim milk subtracted pursuant to subparagraph (1) of this paragraph; or if the pounds of skim milk remaining in all classes exceed the pounds of skim milk in producer milk, subtract such excess from the pounds of skim milk remaining in each class, in series beginning with Class II.

(b) Allocate the pounds of butterfat in each class to producer milk in the same manner prescribed for skim milk in paragraph (a) of this section.

(c) Add the pounds of skim milk and the pounds of butterfat allocated to producer milk in each class, respectively, as computed pursuant to paragraphs (a) and (b) of this section, and determine the percentage of butterfat in each class.

MINIMUM PRICES

§ 988.50 *Basic formula price.* The basic formula price per hundredweight (computed to the nearest tenth of a cent) to be used in determining the price for Class I milk pursuant to § 988.51 shall be the highest of the prices per hundredweight for milk of 4.0 percent butterfat content computed pursuant to paragraph (a), (b) or (c) of this section, or § 988.51 (b)

(a) To the arithmetical average of the basic (or field) prices reported to have been paid or to be paid per hundredweight for milk of 3.5 percent butterfat content received from farmers during the delivery period at the following plants or places for which prices have been reported to the market administrator or to the Department of Agriculture on or before the 6th day after the end of the delivery period by the companies listed below:

Company and Location

Borden Co., Black Creek, Wis.
Borden Co., Greenville, Wis.
Borden Co., Mount Pleasant, Mich.
Borden Co., New London, Wis.
Borden Co., Orfordville, Wis.
Carnation Co., Berlin, Wis.
Carnation Co., Jefferson, Wis.
Carnation Co., Chilton, Wis.
Carnation Co., Oconomowoc, Wis.
Carnation Co., Richland Center, Wis.
Carnation Co., Sparta, Mich.
Pet Milk Co., Belleville, Wis.
Pet Milk Co., Cooperville, Mich.
Pet Milk Co., Hudson, Mich.
Pet Milk Co., New Glarus, Wis.
Pet Milk Co., Wayland, Mich.
White House Milk Co., Manitowoc, Wis.
White House Milk Co., West Bend, Wis.

add an amount computed by multiplying the butterfat differential computed pursuant to § 988.85 by 5.

(b) The price per hundredweight computed as follows:

(1) Multiply by 6 the average daily wholesale price per pound of 92-score butter in the Chicago market as reported by the Department of Agriculture during the delivery period;

(2) Add an amount equal to 2.4 times the arithmetical average of the weekly prevailing price per pound of "Twins" during the delivery period on the Wisconsin Cheese Exchange at Plymouth, Wisconsin: *Provided*, That if the price of "Twins" is not quoted on such Exchange the weekly prevailing price per pound of "Cheddars" shall be used; and

(3) Divide by 7, add 30 percent thereof, and then multiply by 4.

(c) The price per hundredweight computed as follows: Multiply by 4.0 the arithmetical average of daily wholesale prices per pound of 92-score butter in the Chicago market, as reported by the Department of Agriculture during the delivery period, add 20 percent thereof, and add to such sum 3¾ cents for each full ½ cent that the arithmetical average of carlot prices per pound of nonfat dry milk solids (not including that specifically designated animal feed) spray and roller process, f. o. b. Chicago area manufacturing plants, as reported by the Department of Agriculture during the delivery period, is above 5 cents: *Provided*, That if such f. o. b. manufacturing plant prices of nonfat dry milk solids are not reported there shall be used for the purpose of such computation the arithmetical average of the carlot prices of nonfat dry milk solids delivered at Chicago, Illinois, as reported by the Department of Agriculture during the delivery period; and in the latter event the "5 cents" shall be increased by 1 cent.

§ 988.51 *Class prices.* Subject to the provisions of § 988.52 each handler shall pay producers, at the time and in the manner set forth in § 988.80 through § 988.86, not less than the prices per hundredweight computed as follows for the respective quantities of Class I milk and Class II milk computed pursuant to § 988.45:

(a) *Class I Milk.* The price for Class I milk prior to August 1, 1951, shall be the basic formula price plus $1.30 per hundredweight. Effective August 1, 1951, the price for Class I milk shall be the basic formula price plus $1.50 per hundredweight: *Provided*, That, if during the 12 months prior to the month immediately preceding each delivery period, the total volume of milk received from producers by all handlers was more than 110 percent of the total Class I utilization of all handlers during such 12-month period, the Class I price shall be decreased 2.5 cents per hundredweight for each full percentage point that such percentage is more than 110 percent.

(b) *Class II milk.* The price for Class II milk shall be the arithmetical average of the basic (or field) prices reported to have been paid or to be paid per hundredweight for milk of 4.0 percent butterfat content received from farmers during the delivery period at the following plants or places for which prices have been reported to the market administrator or to the Department of Agriculture on or before the 6th day after the end of the delivery period by the companies indicated below:

Company and Location

Pet Milk Co., Mayfield, Ky.
Pet Milk Co., Bowling Green, Ky.
Pet Milk Co., Greenville, Tenn.
Pet Milk Co., Abingdon, Va.
Carnation Co., Murfreesboro, Tenn.
Carnation Co., Statesville, N. C.
Carnation Co., Galax, Va.
Borden Co., Lewisburg, Tenn.
Borden Co., Chester, S. C.

§ 988.52 *Butterfat differential to handlers.* If the weighted average butterfat test of that portion of producer milk which is classified, respectively, in any class of utilization for a handler, pursuant to § 988.45, is more or less than 4.0 percent, there shall be added to, or subtracted from, as the case may be, the price for such class of utilization, for each one-tenth of 1 percent that such weighted average butterfat test is above or below, respectively, 4.0 percent, a butterfat differential (computed to the nearest 10th of a cent), calculated for each class of utilization as follows:

(a) *Class I milk.* Multiply by 1.3 the average daily wholesale price per pound of 92-score butter in the Chicago market, as reported by the Department of Agriculture during the delivery period, and divide the result by 10.

(b) *Class II milk.* Multiply by 1.15 the average daily wholesale price per pound of 92-score butter in the Chicago market, as reported by the Department of Agriculture during the delivery period, and divide the result by 10.

DETERMINATION OF BASE

§ 988.60 *Computation of daily average base for each producer.* For the months of April through August of each year the market administrator shall compute a daily average base for each producer as follows, subject to the rules set forth in § 988.61.

(a) Divide the total pounds of milk received by a handler(s) from such producer during the months of September through February immediately preceding by the number of days from the first day of delivery by such producer during such months to the last day of February, inclusive, but not less than 120 days.

§ 988.61 *Base rules.* The following rules shall apply in connection with the establishment of bases:

(a) A base shall apply to deliveries of milk by the producer for whose account that milk was delivered during the base forming period;

(b) Bases may be transferred by notifying the market administrator in writing before the last day of any month for which such base is to be transferred to the person named in such notice only as follows:

(1) In the event of the death, retirement, or entry into military service of a producer, the entire base may be transferred to a member(s) of such producer's immediate family who carries on the dairy operations.

(2) If a base is held jointly and such joint holding is terminated, the entire base may be transferred to one of the joint holders.

§ 988.62 *Announcement of established bases.* On or before April 1, of each year, the market administrator shall notify each producer and the handler receiving milk from such producer the daily base established by such producer.

DETERMINATION OF UNIFORM PRICES TO PRODUCERS

§ 988.70 *Computation of value of milk.* The value of producer milk received during each delivery period by each handler shall be a sum of money computed by the market administrator by multiplying the pounds of such milk in each class for the delivery period by the applicable class price adjusted by the butterfat differential to handlers specified in § 988.52 and adding together the resulting amounts: *Provided,* That if a handler, after subtracting receipts of other source milk and receipts from other handlers, has disposed of skim milk or butterfat in excess of the skim milk or butterfat which has been credited to producers as having been received from them, there shall be added any plus amount computed by multiplying the pounds in each class as subtracted pursuant to paragraphs (a) (4) and (b) of § 988.45 by the applicable class price adjusted by the butterfat differentials to handlers specified in § 988.52.

§ 988.71 *Computation of uniform price.* For the delivery periods of September through March the market administrator shall compute the uniform price per hundredweight for producer milk, on the basis of 4.0 percent butterfat content, as follows:

(a) Combine into one total the value computed pursuant to § 988.70 for all handlers who made the reports prescribed by § 988.30 for such delivery period, except those in default of payments required pursuant to § 988.82 for the preceding delivery period;

(b) Subtract if the average butterfat content of producer milk represented by the values included under paragraph (a) of this section is greater than 4.0 percent, or add, if such average butterfat content is less than 4.0 percent, an amount computed as follows: Multiply the amount by which the average butterfat content of such milk varies from 4.0 percent by the butterfat differential computed pursuant to § 988.85, and multiply the result by the total hundredweight of such milk;

(c) Add an amount representing the cash balance on hand in the producer-settlement fund, less the total amount of contingent obligations to handlers pursuant to § 988.83;

(d) Divide the resulting amount by the total hundredweight of producer milk included in these computations; and

(e) Subtract not less than 4 cents nor more than 5 cents for the purpose of retaining in the producer-settlement fund a cash balance to provide against delinquencies in payments by handlers. This result shall be known as the "uniform price" per hundredweight for such delivery period for producer milk containing 4.0 percent butterfat, f. o. b. fluid milk plant.

§ 988.72 *Computation of uniform prices for base milk and excess milk.* Following April 1, 1952, for each of the delivery periods of April through August, the market administrator shall compute the uniform prices per hundredweight for base milk and for excess milk, each of 4.0 percent butterfat content, as follows:

(a) Combine into one total the value computed pursuant to § 988.70 for all handlers who made the reports prescribed by § 988.30 for such delivery period, except those in default of payment required pursuant to § 988.82 for the preceding delivery period;

(b) Subtract if the average butterfat content of producer milk represented by the values included under paragraph (a) of this section is greater than 4.0 percent, or add, if such average butterfat content is less than 4.0 percent, an amount computed as follows: Multiply the amount by which the average butterfat content of such milk varies from 4.0 percent by the butterfat differential computed pursuant to § 988.85, and multiply the result by the total hundredweight of such milk;

(c) Add an amount representing the cash balance on hand in the producer-settlement fund, less the total amount of contingent obligations to handlers pursuant to § 988.83;

(d) Compute the value on a 4.0 percent butterfat basis of the aggregate quantity of excess milk for all handlers included in the computation pursuant to paragraph (a) of this section by multiplying the hundredweight of such milk not in excess of the total quantity of Class II milk included in such computation by the price for Class II milk of 4.0 percent butterfat content, multiplying the hundredweight of such milk in excess of the total hundredweight of such Class II milk by the price for Class I milk of 4.0 percent butterfat content, and adding together the resulting amounts;

(e) Divide the total value of excess milk obtained in paragraph (d) of this section by the total hundredweight of such milk, and adjust to the nearest cent. The resulting figure shall be the uniform price for excess milk of 4.0 percent butterfat content received from producers.

(f) Subtract the value of excess milk determined by applying the uniform price obtained in paragraph (e) of this section from the value of all milk obtained in paragraph (c) of this section;

(g) Divide the amount obtained in paragraph (f) of this section by the total hundredweight of base milk included in these computations;

(h) Subtract not less than 4 cents nor more than 5 cents from the amount computed pursuant to paragraph (g) of this section. The resulting figure shall be the uniform price for base milk of 4.0 percent butterfat content received from producers.

§ 988.73 *Notification of handlers.* On or before the 10th day after the end of each delivery period, the market administrator shall mail to each handler, at his last known address, a statement showing:

(a) The amount and value of his producer milk in each class and the totals thereof;

(b) For the months of April through August the amounts and value of his base and excess milk respectively, and the totals thereof;

(c) The uniform price(s) computed pursuant to §§ 988.71 and 988.72 and the butterfat differential computed pursuant to § 988.85; and

(d) The amounts to be paid by such handler pursuant to §§ 988.82, 988.87 and and 988.88.

PAYMENTS

§ 988.80 *Time and method of payment for producer milk.* (a) On or before the last day of each delivery period each handler shall make payment to each producer for milk received from him during the first 15 days of such delivery period at not less than the Class II price per hundredweight for the preceding delivery period: *Provided,* That with respect to producers whose milk was caused to be delivered to such handler by a cooperative association which is authorized to collect payment for such milk, the handler shall pay such cooperative association on or before the 2d day before the end of each delivery period an amount equal to the sum of the individual payments otherwise payable to such producers in accordance with this paragraph.

(b) On or before the 15th day after the end of each delivery period each handler shall make payment to each producer for milk which was received from him during the delivery period at not less than the uniform price computed pursuant to § 988.71, if such de-

livery period is any of the months of September through March, or at not less than the uniform price for base milk computed pursuant to § 988.72 with respect to base milk received from such producer and at not less than the uniform price for excess milk computed pursuant to § 988.72 with respect to excess milk received from such producer, if such delivery period is any of the months of April through August, subject to the following adjustments: (1) The butterfat differential pursuant to § 988.85, (2) less payment made pursuant to paragraph (a) of this section, (3) less marketing service deductions pursuant to § 988.88, (4) less deductions authorized in writing by the producer, and (5) adjusted for any error in calculating payment to such individual producer for past delivery periods: *Provided,* That if such handler has not received full payment for such delivery period pursuant to § 988.83 he may reduce uniformly per hundredweight for all producers his payments pursuant to this paragraph by an amount not in excess of the per hundredweight reduction in payment from the market administrator: *Provided further,* That the handler shall make such balance of payment to those producers to whom it is due on or before the date for making payments pursuant to this paragraph next following that on which such balance of payment is received from the market administrator: *And provided further* That with respect to producers whose milk was caused to be delivered to such handler by a cooperative association which is authorized to collect payment for such milk, the handler shall pay such cooperative association, on or before the 13th day after the end of each delivery period, an amount equal to the sum of the individual payments otherwise payable to such producers in accordance with this paragraph.

§ 988.81 *Producer-settlement fund.* The market administrator shall establish and maintain a separate fund known as the "producer-settlement fund" into which he shall deposit all payments made by handlers pursuant to §§ 988.82 and 988.84, and out of which he shall make all payments pursuant to §§ 988.83 and 988.84: *Provided,* That payments due to any handler shall be offset by payments due from such handler.

§ 988.82 *Payments to the producer-settlement fund.* On or before the 12th day after the end of each delivery period, each handler shall pay to the market administrator any amount by which the total value of his milk computed pursuant to § 988.70 for such delivery period is greater than the value of milk received by such handler from producers during the delivery period, computed at the applicable minimum uniform prices as specified in § 988.71 and § 988.72 adjusted for the butterfat differential provided for in § 988.85.

§ 988.83 *Payments out of the producer-settlement fund.* On or before the 13th day after the end of each delivery period, the market administrator shall pay to each handler, for payment to producers, or a cooperative association, any amount by which the total value of his milk computed pursuant to § 988.70 for such delivery period is less than the value of milk received by such handler from producers during the delivery period, computed at the applicable minimum uniform prices as specified in §§ 988.71 and 988.72 adjusted for the butterfat differential provided for in § 988.85. If at such time the balance in the producer-settlement fund is insufficient to make all payments pursuant to this section, the market administrator shall reduce uniformly per hundredweight such payments and shall complete such payments as soon as the necessary funds are available.

§ 988.84 *Adjustment of errors in payment.* Whenever verification by the market administrator of payments by any handler dicloses errors made in payments to the producer-settlement fund pursuant to § 988.82, the market administrator shall promptly bill such handler for any unpaid amount and such handler shall, within 15 days, make payment to the market administrator of the amount so billed. Whenever verification discloses that payment is due from the market administrator to any handler, pursuant to § 988.83, the market administrator shall, within 15 days, make such payment to such handler. Whenever verification by the market administrator of the payment by a handler to any producer or cooperative association for milk received by such handler discloses payment of less than is required by § 988.80, the handler shall pay such balance due such producer or cooperative association not later than the time of making payment to producers or cooperative associations next following such disclosure.

§ 988.85 *Butterfat differential to producers.* If, during the delivery period, any handler has received, from any producer or cooperative association, milk having an average butterfat content other than 4.0 percent, such handler, in making payments prescribed in § 988.80 (b), shall add to the uniform price(s) per hundredweight paid to such producer or cooperative association for each one-tenth of 1 percent that the average butterfat content of such milk is above 4.0 percent not less than, or may deduct from the uniform price(s) per hundredweight for each one-tenth of 1 percent that the average butterfat content of such milk is below 4.0 percent not more than, an amount computed as follows: Multiply by 1.2 the average daily wholesale price per pound of 92-score butter in the Chicago market, as reported by the Department of Agriculture during the delivery period, and divide the result by 10, and then adjust to the nearest one-tenth of a cent.

§ 988.86 *Statement to producers.* In making payments required by § 988.80 each handler shall furnish each producer or cooperative association with a supporting statement in such form that it may be retained by the producer or cooperative association which shall show:

(a) The delivery period and the identity of the handler and of the producer;

(b) The total pounds and the average butterfat content of milk delivered by the producer including for the months of April through August, the pounds of base milk and excess milk;

(c) The minimum rate or rates at which payment to the producer is required under the provisions of §§ 988.80 and 988.85;

(d) The rate which is used in making the payment if such rate is other than the applicable minimum;

(e) The amount or the rate per hundredweight of each deduction claimed by the handler including any deduction made pursuant to § 988.88, together with a description of the respective deductions; and

(f) The net amount of payment to the producer or cooperative association.

§ 988.87 *Expense of administration.* as his pro rata share of the expense of the administration of this part, each handler shall pay to the market administrator, on or before the 15th day after the end of each delivery period, 4 cents per hundredweight or such lesser amount as the Secretary may prescribe, with respect to receipts, during the delivery period, of (a) milk from producers (including such handler's own production) and (b) other source milk received at a fluid milk plant: *Provided,* That each cooperative association shall pay such pro rata expense on only that milk of producers for which it is a handler.

§ 988.88 *Marketing services.* (a) Except as set forth in paragraph (b) of this section, each handler in making payments to producers pursuant to § 988.80 (b) shall deduct 6 cents per hundredweight or such lesser amount as the Secretary may prescribe, with respect to all milk received by such handler from producers, excepting such handler's own farm production, during the delivery period, and shall pay such deductions to the market administrator not later than the 15th day after the end of the delivery period. Such moneys shall be used by the market administrator to verify weights, samples, and tests of milk received by handlers from such producers during the delivery period and to provide such producers with market information. Such services shall be performed in whole or in part by the market administrator or by an agent engaged by and responsible to him.

(b) *Producers' cooperative associations.* In the case of producers for whom a cooperative association is actually performing, as determined by the Secretary, the services set forth in paragraph (a) of this section, each handler shall make, in lieu of the deductions specified in paragraph (a) of this section, such deductions as are authorized by such producers and, on or before the 15th day after the end of each delivery period, pay over such deductions to the association rendering such services.

§ 988.89 *Termination of obligations.* The provisions of this section shall apply to any obligation under this part for the payment of money irrespective of when such obligation arose, except an obligation involved in an action instituted before December 1, 1951, under section 8c (15) (A) of the act or before a court.

(a) The obligation of any handler to pay money required to be paid under the terms of this order, shall, except as provided in paragraphs (b) and (c) of this section, terminate two years after the last day of the calendar month during which the market administrator receives the handler's utilization report on the milk involved in such obligation, unless within such two-year period the market administrator notifies the handler in writing that such money is due and payable. Service of such notice shall be complete upon mailing to the handler's last known address, and it shall contain but need not be limited to, the following information:

(1) The amount of the obligation;

(2) The month(s) during which the milk, with respect to which the obligation exists, was received or handled; and

(3) If the obligation is payable to one or more producers or to an association of producers, the name of such producer(s) or association of producers, or if the obligation is payable to the market administrator, the account for which it is to be paid.

(b) If a handler fails or refuses, with respect to any obligation under this part, to make available to the market administrator or his representatives all books and records required by this part to be made available, the market administrator may, within the two-year period provided for in paragraph (a) of this section, notify the handler in writing of such failure or refusal. If the market administrator so notifies a handler, the said two-year period with respect to such obligation shall not begin to run until the first day of the calendar month following the month during which all such books and records pertaining to such obligation are made available to the market administrator or his representatives.

(c) Notwithstanding the provisions of paragraphs (a) and (b) of this section, a handler's obligation under this order to pay money shall not be terminated with respect to any transaction involving fraud or willful concealment of a fact, material to the obligation, on the part of the handler against whom the obligation is sought to be imposed.

(d) Any obligation on the part of the market administrator to pay a handler any money which such handler claims to be due him under the terms of this part shall terminate two years after the end of the calendar month during which the milk involved in the claim was received if an underpayment is claimed, or two years after the end of the calendar month during which the payment (including deduction or set-off by the market administrator) was made by the handler if a refund on such payment is claimed, unless such handler, within the applicable period of time, files, pursuant to section 8c (15) (A) of the act, a petition claiming such money.

APPLICATION OF PROVISIONS

§ 988.90 *Producer-handlers.* Sections 988.40 through 988.45, 988.50 through 988.52, 988.60 through 988.62, 988.70 through 988.73, 988.80 through 988.88 shall not apply to a producer-handler.

EFFECTIVE TIME, SUSPENSION OR TERMINATION

§ 988.100 *Effective time.* The provisions of this part, or any amendments to this part, shall become effective at such time as the Secretary may declare and shall continue in force until suspended or terminated.

§ 988.101 *Suspension or termination.* The Secretary shall suspend or terminate any or all of the provisions of this part, whenever he finds that it obstructs or does not tend to effectuate the declared policy of the act. This part shall, in any event, terminate whenever the provisions of the act authorizing it cease to be in effect.

§ 988.102 *Continuing power and duty of the market administrator.* (a) If, upon the suspension or termination of any or all of the provisions of this part, there are any obligations arising hereunder, the final accrual or ascertainment of which requires further acts by any handler, by the market administrator, or by any other person, the power and duty to perform such further acts shall continue notwithstanding such suspension or termination: *Provided,* That any such acts required to be performed by the market administrator shall, if the Secretary so directs, be performed by such other person, persons, or agency as the Secretary may designate.

(b) The market administrator, or such other person as the Secretary may designate shall (1) continue in such capacity until discharged by the Secretary; (2) from time to time account for all receipts and disbursements and deliver all funds or property on hand, together with the books and records of the market administrator, or such person, to such person as the Secretary shall direct; and (3) if so directed by the Secretary execute such assignments or other instruments necessary or appropriate to vest in such person full title to all funds, property, and claims vested in the market administrator or such person pursuant thereto.

§ 988.103 *Liquidation after suspension or termination.* Upon the suspension or termination of any or all provisions of this part, the market administrator or such person as the Secretary may designate shall, if so directed by the Secretary, liquidate the business of the market administrator's office, and dispose of all funds and property then in his possession or under his control, together with claims for any funds which are unpaid or owing at the time of such suspension or termination. Any funds collected pursuant to the provisions of this part, over and above the amounts necessary to meet outstanding obligations and the expenses necessarily incurred by the market administrator or such person in liquidating and distributing such funds, shall be distributed to the contributing handlers and producers in an equitable manner.

MISCELLANEOUS PROVISIONS

§ 988.110 *Separability of provisions.* If any provision of this part, or its application to any person or circumstances, is held invalid, the application of such provision, and of the remaining provisions of this part, to other persons or circumstances shall not be affected thereby.

§ 988.111 *Agents.* The Secretary may, by designation in writing, name any officer or employee of the United States to act as his agent or representative in connection with any of the provisions of this part.

[F. R. Doc. 51-8267; Filed, July 18, 1951; 8:52 a. m.]

CIVIL AERONAUTICS BOARD

[14 CFR Parts 3, 42]

MAXIMUM WEIGHTS FOR C-46 AIRPLANES

NOTICE OF PROPOSED RULE MAKING

Notice is hereby given that the Civil Aeronautics Board has under consideration the adoption of a proposed Special Civil Air Regulation as hereinafter set forth.

Interested persons may participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should be submitted in duplicate to the Civil Aeronautics Board, attention Bureau of Safety Regulation, Washington 25, D. C. All communications received by August 15, 1951, will be considered by the Board before taking further action on the proposed rule. Copies of such communications will be available after August 17, 1951, for examination by interested persons at the Docket Section of the Board, Room 5412, Commerce Building, Washington, D. C.

The C-46 airplane was originally used by the armed forces as a military transport type and was made available for civil use in 1947. To place these airplanes into civil operation it was necessary to obtain type certification by showing compliance with pertinent provisions of the Civil Air Regulations. It became apparent that these airplanes could not meet the requirements of the transport category at weights sufficiently high to allow economic operations, but that they could meet the nontransport category requirements. Five individual applications for type certification were made, and, as a result, there are now in existence five different type certificates. Certification of the C-46 under provisions other than those prescribed for the transport category made the C-46 ineligible for the carriage of passengers in scheduled operations, except as otherwise authorized by the Board. Thus, the majority of existing airplanes of this type are now either in cargo or in irregular passenger service.

The accident record of the C-46 in civil operations disclosed a relatively high accident rate. An analysis of the accidents indicates that certain deficiencies in performance of the C-46 have been an important factor. It is evident that at the weights permitted for the C-46 the performance level of safety for this type airplane is lower than that of airplanes fully certificated under the transport category. The maximum

weights prescribed in the five type certificates vary between 42,500 and 48,000 pounds. To evaluate the performance of the C-46 airplane at these permissible weights as compared with that of the transport category, the Administrator of Civil Aeronautics conducted special flight tests in accordance with the transport category performance requirements. These tests showed that the performance obtained from the C-46 at currently authorized weights is substantially lower than that which would be attained if the transport category performance requirements were applied in full. In particular, at 48,000 pounds, the take-off performance is insufficient for the airplane to continue flight if one of the engines should fail during the critical phase of the take-off, and in addition, the airplane at such weight, will not meet the single engine en route performance requirements of Part 3. The Administrator's tests do show, however, that the airplane will meet the Part 3 requirements at a maximum weight of 45,800 pounds although the full transport category performance requirements will still not be met in full. These latter requirements can be met only at weights below 40,000 pounds. In this connection it was ascertained that the maximum weight of 48,000 pounds allowed for certain airplanes of this type was based upon tests conducted under exceptionally favorable conditions. In view of these considerations, the Board believes that for passenger operation some of the currently authorized weights result in inadequate performance. Accordingly, the Board proposes to increase such performance in commercial passenger operations by lowering certain of the presently allowable maximum weights.

For these reasons the Board is proposing that on the effective date of this regulation, in respect of commercial passenger operations, the authorized maximum weight of certain of the currently certificated C-46 airplanes be substantially reduced, and that one year from such date it be still further reduced in accordance with the standards established by this regulation. In order to make certain that the maximum weights will not be exceeded inadvertently, the proposed regulation also requires that all C-46 type airplanes be reweighed under the supervision of the Administrator. It will be noted that the regulation will require that such weighing take place within the 60 days preceding October 1, 1951, the effective date of the proposed regulation. The Board has been advised by the Administrator that he is prepared to undertake his portion of this work immediately.

It is therefore proposed to issue a Special Civil Air Regulation to become effective October 1, 1951, to read as follows:

1. No C-46 type airplane shall be used for the carriage of persons or property for remuneration or hire unless, subsequent to August 1, 1951, it has been reweighed under the supervision of the Administrator.

2. The maximum weight of all C-46 type airplanes used for the carriage of passengers for remuneration or hire shall be limited to a value determined in compliance with the provisions of Part 3 of the Civil Air Regulations, except that in no case shall the maximum weight be greater than 45,800 pounds for models equipped with P & W R-2800 series engines. Where application is made for the upward adjustment of maximum weights from presently effective values which are lower than 45,800 pounds, such adjustment shall be substantiated by flight tests which the Administrator finds necessary.

3. After October 1, 1952, the maximum weight of all C-46 type airplanes used in the carriage of passengers for remuneration or hire shall be further limited to a value corresponding with a rate of climb not less than zero at sea level in the take-off configuration with the landing gear retracted and the propeller windmilling, except that in no case shall the maximum weight be greater than 43,500 pounds for models equipped with P&W R-2800 series engines.

4. The maximum weight of all C-46 type airplanes used for the carriage of cargo only shall be limited to those values presently permitted, as listed in the pertinent Aircraft Specifications, except that for airplanes which are equipped with engines other than the P&W R-2800 series, the maximum weight shall be limited to a value determined in compliance with the provisions of Part 3 of the Civil Air Regulations.

This regulation shall terminate December 31, 1953, unless sooner superseded or rescinded.

This amendment is proposed under the authority of Title VI of the Civil Aeronautics Act of 1938, as amended.

(Sec. 205, 52 Stat. 984; 49 U. S. C. 425. Interpret or apply secs. 601-610, 52 Stat. 1007-1012; 49 U. S. C. 551-560)

Dated: July 6, 1951, at Washington, D. C.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN, *Secretary.*

[F. R. Doc. 51-8293; Filed, July 18, 1951; 8:54 a. m.]

FEDERAL POWER COMMISSION

[18 CFR Part 34]

[Docket No. R-123]

REQUIREMENTS FOR PUBLIC INVITATION OF PROPOSALS FOR THE PURCHASE OR UNDERWRITING OF SECURITIES

NOTICE OF PROPOSED RULE MAKING

JULY 11, 1951.

(I) Notice is hereby given of proposed rule making in the above-entitled matter.

(II) Pursuant to the authority vested in it by the Federal Power Act (41 Stat. 1063, 49 Stat. 847, 16 U. S. C. 791-825r), and particularly sections 19 and 20 (41 Stat. 1073; 16 U. S. C. 812, 813) section 3 (16) (41 Stat. 1063, 49 Stat. 838, 16 U. S. C. 796) sections 204, 305, 308 and 309 (49 Stat. 850, 856 and 858, 16 U. S. C. 824c, 825d, 825g and 825h), thereof, and subject to the provisions of section 4 of the Administrative Procedure Act (60 Stat. 238, 5 U. S. C. 1003), the Commission proposes to amend Part 34 of the General Rules and Regulations (18 CFR Part 34) to prescribe revised requirements for public invitation of proposals for the purchase or underwriting of securities subject to the provisions of section 19, 20 or 204 of the Federal Power Act, as follows:

(III) Amend § 34.1a to read as follows:

§ 34.1a *Requirement of public invitation of proposals for the purchase or underwriting of securities*—(a) *Scope of this section.* This section shall apply to every issuance of a security, or securities, and assumption of obligation or liability as guarantor, endorser, surety, or otherwise, in respect to any security, or securities, of another person, for which Commission approval must be obtained, under the Federal Power Act, except where:

(1) Such securities are to be issued pro rata to existing holders of securities of the applicant or issuer pursuant to any preemptive right or in connection with any liquidation or reorganization; or

(2) Such securities consist of one or more bonds, notes, or other evidence of debt, of a maturity of ten years or less, to a commercial bank, insurance company, or similar institution not for resale to the public, provided no finder's fee or other fee, commission or remuneration is to be paid in connection therewith to any third person (except an associated service company charging only its costs of service) for negotiating the transaction; or

(3) The proceeds, to the issuer, of the securities will be less than $1,000,000; or

(4) The Commission, on application filed pursuant to § 34.2 (k) (2) (ii), finds that compliance with the competitive bidding requirements of paragraphs (b), (c) and (d) of this section would not be appropriate to assure that any fees, commissions, or other remuneration to be paid, directly or indirectly, in connection with the issue, sale, or distribution of such securities is consistent with the public interest. Such findings will be made only where the issuer has not engaged in negotiating for the sale or underwriting of the securities without having been authorized in writing by the Commission prior to such negotiation. Nothing in this section shall be deemed to preclude the Commission from entering any order which would otherwise be appropriate under applicable provisions of the act.

(b) *Public invitation for proposals.* Where the Commission grants an application for authorization and approval under section 204 (a) of the Federal Power Act, to issue and sell securities through competitive bidding, the applicant shall publicly invite sealed, written proposals for the purchase or underwriting of such securities at least one week, or such other period as the Commission may by order fix, prior to entering into any contract or agreement for the issuance or sale of any security, or assumption of obligation or liability as a guarantor, endorser, surety, or otherwise, in respect to any security of another

person. Such invitations shall reserve the right to reject all bids and, among other things, describe the arrangements made for independent counsel for bidders. No bid shall be invited, or accepted, from any person who, prior to the submission of bids, has performed any service for compensation in connection with the proposed securities or who has or will receive any fee or compensation in connection with the proposed securities, nor shall any bid be invited or accepted involving a violation of section 305 (a) of the Federal Power Act, prohibiting officers and directors benefitting from or sharing in proceeds of securities. Such proposals as may be received in response to the public invitation shall not be opened at any time or place other than as specified in the invitation. The duly authorized representative of any person making any such proposal shall be entitled to be present at the opening of such proposals and to examine each proposal submitted. The invitation shall refer to the limitations herein prescribed.

(c) *Acceptance of bids.* After receiving and opening all bids submitted as provided in paragraph (b) of this section the applicant shall, within the period specified in the public invitation for proposals, unless all bids are rejected, accept that bid which shall be most favorable on the basis of the specifications set forth in the Commission's order. No bid shall be accepted from a person who directly or indirectly controls, or is controlled by, or is under the same common control with the applicant without approval by further order of the Commission. "Control" is used in this section as defined in § 101.02-5B of this chapter.

(d) *Statement of compliance.* Promptly after the opening of the proposals the applicant shall file a verified statement in writing, together with five conformed copies thereof, setting forth:

(1) The action taken to comply with the Commission's order of authorization and paragraphs (b) and (c) of this section, including a statement that the method of complying with the competitive bidding requirements as described in the application pursuant to the requirements of § 34.2 (k) (2) (i) has been carried out.

(2) A summary of the terms of the proposals received, including the name of each bidder or representative of a bidding group, the interest or dividend rate specified (where applicable), the price to be paid the issuer per share or per $100 principal amount, the cost of money to the issuer (except in the case of common stock), the name of the successful bidder, and the successful bidder's initial public offering price with the resulting yield to the public (except in the case of common stock) accompanied by a copy of each proposal received.

(IV) Amend paragraph (k) of § 34.2 to read as follows:

(k) A description of the method of issuing and selling the securities to be issued by the applicant or in respect of which the applicant is to assume any obligation or liability as guarantor, indorser, surety, or otherwise.

(1) Such description shall include a statement of whether:

(i) Such securities are to be issued pro rata to existing holders of securities of the applicant or issuer pursuant to any preemptive right or in connection with any liquidation or reorganization.

(ii) Such securities consist of one or more bonds, notes, or other evidences of debt, of a maturity of ten years or less, to a commercial bank, insurance company, or similar institution not for resale to the public, provided no finder's fee or other fee, commission or remuneration is to be paid in connection therewith to any third person (except an associated service company charging only its costs of service) for negotiating the transaction.

(iii) The proceeds, to the issuer or vendor, of the securities will be less than $1,000,000.

(iv) The proposed issuance of securities, or assumption of obligation or liability, by the applicant, has been exempted by the Commission from the competitive bidding requirements of § 34.1a (b), (c) and (d) by findings as referred to in § 34.1a (a) (4), or is the subject of an application for such exemption under subdivision (ii) of subparagraph (2) of this paragraph, which application has not been denied by the Commission.

(2) Except where the issuance of securities or assumption of obligation or liability falls within any of subdivisions (i), (ii) or (iii) of subparagraph (1) of this paragraph, the application shall either:

(i) Set forth the proposed method of complying with the competitive bidding requirements of § 34.1 a (b) (c) and (d), including summarization of the principal terms of the proposed invitation for bids and submitting a copy of the proposed invitation as part of Exhibit L to the application; or

(ii) Apply for exemption from the competitive bidding requirements of § 34.1a (b), (c) and (d) upon findings as referred to in § 34.1a (a) (4). Such an application may be made only where the issuer has not, prior to the filing of the application, engaged in any negotiation for the sale or underwriting of the securities and engages not to do so prior to Commission action on the application for exemption, and the application so shows, provided that engaging in negotiation may be permitted where the Commission has given its written authorization in advance. Such application for exemption may be filed as part of an application for securities approval, or as a separate application filed at any time prior to the filing of such an application for securities approval. (If separately filed, such separate application shall, nevertheless, be subject to the provisions of §§ 34.4 to 34.7, inclusive.) Such application for exemption shall show the specific grounds relied on as warranting the findings referred to in § 34.1a (a) (4). If an application for such exemption is denied by the Commission after the application for securities approval has been filed, the requirements of subdivision (i) of this subparagraph shall be complied with by amendment to the application.

(3) There shall also be set forth in the application or amendment thereto:

(i) The name and address of any person receiving or entitled to a fee for services (other than attorneys, accountants and similar technical services) in connection with the negotiation or consummation of the issuance or sale of securities, or for services in securing underwriters, sellers, or purchasers of securities, other than fees included in any competitive bid; the amount of each such fee; and facts showing the necessity of the services and that the fee does not exceed the customary fee for such services in arm's-length transactions and is reasonable in the light of the cost of rendering the service and any other relevant factors.

(ii) All facts showing or tending to show that the issuer or applicant directly or indirectly controls, or is controlled by, or is under the same common control as, any person named pursuant to the requirements of subdivision (i) of this subparagraph, or showing or tending to show the opposite. "Control" is used in this section as defined in § 101.02-5B of this chapter.

(V) Amend paragraph entitled "Exhibit L" under § 34.3 to read as follows:

Exhibit L. Copies of the proposed and of the published invitation of proposals for the purchase or underwriting of the securities to be issued, of any proposal received, and of any contract, underwriting, or other arrangement entered into for the sale or marketing of the securities. Where a contract or underwriting is not in final form so as to permit filing, a preliminary draft or a summary containing such identification of the parties thereto and such setting forth of the principal terms thereof as may be practicable, may be filed, pending filing of conformed copy in the form executed by final amendment to the application.

(VI) Amend § 34.9 to read as follows:

§ 34.9 *Commission action.* An application for approval under this part will ordinarily require a minimum of 30 days after it is filed to allow for public notice, investigation, opportunity for hearing, consideration by the Commission, and issuance of its order.

(VII) Any interested person may submit to the Federal Power Commission, Washington 25, D. C., on or before September 1, 1951, data, views and comments in writing concerning the proposed amendments. The Commission will consider these written submittals before acting upon the proposed amendments.

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

[F. R. Doc. 51-8252; Filed, July 18, 1951; 8:48 a. m.]

NOTICES

DEPARTMENT OF THE TREASURY

Bureau of Customs

ORGANIZATION, FUNCTIONS AND PROCEDURES

JULY 11, 1951.

The description of the organization, functions, and procedures of the Bureau of Customs published in the FEDERAL REGISTER of September 11, 1946 (11 F R. 177A-18 to 177A-22) [1] in compliance with the provisions of section 3 (a) (1) and (2) of the Administrative Procedure Act (5 U. S. C. 1002) as amended by Treasury Decision 52098, 13 F R. 7465, is further amended to read as follows:

ORGANIZATION, FUNCTIONS, AND PROCEDURES OF THE BUREAU OF CUSTOMS

Sec.
1. Central organization and functions.
2. Field organization and functions.
3. Delegations of authority.
4. Information.
5. Procedures.
6. Substantive rules.

SECTION 1. *Central organization and functions.* (a) The headquarters office of the Bureau of Customs, except the Division of Marine Administration, is located at 1512 H Street NW., Washington 25, D. C. The Division of Marine Administration is located at 811 Vermont Avenue NW., Washington 25, D. C.

(b) The Commissioner of Customs is in charge of the Bureau. He is appointed pursuant to law by the Secretary of the Treasury. The Commissioner is assisted by the following principal officers whose jurisdiction is indicated in a general way by their titles and the divisions or sections which they supervise:

(1) The Assistant Commissioner who has general administrative supervision and control, under the general direction of the Commissioner, over all the work of the Bureau, and acts as Commissioner when the Commissioner is absent.

(2) The Special Assistant to the Commissioner, who advises the Commissioner on all technical matters.

(3) The Deputy Commissioner, Division of Appraisement Administration, assisted by an Assistant Deputy Commissioner.

(4) The Deputy Commissioner, Division of Investigation, assisted by two Assistant Deputy Commissioners.

(5) The Deputy Commissioner, Division of Management and Controls, who supervises the work of the following sections, each of which is supervised by a section head:

(i) Budget and Management Section;
(ii) Fiscal Section;
(iii) Personnel Section;
(iv) Mail and Files Section;
(v) Messenger Section.

(6) The Chief of the Division of Classification, Entry, and Value, who supervises the work of the following sections, each of which is supervised by a section head:

(i) Entry and Value Section;
(ii) Tariff Classification Section.

(7) The Chief of the Division of Drawback, Enforcement, and Quotas, who supervises the work of the following sections, each of which is supervised by a section head:

(i) Enforcement Section;
(ii) Drawback and Bonds Section;
(iii) Quota Section.

(8) The Chief of the Division of Marine Administration who supervises the work of the following sections, each of which is supervised by a section head:

(i) Marine Section;
(ii) Documentation Section;
(iii) Admeasurement Section.

(9) The Chief, Division of Laboratories.

(10) The Chief, Division of Engineering and Weighing.

(11) The Air Coordinator.

(12) The Chief Counsel. (Under the supervision of the General Counsel for the Treasury Department, through an Assistant General Counsel.)

(c) The Commissioner of Customs, under the general direction of the Secretary of the Treasury, exercises general supervision over the activities of the Customs Field Service and the administration of the laws, Executive orders, and Presidential proclamations governing the importation of merchandise and baggage and the collection of duties and taxes due thereon, including countervailing duties to offset foreign subsidies and antidumping duties to offset unfair price competition; the entry, clearance, and report of arrival and the unlading of vessels, vehicles, and aircraft; the prevention and detection of smuggling of contraband and other types of merchandise, the arrest of persons engaged in smuggling operations and the seizure of merchandise, vessels, and vehicles involved; the exclusion from entry of prohibited articles and merchandise in excess of established quotas; the allowance of drawback on exported articles; the customs treatment of merchandise in foreign trade zones; the registration, enrollment and licensing of vessels of the United States engaged in foreign and domestic commerce; the admeasurement of vessels; the recording of instruments of title to vessels; the regulation of vessels in various trades; the protection of steerage passengers; the collection of tonnage taxes on vessels engaged in foreign commerce; the administrative imposition and collection of penalties for violations of such laws, including the granting of administrative relief under certain conditions; and other related matters. The Commissioner also supervises the activities of the customs field force in the enforcement of laws and regulations of other Government agencies affecting imports and exports.

(d) The functions of the Customs Service include many which are administered jointly with or on behalf of other agencies, departments, or bureaus. For the most part, such functions are prescribed by regulations cited or referred to in the Customs Regulations of 1943, as amended (19 CFR Ch. I), particularly Part 12 thereof. Among the joint regulations and regulations of other agencies administered in part by the Customs Service are those relating to the following matters:

Import and Export Control under Export Control Act of 1949; Neutrality Act of 1939; Gold Reserve Act; Atomic Energy Act.
Foreign Quarantine, Importation of Certain Articles.
Immigration Regulations.
Food, Drugs, Cosmetics; Insecticides, Fungicides, Rodenticides; Dangerous Caustic or Corrosive Substances.
Importation of Distilled Spirits, Wines and Malt Beverages, and Containers of Distilled Spirits.
Domestic Animals, Animal Products, and Feeding Material.
Federal Seed Act.
Importation of Teas.
Narcotic Drugs.
Etiological Agents and Vectors.
Importation of cats, dogs, monkeys, and Psittacine birds.
Foreign-Trade Statistics.
Customhouse Brokers.
Publication of North Atlantic Passenger Routes

(e) Certain functions which relate solely to the internal management of the Customs Service and which do not involve procedure necessary for the public to know or follow in dealing with the Customs Service are the subject matter of regulations contained in the Customs Manual of 1943, as amended, and certain special manuals, such as the Accounting Manual and Gauging Manual, which are not published in the FEDERAL REGISTER or otherwise distributed to the public.

(f) In addition to the principal functions of the Customs Service referred to in paragraphs (c) (d), and (e) of this section, other functions of the Customs Service, except those requiring secrecy in the public interest or relating solely to the internal management of the Service, are cited or referred to in the pertinent provisions of the regulations of the Bureau of Customs published in 19 CFR, Chapter I.

SEC. 2 *Field organization and functions.* (a) The field organization of the Customs Service includes the following field offices and principal officers; and the districts or areas assigned to each are as published in §§ 1.1 to 1.7, Customs Regulations of 1943, as amended (19 CFR, 1.1 to 1.7), or as hereinafter set forth:

(1) The office of the collector of customs is in the customhouse at the headquarters port of each customs collection district. A deputy collector of customs is in charge of each customs port of entry other than the headquarters port. The collector of customs is assisted by an assistant collector and at ports at which the amount of business and personnel are sufficient the office organization may be subdivided into two or more

[1] This material was formerly codified in 19 CFR, Part 100 but the codification of Part 100 was discontinued December 18, 1948 (13 F. R. 7881).

of the following divisions, each of which is headed by a deputy collector:

(i) Administrative Division;

(ii) Entry and Warehouse Division (except at the ports of New York and Philadelphia where the Entry Division and the Warehouse Division are separate)

(iii) Moneys and Accounts Division;

(iv) Mail Division;

(v) Liquidating Division;

(vi) Marine Division (at seaports and lakeports)

(vii) Outside Division (except New York)

(viii) Surveyor's office (at New York only) which handles the work elsewhere performed by the Outside Division;

(ix) Drawback Division (at New York only)

(x) Legal Division (at New York only) in charge of the solicitor to the collector and under the supervision of the chief counsel of the Bureau of Customs.

(2) The office of the Appraiser of Merchandise. There is an appraiser of merchandise at each port of entry.

(3) The office of the Comptroller of Customs. Each such office has jurisdiction over several customs collection districts and is under the supervision of a comptroller. The locations of such office and the area assigned to each are as published in § 1.4, Customs Regulations of 1943 (19 CFR 1.4), as amended.

(4) Laboratories and Branch Laboratories. The addresses of the laboratories and the customs collection districts served thereby are listed in § 1.7, Customs Regulations of 1943 (19 CFR 1.7), as amended.

(5) The offices of the Customs Agency Service. Each supervising customs agent is in charge of the customs investigative work in his district which may include several customs collection districts. A supervising Treasury attache, Treasury attache, or Treasury representative is in charge of each office of this service located in a foreign country. The Customs Agency districts and their respective headquarters offices are as published in § 1.5 of the Customs Regulations of 1943 (19 CFR 1.5) as amended. In addition to the headquarters office, suboffices may be located within a Customs Agency district. Each suboffice in the United States is headed by a customs agent in charge.

(6) The Customs Information Exchange, located in the Appraiser's Stores Building, 201 Varick Street, New York 14, New York, is under the immediate supervision of a director and is charged with the circulation within the Customs Service of information of general interest.

(b) Subject to compliance with the Customs Regulations of 1943 (19 CFR Ch. I) and other instructions issued from time to time by the Secretary of the Treasury and the Commissioner of Customs, and except as set out in paragraphs (c) (d) and (e) of this section, the collector of customs supervises the field administration in his district of all laws, regulations, Executive orders, and Presidential proclamations which it is the duty of the Customs Service to enforce. Subject to the general supervision of the collector, an assistant collector or deputy collector in charge has the same authority as the collector. Other deputy collectors exercise under supervision designated functions of the collector.

(c) There is an appraiser of merchandise at each port of entry whose duty it is to determine initially, subject to review only by the United States Customs Court, the statutory value of articles imported at that port. It is also the function of the appraiser to supervise the examination of merchandise offered for entry and to furnish the collector a description of the merchandise and any other information in his possession which will be helpful in the assessment of the proper rate of duty thereon. The appraiser also determines the value of merchandise seized for violation of law.

(d) The organization of the Customs Service includes comptrollers of customs whose duties are as set forth in section 523, Tariff Act of 1930 (19 U. S. C. 1523), and consist generally of examining and certifying collectors' accounts of receipts and disbursements of money and receipts and disposition of merchandise and of verifying all assessments of duties and allowances of drawback made by collectors in the liquidation of entries.

(e) Laboratories and branch laboratories under the supervision of the Chief, Division of Laboratories, in the central office in Washington, analyze official samples of imported merchandise, when necessary, for the purpose of aiding in the determination of the proper value and rate of duty for the merchandise represented by the sample or the determination of any other pertinent fact bearing on the admission of the merchandise into the United States.

SEC. 3. *Delegations of authority.* (a) Delegation of authority to the Commissioner of Customs and other officials in the central and field organizations of the Bureau was made by Order of the Secretary of the Treasury published in Treasury decision 52121, 14 F. R. 123, 227.[2] Pursuant to that order, the Commissioner, with the approval of the Secretary, has designated the Chief, Division of Drawback, Enforcement, and Quotas, and the Chief of the Division of Classification, Entry, and Value to make final decisions in certain matters as set forth in Treasury decision 52331 (14 F. R. 6534) as amended by Treasury decision 52394 (15 F. R. 589) Designations of field officers to perform certain functions have been made from time to time by amendments of the Customs Regulations of 1943 (19 CFR Ch. I). By Treasury decision 52209 (14 F. R. 2244), as amended by Treasury decision 52330 (14 F. R. 6533), the Commissioner, with the approval of the Secretary designated the Chief of the Division of Marine Administration and collectors of customs and other field officers to perform certain functions under the navigation laws transferred to the Commissioner of Customs by Reorganization Plan No. 3 of 1946. By virtue of the authority vested in the Secretary of the Treasury by section 2 of Reorganization Plan No. 26 of 1950, the Secretary on January 23, 1951 (16 F. R. 731) delegated to the Commissioner of Customs all the rights, privileges, powers, or duties to waive compliance with the provisions of the navigation laws administered by the Bureau of Customs vested in the Secretary by virtue of the Act of December 27, 1950 (Pub. Law 891, 81st Cong.)

(b) A collector of customs may delegate to his subordinates purely administrative functions, but may not delegate to any subordinate other than the assistant collector or a deputy collector any function the performance of which requires the use of discretion imposed upon him by law or delegated to him by the Secretary of the Treasury or the Commission of Customs. Such delegations do not relieve the collector of responsibility for the performance of the delegated functions.

(c) The duties of the appraiser, assistant appraiser, and acting appraiser, are set forth in section 500 (a) (d), and (f), Tariff Act of 1930 (19 U. S. C. 1500 (a) (d) (f)) Such of those duties as are purely ministerial and do not involve the use of discretion may be delegated to subordinates, but all determinations of value are subject to the approval of the appraiser or acting appraiser at the port at which the merchandise is entered or is under seizure.

SEC. 4. *Sources of and methods of securing information.* (a) The places at which and the methods whereby the public may secure official information in matters administered by the Bureau of Customs are as follows:

(1) Collectors of customs: A request for information relating to the activities or functions of a collector of customs may be addressed to him at the headquarters office of his district, or to a deputy collector at a port other than the headquarters port. Oral requests for information may be made at the customhouse in any port having jurisdiction over the subject matter of the request.

(2) Appraisers of merchandise: A request for information relating to the activities or functions of an appraiser of merchandise may be addressed to him at his office.

(3) Other field officials: A request for information relating to activities or functions of other field officials of the Customs Service than those specified in subparagraphs (1) and (2) of this paragraph may be addressed to the official in charge of the appropriate office having jurisdiction of the subject matter.

(4) Requests for information may also be addressed to the Commissioner of Customs, Washington 25, D. C.

(5) Oral requests may be made to any official of the central organization of the

[2] By Reorganization Plan No. 26 of 1950 (15 F. R. 4935), all the functions of all other officers of the Department of the Treasury and all functions of all agencies and employees of such Department (with certain exceptions not pertinent here) were transferred to the Secretary of the Treasury effective July 31, 1950. The Secretary of the Treasury by Treasury Department Order No. 120, dated July 31, 1950 (15 F. R. 6521), directed that officers, employees, and agencies of the Treasury Department continue to perform the functions they were authorized to perform immediately prior to the effective date of the Reorganization Plan.

Bureau for information on a subject within the jurisdiction of that official.

(6) In cases of unusual importance requests for information may also be addressed to the Secretary of the Treasury, Treasury Department, Washington 25, D. C.

(b) No formal procedures for obtaining information relating to any matter within customs jurisdiction are required unless prescribed in the published regulations of the Bureau of Customs (19 CFR, Ch. I) However, to assure prompt action upon a request, there should be furnished all pertinent facts relevant to the subject matter of the inquiry or showing that the correspondent has a special interest entitling him to receive information which could not be disclosed to the general public.

(c) The disclosure of information in all cases shall be subject to the limitations and restrictions contained in Part 26 of the Customs Regulations of 1943 (19 CFR Part 26) and to such suspensions of disclosure as may be ordered from time to time for security reasons.

SEC. 5. *Procedures.* (a) No formal procedures other than those relating solely to internal agency management are required in connection with any function of the Customs Service except those described by, or referred to or cited in, the regulations published in 19 CFR, Chapter I, or regulations issued jointly by the Secretary of the Treasury or the Commission of Customs with the approval of the Secretary of the Treasury, and the heads of other agencies, departments, or bureaus as referred to or cited in the published regulations of the Bureau of Customs.

(b) In general, required procedures and any required forms or documents for use in connection therewith are described or identified in the appropriate part of 19 CFR, Chapter I, although procedures, forms, or documents applicable to a given situation may be described, identified, or referred to in more than one part or section of that chapter. The part headings and section headings of the regulations are designated as a general index of subject matter with sufficient accuracy to enable related procedures, forms, or documents to be considered. Information regarding procedures, forms, or documents are set forth in the parts indicated below:

Part
1. Customs districts and ports.
2. Measurement of vessels.
3. Documentation of vessels.
4. Vessels in foreign and domestic trades.
5. Customs relations with contiguous foreign territory.
6. Air commerce regulations.
7. Customs relations with insular possessions and Guantanamo Bay Naval Station.
8. Liability for duties; entry of imported merchandise.
9. Importations by mail.
10. Articles conditionally free; subject to a reduced rate, etc.
11. Packing and stamping; marking, trademarks and trade names; copyrights.
12. Special classes of merchandise.
13. Sugars, sirups, and molasses; petroleum products; wool and hair.
14. Appraisement.
15. Relief from duties on merchandise lost, stolen, destroyed, injured, abandoned, or short-shipped.
16. Liquidation of duties.
17. Protests and reappraisements.
18. Transportation in bond and merchandise in transit.
19. Customs warehouses and control of merchandise therein.
20. Disposition of unclaimed and abandoned merchandise.
21. Cartage and lighterage.
22. Drawback.
23. Enforcement of customs and navigation laws.
24. Customs financial and accounting procedure.
25. Customs bonds.
26. Disclosure of information.

Information regarding procedures covering temporary situations presently in effect and the required forms or documents for use therewith are set forth in the following parts:

Part
51. Imports and exports subject to the provisions of Executive Order 8389, as amended, and Proclamation 2497, regarding "Blocked Nationals."
52. Regulations under Trading With the Enemy Act.
53. Importation free of duty of food, clothing and medical, surgical and other supplies under emergency proclamations of the President.
54. Certain importations free of duty during the war.
55. Changes in customs requirements and procedure due to the war.
56. Extensions of time pursuant to proclamation of the President under section 318, Tariff Act of 1930.
59. Importation of surplus Government property.
64. Metal articles to be used in remanufacture by melting.
65. Importation of articles in connection with the International Food Exposition, Incorporated, at Chicago, Illinois, under Public Law No. 705, 81st Congress.

(c) Except where formal procedures are required as heretofore indicated, all informal procedures available for obtaining information, as described in section 4, are available for use in appropriate circumstances in any application for reconsideration of an official customs ruling or decision made in the field or at headquarters, in any petition for mitigation of a fine, penalty, or forfeiture, in any request for amendment of regulations or suggestion for the improvement of the Customs Service, or in any other matter within the jurisdiction of the Customs Service. In making use of such informal procedures all pertinent facts should be stated in correspondence to avoid delay. Where correspondence is addressed to the Commissioner of Customs or the Secretary of the Treasury in a matter pending before a field official of the Customs Service, a copy of the correspondence should be transmitted to that field official in order that he may determine whether to suspend action pending a ruling from headquarters.

(d) Requests, applications, petitions, or other communications soliciting or contemplating action by the central organization respecting matters within its jurisdiction, if addressed to the Commissioner of Customs, Treasury Department, Washington 25, D. C., will be referred to the proper assistant for appropriate attention. If such communications concern specific transactions arising at a field office, action thereon will be expedited if the request, application, petition, or communication so addressed is first submitted to the collector of customs for the district in which the transaction arose who will transmit it to the Bureau with his report thereon. There are no forms for or procedures governing the submission of such requests, applications, or petitions other than those set forth in the Customs Regulations of 1943, as amended from time to time, which may be purchased from the Superintendent of Documents, Washington 25, D. C., or may be consulted at the office of the Commissioner or at the customhouse at any port of entry.

(e) Interested parties may petition the Secretary of the Treasury for review of rulings of the Commissioner of Customs and the usual practice is for the Secretary to review such rulings in cases of sufficient importance. Parties petitioning for such relief are not required to follow any formal procedure.

SEC. 6. *Substantive rules.* Substantive rules and statements of general policy or interpretations formulated and adopted by the Treasury Department or the Bureau of Customs for the guidance of the public generally are included in the regulations of the Bureau of Customs and the joint regulations heretofore mentioned. Amendments of, or supplements to, such regulations, as promulgated from time to time, will be published in the FEDERAL REGISTER and the Code of Federal Regulations.

[SEAL] E. H. FOLEY,
Acting Secretary of the Treasury.

[F. R. Doc. 51-8274; Filed, July 18, 1951; 8:54 a. m.]

Fiscal Service, Bureau of the Public Debt

[1951 Dept. Circ. 891]

1⅞ PERCENT TREASURY CERTIFICATES OF INDEBTEDNESS OF SERIES B-1952

OFFERING OF CERTIFICATES

JULY 16, 1951.

I. *Offering of certificates.* 1. The Secretary of the Treasury, pursuant to the authority of the Second Liberty Bond Act, as amended, invites subscriptions, at par, from the people of the United States for certificates of indebtedness of the United States, designated 1⅞ percent Treasury Certificates of Indebtedness of Series B-1952, in exchange for Treasury Notes of Series E-1951, maturing August 1, 1951.

II. *Description of certificates.* 1. The certificates will be dated August 1, 1951, and will bear interest from that date at the rate of 1⅞ percent interest per annum, payable with the principal at maturity on July 1, 1952. They will not be subject to call for redemption prior to maturity.

2. The income derived from the certificates shall be subject to all taxes,

now or hereafter imposed under the Internal Revenue Code, or laws amendatory or supplementary thereto. The certificates shall be subject to estate, inheritance, gift or other excise taxes, whether Federal or State, but shall be exempt from all taxation now or hereafter imposed on the principal or interest thereof by any State, or any of the possessions of the United States, or by any local taxing authority.

3. The certificates will be acceptable to secure deposits of public moneys. They will not be acceptable in payment of taxes.

4. Bearer certificates will be issued in denominations of $1,000, $5,000, $10,000, $100,000 and $1,000,000. The certificates will not be issued in registered form.

5. The certificates will be subject to the general regulations of the Treasury Department, now or hereafter prescribed, governing United States certificates.

III. *Subscription and allotment.* 1. Subscriptions will be received at the Federal Reserve Banks and Branches and at the Treasury Department, Washington. Banking institutions generally may submit subscriptions for account of customers, but only the Federal Reserve Banks and the Treasury Department are authorized to act as official agencies.

2. The Secretary of the Treasury reserves the right to reject any subscription, in whole or in part, to allot less than the amount of certificates applied for, and to close the books as to any or all subscriptions at any time without notice; and any action he may take in these respects shall be final. Subject to these reservations, all subscriptions will be allotted in full. Allotment notices will be sent out promptly upon allotment.

IV. *Payment.* 1. Payment at par for certificates allotted hereunder must be made on or before August 1, 1951, or on later allotment, and may be made only in Treasury Notes of Series E-1951, maturing August 1, 1951, which will be accepted at par, and should accompany the subscription. The full amount of interest due on the notes surrendered will be paid following acceptance of the notes.

V. *General provisions.* 1. As fiscal agents of the United States, Federal Reserve Banks are authorized and requested to receive subscriptions, to make allotments on the basis and up to the amounts indicated by the Secretary of the Treasury to the Federal Reserve Banks of the respective Districts, to issue allotment notices, to receive payment for certificates allotted, to make delivery of certificates on full-paid subscriptions allotted, and they may issue interim receipts pending delivery of the definitive certificates.

2. The Secretary of the Treasury may at any time, or from time to time, prescribe supplemental or amendatory rules and regulations governing the offering, which will be communicated promptly to the Federal Reserve Banks.

[SEAL] JOHN W. SNYDER,
Secretary of the Treasury.

[F. R. Doc. 51-8275; Filed, July 18, 1951; 8:54 a. m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Misc. 1218020]

MONTANA

NOTICE OF REMOVAL OF TRACT FROM PUBLIC WATER RESERVE NO. 107

Correction

In Federal Register Document 51-7827, published on page 6638 of the issue for Saturday, July 7, 1951, the date "March 29, 1951" should read "March 29, 1941".

National Park Service

[Order 2, Amdt. 2]

EXECUTION AND APPROVAL OF CONTRACTS

DELEGATION OF AUTHORITY BY THE DIRECTOR TO CERTAIN OFFICIALS

Paragraph (b) of section 1, entitled *Execution and Approval of Contracts,* is amended as follows:

(b) Regional Administrative Officers, Chief Clerks employed in areas administered by the National Park Service in which the position of the Superintendent is allocated to a civil service grade of GS-10 or above, and the Purchasing Agent of National Capital Parks, may enter into contracts, not in excess of $10,000, for supplies or services, in conformity with applicable regulations and statutory requirements and subject to the availability of appropriations.

(Secretary's Order No. 2509, Jan. 13, 1949; 39 Stat. 535, 16 U. S. C. 2)

Issued this 12th day of July 1951.

A. E. DEMARAY,
Director.

[F. R. Doc. 51-8246; Filed, July 18, 1951; 8:47 a. m.]

DEPARTMENT OF COMMERCE

Federal Maritime Board

MEMBER LINES OF THE DELI NEW YORK RATE AGREEMENT ET AL.

NOTICE OF AGREEMENTS FILED WITH THE BOARD FOR APPROVAL

Notice is hereby given that the following described agreements have been filed with the Board for approval pursuant to section 15 of the Shipping Act, 1916, as amended.

Agreement No. 7190-1, between the member lines of the Deli New York Rate Agreement, modifies said rate agreement (1) to clarify the admission provision so as to provide that any carrier regularly engaged, or giving evidence of ability and intention to operate regular service in the trade may become a party to the agreement, (2) to include a provision dealing with loss of voting rights and loss of membership upon abandonment of service, and (3) to clarify the voting provision of the agreement.

Agreement 7824, between Alcoa Steamship Company, Inc. (Alcoa Line), and Mississippi Shipping Company, Inc. (Delta Line) covers transportation of cargo under through bills of lading in the trade from Argentina, Brazil and Uruguay to Puerto Rico, with transshipment at New Orleans, La., or Mobile, Ala.

Interested parties may inspect these agreements and obtain copies thereof at the Regulation Office, Federal Maritime Board, Washington, D. C., and may submit, within 20 days after publication of this notice in the FEDERAL REGISTER, written statements with reference to any of the agreements and their position as to approval, disapproval, or modification, together with request for hearing should such hearing be desired.

Dated: July 16, 1951.

By order of the Federal Maritime Board.

[SEAL] A. J. WILLIAMS,
Secretary.

[F. R. Doc. 51-8307; Filed, July 18, 1951; 8:58 a. m.]

Office of the Secretary

LOAN GUARANTEE PROGRAM

ORGANIZATION AND DELEGATION OF AUTHORITY

1. *Purpose.* The purpose of this notice is to provide organization and delegate authority for performance of the guarantee loan functions of the Department of Commerce as a guaranteeing agency under the provisions of section 301 of the Defense Production Act of 1950 and Part III of Executive Order 10161 of September 9, 1950.

2. *Authority.* Section 301 of the Defense Production Act of 1950 provides in substance that (a) in order to expedite production and deliveries under Government contracts, the President may authorize certain agencies (including the Department of Commerce) to guarantee any financing institution, public or private, against loss on loans made to finance any contractor or sub-contractor, in connection with the performance or termination of any contract deemed by the guaranteeing agency to be necessary to expedite production and deliveries or services under Government contracts for the procurement of materials or the performance of services for the national defense; (b) any Federal Reserve Bank may act, on behalf of any guaranteeing agency, as fiscal agent of the United States, and be reimbursed by the guaranteeing agency for expenses in acting as agent; (c) the President may issue regulations and prescribe rates of interest, guarantee and commitment fees, and other charges; and (d) each guaranteeing agency may use funds allocated or appropriated for such purposes.

Under Executive Order 10161, the President designated the Department of Commerce as one of the guaranteeing agencies. He designated the Federal Reserve Banks as fiscal agents for the guaranteeing agencies, and authorized the Board of Governors of the Federal Reserve System after consultation with

the guaranteeing agencies, to prescribe necessary regulations.

3. *Delegation of authority.* Authority is hereby delegated to the Assistant Secretary of Commerce for Domestic Affairs, and, as alternate, the Assistant Secretary of Commerce for Administration to exercise the powers and authorities vested in the Secretary of Commerce by section 301 of the Defense Production Act of 1950, sections 301 and 302 of Executive Order 10161, and regulations which have been or may subsequently be prescribed by the Board of Governors of the Federal Reserve System.

This delegation of authority is made in accordance with the provisions of section 703 of the Defense Production Act of 1950, section 902 (b) of Executive Order 10161, and Reorganization Plan No. 5 of 1950.

4. *Establishment of Loan Guarantee Advisory Board.* There is hereby established in the Office of the Secretary a Loan Guarantee Advisory Board which shall be composed of the Solicitor of the Department of Commerce (or his designated representative) the Administrator of the National Production Authority (or his designated representative), and, in the case of each proposed loan guarantee, the head of the primary organization unit having preponderant interest in the procurement contracts for which the financing is required (or his designated representative) The Administrator of National Production Authority (or his designee) shall represent the small business functions of the Department as well as the other interests of the National Production Authority.

It shall be the function of the Loan Guarantee Advisory Board, after review and analysis of the request for a loan guarantee and the procurement of the necessary Certificates of Eligibility and other documents and clearances, to recommend to the Assistant Secretary of Commerce for Domestic Affairs the action to be taken with respect to each proposed loan guarantee.

The Solicitor, or his designated representative, shall serve as Chairman of the Board. The Office of the Solicitor shall provide the Board with such professional and clerical assistance as may be necessary.

A representative of the Board of Governors of the Federal Reserve System may be invited to meet with the Board as deemed desirable by the Board. Likewise, the Board may from time to time obtain the advice of representatives of other branches of the Government and other persons and may invite such representatives and persons to its meetings.

This notice is effective June 29, 1951.

(5 U. S. C. 22; R. S. 161; Reorg. Plan No. 5 of 1950; Defense Production Act of 1950; and E. O. 10161)

[SEAL] CHARLES SAWYER,
Secretary of Commerce.

[F. R. Doc. 51-8272; Filed, July 18, 1951; 8:53 a. m.]

DEPARTMENT OF DEFENSE

Office of the Secretary

SECRETARIES OF ARMY, NAVY, AND AIR FORCE

DELEGATION OF AUTHORITY TO ORDER MEMBERS AND UNITS OF RESERVE COMPONENTS INTO ACTIVE FEDERAL SERVICE

Pursuant to the authority vested in me by Executive Order 10271, dated July 7, 1951 (16 F R. 6659) and by section 202 (f) of the National Security Act of 1947, 61 Stat. 495, as amended, the following delegations of authority are effective this date:

1. The Secretary of the Army is hereby authorized to order into active military service units of the National Guard of the United States, including the members thereof, and other members and units of the Army of the United States, including those of the Organized Reserve Corps, as may be necessary.

2. The Secretary of the Navy is hereby authorized to order into active service such members and units of the Naval Reserve and members and units of the Marine Corps Reserve as may be necessary.

3. The Secretary of the Air Force is hereby authorized to order into active military service units of the Air National Guard of the United States, including the members thereof, and other members and units of the Air Force of the United States, including units and members of the United States Air Force Reserve, as may be necessary.

4. Plans for the issuance of orders under paragraphs 1, 2 or 3 above to (a) units of the National Guard of the United States and of the Organized Reserve Corps, (b) units of the Naval or Marine Corps Reserve, (c) units of the Air National Guard of the United States and of the United States Air Force Reserve, and (d) categories of specialists in the Organized Reserve Corps, the United States Air Force Reserve, the Naval Reserve and the Marine Corps Reserve will be submitted through the Assistant Secretary of Defense (Manpower and Personnel) to the Secretary of Defense for approval.

ROBERT A. LOVETT,
Acting Secretary of Defense.

JULY 13, 1951.

[F. R. Doc. 51-8242; Filed, July 18, 1951; 8:46 a. m.]

ECONOMIC STABILIZATION AGENCY

Office of Price Stabilization

[Ceiling Price Regulation 7, Section 43, Special Order 111]

IMPERIAL PEARL SYNDICATE, INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Imperial Pearl Syndicate, Inc., 5 North Wabash Avenue, Chicago 2, Illinois, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of simulated pearl necklaces, earrings and bracelets manufactured by Imperial Pearl Syndicate, Inc., 5 North Wabash Avenue, Chicago 2, Illinois, having the brand name(s) "Imperial" shall be the proposed retail ceiling prices listed by Imperial Pearl Syndicate, Inc., in its application dated May 28, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 14, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after August 15, 1951, Imperial Pearl Syndicate, Inc., must

mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after September 14, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to September 14, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per _____ {unit. dozen. etc.	Terms {net. percent EOM. etc. $_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective July 16, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JULY 16, 1951.

[F. R. Doc. 51-8276; Filed, July 16, 1951; 4:18 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 112]

WORCESTER ROYAL PORCELAIN CO., INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, The Worcester Royal Porcelain Co., Inc., 234 East 46th Street, New York, N. Y. (hereafter called wholesaler) has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of stemware sold at wholesale by The Worcester Royal Porcelain Co., Inc., 234 East 46th Street, New York, N. Y., having the brand name(s) "Stuart Crystal" shall be the proposed retail ceiling prices listed by The Worcester Royal Porcelain Co., Inc., in its application dated May 11, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 14, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the wholesaler after the effective date of this special order.

3. On and after August 15, 1951, The Worcester Royal Porcelain Co., Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after September 14, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to September 14, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the wholesaler's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article,

with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the wholesaler shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the wholesaler had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The wholesaler shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$------ per ------ {unit. dozen. etc.	Terms {net. percent EOM. etc. $--------

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the wholesaler with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the wholesaler shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, the wholesaler had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months' period following the effective date of this special order and within 45 days of the expiration of each successive 6 months' period, the wholesaler shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months' period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective July 16, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JULY 16, 1951.

[F. R. Doc. 51-8277; Filed, July 16, 1951; 4:19 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 113]

"KLIK" PROMOTIONS, INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, "Klik" Promotions, Inc., 303 Fifth Avenue, New York 16, N. Y., has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of glove and purse holders manufactured by "Klik" Promotions, Inc., 303 Fifth Avenue, New York 16, N. Y., having the brand name(s) "Double-Ette" shall be the proposed retail ceiling prices listed by "Klik" Promotions, Inc., in its application dated April 30, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 14, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after August 15, 1951, "Klik" Promotions, Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after September 14, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to September 14, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by cop-

ies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per _____ {unit. dozen. etc.	Terms {net. percent EOM. etc. $_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective July 16, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JULY 16, 1951.

[F. R. Doc. 51-8278; Filed, July 16, 1951; 4:19 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 114]

ARVIN INDUSTRIES, INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Arvin Industries, Inc., Columbus, Indiana, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of electric toasters, waffle irons, cookers, ovens, fans and heaters manufactured by Arvin Industries, Inc., Columbus, Indiana, having the brand name(s) "Arvin" shall be the proposed retail ceiling prices listed by Arvin Industries, Inc., in its application dated April 20, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 14, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after August 15, 1951, Arvin Industries, Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after September 14, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to September 14, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per _____ {unit. dozen. etc.	Terms {net. percent EOM. etc. $_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within

two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective July 16, 1951.

MICHAEL V DISALLE,
Director of Price Stabilization.

JULY 16, 1951.

[F. R. Doc. 51-8279; Filed, July 16, 1951; 4:19 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 115]

ARVIN INDUSTRIES, INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Arvin Industries, Inc., Columbus, Indiana, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of radios manufactured by Arvin Industries, Inc., Columbus, Indiana, having the brand name(s) "Arvin" shall be the proposed retail ceiling prices listed by Arvin Industries, Inc., in its application dated April 19, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 14, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after August 15, 1951, Arvin Industries, Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after September 14, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to September 14, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which woud apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per _____ {unit. dozen. etc.	Terms {net. percent EOM. etc. $_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective July 16, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JULY 16, 1951.

[F. R. Doc. 51-8280; Filed, July 16, 1951; 4:19 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 116]

JOHNSON BROTHERS

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Johnson Brothers, Room 505 Empire State Building, 350 Fifth Avenue, New York, N. Y. (hereafter called wholesaler) has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of earthenware sold at wholesale by Johnson Brothers, Room 505 Empire State Building, 350 Fifth Avenue, New York, N. Y., having the brand name(s) "Johnson Brothers" shall be the proposed retail ceiling prices listed by Johnson Brothers in its application dated May 31, 1951, and filed with the Office of Price Stablization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 14, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the wholesaler after the effective date of this special order.

3. On and after August 15, 1951, Johnson Brothers must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after September 14, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to September 14, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the wholesaler's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the wholesaler shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the wholesaler had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The wholesaler shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per _____ {unit. / dozen. / etc.}	Terms {net. / percent EOM. / etc.} $_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the wholesaler with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the wholesaler shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the wholesaler had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the wholesaler shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective July 16, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JULY 16, 1951.

[F. R. Doc. 51-8281; Filed, July 16, 1951; 4:19 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 117]

MENDEL-DRUCKER, INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Mendel-Drucker, Inc., 4621 Floral Avenue, Cin-

cinnati 12, Ohio, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of women's and men's luggage and trunks manufactured by Mendel-Drucker, Inc., 4621 Floral Avenue, Cincinnati 12, Ohio, having the brand name(s) "Mendell" shall be the proposed retail ceiling prices listed by Mendel-Drucker, Inc., in its application dated April 12, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 14, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after August 15, 1951, Mendel-Drucker, Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after September 14, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to September 14, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$------ per ------ {unit. dozen. etc.	Terms {net. percent EOM. etc. $--------

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective July 16, 1951.

MICHAEL V DISALLE,
Director of Price Stabilization.

JULY 16, 1951.

[F. R. Doc. 51-8282; Filed, July 16, 1951; 4:19 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 118]

SEALY MATTRESS CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Sealy Mattress Co., 501 Santa Fe, Kansas City 6, Missouri, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price

Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of mattresses and box springs manufactured by Sealy Mattress Co., 501 Santa Fe, Kansas City 6, Missouri, having the brand name(s) "Sealy" shall be the proposed retail ceiling prices listed by Sealy Mattress Co., in its application dated March 23, 1951, and filed with the Office of Price Stabilization, Washington, 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 14, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after August 15, 1951, Sealy Mattress Co. must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after September 14, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to September 14, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceiling for articles of cost listed in column 1
$_____ per _____ {unit, dozen, etc.	Terms {net, percent EOM, etc. $_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective July 16, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JULY 16, 1951.

[F. R. Doc. 51-8223; Filed, July 16, 1951; 4:20 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 119]

RESISTOL HATS, INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Resistol Hats, Inc., Garland, Texas, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of men's dress hats manufactured by Resistol Hats, Inc., Garland, Texas, having the brand name(s) "Resistol" shall be the proposed retail ceiling prices listed by Resistol Hats, Inc., in its application dated May 2, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. (and supplemented and amended in the manufacturer's application dated May 3, 1951). A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than Sep-

tember 14, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after August 15, 1951, Resistol Hats, Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after September 14, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to September 14, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per _____ {unit. dozen. etc.	Terms {net. percent EOM. etc. $_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective July 16, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JULY 16, 1951.

[F. R. Doc. 51-8284; Filed, July 16, 1951; 4:20 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 120]

ROSE MARIE REID, INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Rose Marie Reid, Inc., 1035 Santee Street, Los Angeles 15, California, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of ladies' swim suits manufactured by Rose Marie Reid, Inc., 1035 Santee Street, Los Angeles 15, California, having the brand name(s) "Rose Marie Reid" shall be the proposed retail ceiling prices listed by Rose Marie Reid, Inc., in its application dated April 12, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C., A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 14, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after August 15, 1951, Rose Marie Reid, Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail

ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after September 14, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to September 14, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$------ per ------ {unit. dozen. etc.	Terms {net. percent EOM. etc. $--------

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective July 16, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JULY 16, 1951.

[F. R. Doc. 51-8285; Filed, July 16, 1951; 4:20 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 121]

JNO. W. HENSON & SONS

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Jno. W. Henson & Sons, Greenville, Texas, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to Section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of lingerie manufactured by Jno. W. Henson & Sons, Greenville, Texas, having the brand name(s) "Henson" shall be the proposed retail ceiling prices listed by Jno. W. Henson & Sons, in its application dated May 3, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 14, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after August 15, 1951, Jno. W. Henson & Sons, must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after September 14, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to September 14, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the

expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$..... per ..... {unit. dozen. etc.	Terms {net. percent EOM. etc. $.....

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective July 16, 1951.

MICHAEL V DISALLE,
Director of Price Stabilization.

JULY 16, 1951.

[F. R. Doc. 51-8286; Filed, July 16, 1951; 4:20 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 122]

HUDSON HOSIERY CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Hudson Hosiery Company, 712 North Brevard Street, P. O. Box 1789, Charlotte 1, N. C., has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of women's nylon and silk hosiery manufactured by Hudson Hosiery Company, 712 North Brevard Street, P. O. Box 1789, Charlotte 1, N. C., having the brand name(s) "Hudson" shall be the proposed retail ceiling prices listed by Hudson Hosiery Company, in its application dated April 6, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 14, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after August 15, 1951, Hudson Hosiery Company must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $.....

On and after September 14, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to September 14, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed

by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$..... per .....{unit. dozen. etc.	Terms {net. percent EOM. etc. $.....

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective July 16, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JULY 16, 1951.

[F. R. Doc. 51-8287; Filed, July 16, 1951; 4:20 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 123]

INDESTRUCTO TRUNKS AND LUGGAGE CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Indestructo Trunks and Luggage Co., 511 South Sangamon Street. Chicago 7, Illinois, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of trunks and luggage manufactured by Indestructo Trunks and Luggage Co., 511 South Sangamon St., Chicago 7. Illinois, having the brand name(s) "Indestructo" shall be the proposed retail ceiling prices listed by Indestructo Trunks and Luggage Co., in its application dated May 18, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 14, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after August 15, 1951, Indestructo Trunks and Luggage Co., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $.....

On and after September 14, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to September 14, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$..... per .....{unit. dozen. etc.	Terms {net. percent EOM. etc. $.....

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, the manufacturer had delivered any

article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective July 16, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JULY 16, 1951.

[F. R. Doc. 51-8288; Filed, July 16, 1951; 4:20 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 124]

BOSTON ROYAL PETTICOAT CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Boston Royal Petticoat Co., 120 Harrison Avenue, Boston 11, Massachusetts, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of ladies' maternity lingerie manufactured by Boston Royal Petticoat Co., 120 Harrison Avenue, Boston 11, Massachusetts, having the brand name(s) "Lady in Waiting" and "Anticipating Lady" shall be the proposed retail ceiling prices listed by Boston Royal Petticoat Co. in its application dated April 16, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 14, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after August 15, 1951, Boston Royal Petticoat Co., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after September 14, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to September 14, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per _____ {unit. dozen. etc.	Terms {net. percent EOM. etc. $_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective July 16, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JULY 16, 1951.

[F. R. Doc. 51-8289; Filed, July 16, 1951; 4:21 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 125]

LANE CO., INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, The Lane Company, Inc., Altavista, Virginia, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to Section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of cedar chests manufactured by The Lane Company, Inc., Altavista, Virginia, having the brand name(s) "Lane Cedar Chests" shall be the proposed retail ceiling prices listed by The Lane Company, Inc., in its application dated May 28, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 14, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after August 15, 1951, The Lane Company, Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $ _____

On and after September 14, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to September 14, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per _____ {unit. / dozen. / etc.}	Terms {net. / percent EOM. / etc.} $_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective July 16, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JULY 16, 1951.

[F. R. Doc. 51-8290; Filed, July 16, 1951; 4:21 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 126]

YOUTHCRAFT CREATIONS, INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Youthcraft Creations, Inc., 36 East Thirty-first Street, New York 16, N. Y., has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evi-

dence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of women's girdles and panty girdles manufactured by Youthcraft Creations, Inc., 36 East Thirty-first Street, New York 16, N. Y., having the brand name(s) "Youthcraft" "Bantam" "Hipmold" "Zipmold" and "Hugwaist" shall be the proposed retail ceiling prices listed by Youthcraft Creations, Inc., in its application dated March 29, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 14, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after August 15, 1951, Youthcraft Creations, Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after September 14, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to September 14, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$------ per ------ {unit. dozen. etc.	Terms {net. percent EOM. etc. $--------

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective July 16, 1951.

MICHAEL V DISALLE,
Director of Price Stabilization.

JULY 16, 1951.

[F. R. Doc. 51-8291; Filed, July 16, 1951; 4:21 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 127]

S. DRESNER & SONS, INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, S. Dresner & Sons, Inc., 512 South Peoria Street, Chicago 7, Illinois, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period.

This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of luggage manufactured by S. Dresner & Sons, Inc., 412 South Peoria Street, Chicago 7, Illinois, having the brand name(s) "Dresner" "Gladiator" "Dresner-Gladiator" and "Dresner-Steerhide" shall be the proposed retail ceiling prices listed by S. Dresner & Sons, Inc., in its application dated May 21, 1951, and filed with the Office of Price Stabilization, Washington 25, D.C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 14, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after August 15, 1951, S. Dresner & Sons, Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after September 14, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to September 14, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within 2 months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$------ per ------ {unit. dozen. etc.	Terms {net. percent EOM. etc. $--------

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective July 16, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JULY 16, 1951.

[F. R. Doc. 51-8232; Filed, July 16, 1951; 4:21 p. m.]

FEDERAL POWER COMMISSION

[Docket No. G-1531]

MISSISSIPPI RIVER FUEL CORP.

ORDER FIXING DATE OF HEARING

JULY 13, 1951.

On January 5, 1951, Mississippi River Fuel Corporation (Applicant) a Delaware corporation of St. Louis, Missouri, filed an application, and on June 27, 1951, filed a First Amended Application, for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, authorizing the construction and operation of certain natural gas underground storage and related facilities, subject to the jurisdiction of this Commission, namely: Not more than 25 injection and withdrawal wells; about 2 miles of 4-inch, 3.2 miles of 6-inch, 1.7 miles of 12-inch, and 9.3 miles of 24-inch diameter pipeline; an 1,800 hp. compressor station; a 75,000 Mcf-per-day-capacity dehydration plant; 25 liquid separators; 2 regulating and metering stations; and other incidental facilities, as more fully described in the amended application on file with the Commission and open to public inspection.

The Commission finds:

This proceeding is a proper one for disposition under the provisions of § 1.32 (b) (18 CFR 1.32 (b)) of the Commission's rules of practice and procedure, Applicant having requested that its amended application be heard under the shortened procedure provided by the aforesaid rule for non-contested proceedings, and no request to be heard, protest or petition having been filed subsequent to the giving of due notice of the filing of the application, including publication in the FEDERAL REGISTER on February 9, 1951 (16 F. R. 1209).

The Commission orders:

(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, as amended, and the Commission's rules of practice and procedure, a hearing be held on July 30, 1951, at 9:45 a. m., e. d. s. t., in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., concerning the matters involved and the issues presented by the aforesaid amended application: *Provided, however,* That the Commission may, after a non-contested hearing, forthwith dispose of the proceeding pursuant to the provisions of § 1.32 (b) of the Commission's rules of practice and procedure.

(B) Interested State commissions may participate as provided by §§ 1.8 and

1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the said rules of practice and procedure.

Date of issuance: July 13, 1951.

By the Commission.

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

[F. R. Doc. 51-8249; Filed, July 18, 1951; 8:48 a. m.]

[Docket No. G-1733]

SOUTHERN NATURAL GAS CO.

NOTICE OF APPLICATION

JULY 13, 1951.

Take notice that Southern Natural Gas Company (Applicant), a Delaware corporation with its principal place of business at Birmingham, Alabama, filed on July 2, 1951, an application requesting that it be granted a certificate of public convenience and necessity authorizing the removal and relocation of certain natural gas facilities hereinafter described, or in the alternative that the Federal Power Commission enter its order disclaiming jurisdiction with respect thereto.

Applicant proposes to remove a 600 hp. compressor station, together with auxiliary equipment and appurtenances, now located at Kemper, Mississippi, on Applicant's Meridian branch line, and to relocate the said compressor station, together with such appurtenances as will be required to operate the station at 1,200 p. s. i. g., in the Spider Gas Field, DeSoto Parish, Louisiana, for use as a field compressor station.

It has been determined that the wellhead pressures of Har Gas' wells in the Spider Gas Field are too low to force the contract quantities of gas into Applicant's Logansport supply line against the operating pressure therein, and under the terms of the contract the burden is upon Applicant to supply the necessary compressor service.

Applicant states that its Kemper compressor station is no longer needed on its Meridian branch line, since Applicant's South line and the lateral from the South line to the City of Meridian, Mississippi, now have sufficient capacity to supply the entire gas requirements of the City of Meridian without compression.

The estimated cost of the removal and relocation of the facilities is $165,000.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 1st day of August 1951. The application is on file with the Commission for public inspection.

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

[F. R. Doc. 51-8250; Filed, July 18, 1951; 8:48 a. m.]

[Docket No. G-1737]

CONSUMERS GAS CO.

NOTICE OF APPLICATION

JULY 13, 1951.

Take notice that Consumers Gas Company (Applicant) an Illinois corporation with offices at 701 Old National Bank Building, Evansville, Indiana, filed on July 9, 1951, an application for an order pursuant to section 7 (a) of the Natural Gas Act requiring Texas Eastern Transmission Corporation to sell and deliver up to 3,200 Mcf of natural gas to Applicant for distribution in Carmi, Illinois. Applicant also seeks a certificate of public convenience and necessity pursuant to section 7 (c) of the Natural Gas Act authorizing the construction of a regulator and meter station to receive the deliveries sought.

Applicant is now engaged in the distribution of natural gas in Carmi from local production. It stated in its application that local wells are depleted and Applicant does not have sufficient quantities of natural gas to meet its normal winter requirements.

The estimated cost of the proposed facilities is $10,000.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 1st day of August 1951. The application is on file with the Commission for public inspection.

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

[F. R. Doc. 51-8251; Filed, July 18, 1951; 8:48 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70-2665]

CONSOLIDATED NATURAL GAS CO. ET AL.

NOTICE OF PROPOSED SALE AND ACQUISITION OF GAS STORAGE AND OTHER FACILITIES

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 13th day of July A. D. 1951.

In the matter of Consolidated Natural Gas Company, the Peoples Natural Gas Company, New York State Natural Gas Corporation; File No. 70-2665.

Notice is hereby given that a joint application-declaration has been filed with this Commission, pursuant to the Public Utility Holding Company Act of 1935 ("act") by Consolidated Natural Gas Company ("Consolidated") a registered holding company, and two of its subsidiaries, the Peoples Natural Gas Company ("Peoples") and New York State Natural Gas Corporation ("New York Natural") Applicants-declarants have designated sections 9 (a) 10, 12 (d) and 12 (f) of the act and Rules U-43 and U-44 promulgated thereunder as applicable to the proposed transaction.

Notice is further given that any interested person may, not later than July 26, 1951, at 5:30 p. m., e. d. s. t., request the Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request and the issues, if any, of fact or law raised by said application-declaration proposed to be controverted, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after July 26, 1951, said application-declaration, as filed or as amended, may be granted and permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof.

All interested persons are referred to said application-declaration which is on file in the office of this Commission for a statement of the transaction therein proposed, which is summarized as follows:

Peoples proposes to sell to New York Natural certain oil and gas leases and other interests in land, together with gas wells, pipelines and other appurtenant facilities, located in an area called the "South Bend Storage Area" in Indiana and Armstrong Counties, Pennsylvania, for a cash consideration estimated in the amount of $335,181, determined in accordance with the terms of a transfer agreement between Peoples and New York Natural. The South Bend Storage Area is located in the vicinity of the Oakford Storage Area now owned by New York Natural and will be operated in conjunction with such properties.

The application-declaration states that the transfer of the properties by Peoples to New York Natural is subject to the jurisdiction of the Public Utility Commission of Pennsylvania. A copy of the order of the said Commission will be supplied by amendment to the application-declaration. The acquisition of such properties by New York Natural is also subject to the jurisdiction of the Federal Power Commission, which Commission, by order dated May 31, 1951, issued its certificate of public convenience and necessity authorizing, among other things, the proposed acquisition.

By the Commission.

[SEAL] NELLYE A. THORSEN, *Assistant Secretary.*

[F. R. Doc. 51-8254; Filed, July 18, 1951; 8:49 a. m.]

[File No. 70-2666]

COLUMBIA GAS SYSTEM, INC.

NOTICE REGARDING PROPOSED CASH CONTRIBUTION BY PARENT TO SUBSIDIARY

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 13th day of July A. D. 1951.

Notice is hereby given that a declaration has been filed with this Commis-

sion by the Columbia Gas System, Inc. ("Columbia") a registered holding company, pursuant to the Public Utility Holding Company Act of 1935. Section 12 (b) of the act and Rule U-45 promulgated thereunder have been designated as being applicable to the proposed transaction.

All interested persons are referred to said declaration which is on file in the offices of this Commission for a statement of the transaction therein proposed, which is summarized as follows:

Columbia proposes to make a capital contribution, in the principal amount of $1,500,000, in cash to its subsidiary, United Fuel Gas Company ("United Fuel") to be used by United Fuel to finance a part of its scheduled 1951 construction and gas storage program. Columbia proposes to increase its investment account relative to the common stock of United Fuel by $1,499,947.66 and to charge $52.34 (the amount of the contribution which is applicable to the minority interest) to operating expense.

The declaration states that no fees, commissions, or underwriting expenses will be incurred in connection with the proposed transaction.

Notice is further given that any interested person may, not later than July 27, 1951, at 5:30 p. m., e. d. s. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request, the nature of his interest and the issues of fact or law raised by said declaration which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after July 27, 1951, said declaration, as filed or as amended, may be permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof.

By the Commission.

[SEAL] NELLYE A. THORSEN, *Assistant Secretary.*

[F. R. Doc. 51-8255; Filed, July 18, 1951; 8:50 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 18176]

SKANDINAVISKA TANK & MINERALOLJE, A/B

In re: Debts owing to Skandinaviska Tank & Mineralolje, A/B. F-28-10315-C-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Europaische Tanklager und Transport A. G., also known as Eurotank, the last known address of which is Berlin, Germany, is a corporation organized under the laws of Germany, and which has or, since the effective date of Executive Order 8389, as amended, has had its principal place of business in Germany and is a national of a designated enemy country (Germany)

2. That Skandinaviska Tank & Mineralolje, A/B is a corporation, partnership, association or other business organization, organized under the laws of Sweden, whose principal place of business is located at Malmoe, Sweden and is or, since the effective date of Executive Order 8389, as amended, has been owned or controlled by or acting or purporting to act directly or indirectly for the benefit of or on behalf of the aforesaid Europaische Tanklager und Transport A. G., also known as Eurotank, and is a national of a designated enemy country (Germany),

3. That the property described as follows:

a. That certain debt or other obligation owing to Skandinaviska Tank & Mineralolje, A/B, by Davis & Company, Incorporated, 2109 Commerce Building, Houston, Texas, represented as an open account on the books and records of the aforesaid Davis & Company, Incorporated, in the amount of $12,162.74, as of June 14, 1941, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same, and

b. That certain debt or other obligation owing to Skandinaviska Tank & Mineralolje, A/B, by Tiona Petroleum Company, 1130 Widener Building, Philadelphia, Pennsylvania, arising out of the return of one hundred seventy five (175) drums of lubricating oil, 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, Skandinaviska Tank & Mineralolje, A/B, the aforesaid national of a designated enemy country (Germany),

and it is hereby determined:

4. That Skandinaviska Tank & Mineralolje, A/B is owned or controlled by or acting for or on behalf of a designated enemy country (Germany) or persons within such country and is a national of a designated enemy country (Germany) and

5. That to the extent that the persons named in subparagraphs 1 and 2 hereof are 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).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on July 12, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON, *Assistant Attorney General, Director Office of Alien Property.*

[F. R. Doc. 51-8221; Filed, July 17, 1951; 8:51 a. m.]

[Vesting Order 18179]

ERNST LOCHMANN

In re: Stock registered in the name of Ernst Lochmann, Zurich, Switzerland, and owned by persons whose names are unknown. F-63-6939.

Under the authority of the Trading With the Enemy Act, as amended, Executive Orders 9193, as amended, 9788 and 9989, and pursuant to law, after investigation, it is hereby found:

1. That the property described as follows: Those certain shares of stock described in Exhibit A, set forth below and by reference made a part hereof, registered in the name of Ernst Lochmann, together with all declared and unpaid dividends thereon, excepting from the foregoing, however, those shares of stock described in Exhibit A, together with all declared and unpaid dividends thereon, concerning which, on or prior to the effective date of this vesting order, the issuing corporation or its transfer agent in the United States has received a license or a copy of a license removing such property from the restrictions of Executive Order 8389, as amended, or has been advised in writing by a banking institution in the United States of the removal of such restrictions and of the authorization therefor;

is property within the United States;

2. That the property described in subparagraph 1 hereof is owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or is evidence of ownership or control by persons, names unknown, who, if individuals, there is reasonable cause to believe are residents of a designated enemy country and which, if partnerships, associations, corporations, or other organizations, there is reasonable cause to believe are organized under the laws of a designated enemy country or on or since the effective date of Executive Order 8389, as amended, have had their principal places of business in a designated enemy country;

3. That the persons referred to in subparagraph 2 hereof are nationals of a designated enemy country;

and it is hereby determined:

4. That to the extent that the persons referred to in subparagraph 2 hereof are

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.

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended, and the term "designated enemy country" has reference to Germany or Japan. The term "banking institution" as used herein shall have the meaning prescribed in section 5F of Executive Order 8389, as amended.

Executed at Washington, D. C., on July 12, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

EXHIBIT A

Two thousand two hundred and fifty (2,250) shares of American Electric Securities Corporation-Participating Preferred, evidenced by certificate numbers NP-706/10 and NP-1175/91 at 100 shares each and certificate number NPO-720 at 50 shares.

[F. R. Doc. 51-8222; Filed, July 17, 1951; 8:51 a. m.]

[Vesting Order 18180]

MAX A. SCHMUCKI

In re: Accounts maintained in the name of Max A. Schmucki, Basle, Switzerland, and owned by persons whose names are unknown. F-63-3695.

Under the authority of the Trading With the Enemy Act, as amended, Executive Orders 9193, as amended, 9788 and 9989, and pursuant to law, after investigation, it is hereby found:

1. That the property described as follows: All property, rights and interests in the accounts identified in Exhibit A set forth below and by reference made a part hereof, together with

(a) Any other property, rights and interests which represent accumulations or accruals to, changes in form of, or substitutions for, any of the property, rights and interests in said identified accounts on October 2, 1950, and which are now held in other accounts being maintained as blocked or otherwise subject to the restrictions of Executive Order 8389, as amended, or regulations, rulings, orders or instructions issued thereunder, and

(b) Any and all rights in, to and under any securities (including, without limitation, bonds, coupons, mortgage participation certificates, shares of stock, scrip and warrants) and any and all declared and unpaid dividends on any shares of stock in any of said accounts,

excepting from the foregoing, however, all lawful liens and setoffs of the respective institutions in the United States with whom the aforesaid accounts are maintained,

is property within the United States;

2. That the property described in subparagraph 1 hereof is owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or is evidence of ownership or control by persons, names unknown, who, if individuals, there is reasonable cause to believe are residents of a designated enemy country and which, if partnerships, associations, corporations, or other organizations, there is reasonable cause to believe are organized under the laws of a designated enemy country or on or since the effective date of Executive Order 8389, as amended, have had their principal places of business in a designated enemy country;

3. That the persons referred to in subparagraph 2 hereof are nationals of a designated enemy country;

and it is hereby determined:

4. That to the extent that the persons referred to in subparagraph 2 hereof are 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.

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended, and the term "designated enemy country" has reference to Germany or Japan.

Executed at Washington, D. C., on July 12, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

EXHIBIT A

Column I Name and address of institution which maintains account.	Column II Designation of account
Joseph Walker & Sons, 120 Broadway, New York 5, N. Y.	Bonds of American Corp., as described by Joseph Walker & Sons in its report on Form OAP-700, bearing its Serial No. 8.

[F. R. Doc. 51-8223; Filed, July 17, 1951; 8:51 a. m.]

[Vesting Order 18181]

UNION BANK OF SWITZERLAND

In re: Accounts maintained in the name of Union Bank of Switzerland, Zurich, Switzerland, and owned by persons whose names are unkown. F-63-139 (Zurich)

Under the authority of the Trading With the Enemy Act, as amended, Executive Orders 9193, as amended, 9788 and 9989, and pursuant to law, after investigation, it is hereby found:

1. That the property described as follows: All property, rights and interests in the accounts identified in Exhibit A set forth below and by reference made a part hereof, together with

(a) Any other property, rights and interests which represent accumulations or accruals to, changes in form of, or substitutions for, any of the property, rights and interests in said identified accounts on October 2, 1950, and which are now held in other accounts being maintained as blocked or otherwise subject to the restrictions of Executive Order 8389, as amended, or regulations, rulings, orders or instructions issued thereunder, and

(b) Any and all rights in, to and under any securities (including, without limitation, bonds, coupons, mortgage participation certificates, shares of stock, scrip and warrants) and any and all declared and unpaid dividends on any shares of stock in any of said accounts,

excepting from the foregoing, however, all lawful liens and setoffs of the respective institutions in the United States with whom the aforesaid accounts are maintained,

is property within the United States;

2. That the property described in subparagraph 1 hereof is owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or is evidence of ownership or control by persons, names unknown, who, if individuals, there is reasonable cause to believe are residents of a designated enemy country and which, if partnerships, associations, corporations, or other organizations, there is reasonable cause to believe are organized under the laws of a designated enemy country or on or since the effective date of Executive Order 8389, as amended, have had their principal places of business in a designated enemy country;

3. That the persons referred to in subparagraph 2 hereof are nationals of a designated enemy country;

and it is hereby determined:

4. That to the extent that the persons referred to in subparagraph 2 hereof are 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.

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the prop-

erty described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended, and the term "designated enemy country" has reference to Germany or Japan.

Executed at Washington, D. C., on July 12, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director Office of Alien Property.

EXHIBIT A

Column I Name and address of institution which maintains account	Column II Designation of account
Schroder Trust Co., 57 Broadway, New York 15, N. Y.	100 shares Foreign Light & Power Co. common stock, no par value evidenced by certificate ACB125 registered in the name of Schmidt & Co., as described by Schroder Trust Co. in its report on Form OAP-700 dated Nov. 14, 1950.

[F. R. Doc. 51-8224; Filed, July 17, 1951; 8:52 a. m.]

[Vesting Order 18177]

BANQUE POPULAIRE SUISSE

In re: Accounts maintained in the name of Banque Populaire Suisse, Lucerne, Switzerland, and owned by persons whose names are unknown. F-63-2290 (Lucerne)

Under the authority of the Trading With the Enemy Act, as amended, Executive Orders 9193, as amended, 9788 and 9989, and pursuant to law, after investigation, it is hereby found:

1. That the property described as follows: All property, rights and interests in the accounts identified in Exhibit A set forth below and by reference made a part hereof, together with

(a) Any other property, rights and interests which represent accumulations or accruals to, changes in form of, or substitutions for, any of the property, rights and interests in said identified accounts on October 2, 1950, and which are now held in other accounts being maintained as blocked or otherwise subject to the restrictions of Executive Order 8389, as amended, or regulations, rulings, orders or instructions issued thereunder, and

(b) Any and all rights in, to and under any securities (including, without limitation, bonds, coupons, mortgage participation certificates, shares of stock, scrip and warrants) and any and all declared and unpaid dividends on any shares of stock in any of said accounts,

excepting from the foregoing, however, all lawful liens and setoffs of the respective institutions in the United States with whom the aforesaid accounts are maintained,

is property within the United States;

2. That the property described in subparagraph 1 hereof is owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or is evidence of ownership or control by persons, names unknown, who, if individuals, there is reasonable cause to believe are residents of a designated enemy country and which, if partnerships, associations, corporations, or other organizations, there is reasonable cause to believe are organized under the laws of a designated enemy country or on or since the effective date of Executive Order 8389, as amended, have had their principal places of business in a designated enemy country;

3. That the persons referred to in subparagraph 2 hereof are nationals of a designated enemy country;

and it is hereby determined:

4. That to the extent that the persons referred to in subparagraph 2 hereof are 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.

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended, and the term "designated enemy country" has reference to Germany or Japan.

Executed at Washington, D. C., on July 12, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

EXHIBIT A

[Accounts maintained in the name of Banque Populaire Suisse, Lucerne, Switzerland]

Column I Name and address of institution which maintains account	Column II Designation of account
Brown Bros. Harriman & Co., 59 Wall St., New York 5, N. Y.	(a) Banque Populaire Suisse, Lucerne, ordinary account, blocked account, and (b) Banque Populaire Suisse, Lucerne, general ruling No. 6 account, as described by Brown Bros. Harriman & Co., New York, in a supplement to its report on Form OAP-700, bearing its Serial No. 16; (c) Banque Populaire Suisse, Lucerne, ordinary account, blocked account, as described by Brown Bros. Harriman & Co., New York, in a supplement to its report on Form OAP-700, bearing its Serial No. 17.

[F. R. Doc. 51-8294; Filed, July 18, 1951; 8:55 a. m.]

[Vesting Order 18178]

BANQUE POPULAIRE SUISSE

In re: Accounts maintained in the name of Banque Populaire Suisse, Zurich, Switzerland, and owned by persons whose names are unknown. F-63-2290 (Zurich).

Under the authority of the Trading With the Enemy Act, as amended, Executive Orders 9193, as amended, 9788 and 9989, and pursuant to law, after investigation, it is hereby found:

1. That the property described as follows: All property, rights and interests in the accounts identified in Exhibit A set forth below and by reference made a part hereof, together with

(a) Any other property, rights and interests which represent accumulations or accruals to, changes in form of, or substitutions for, any of the property, rights and interests in said identified accounts on October 2, 1950, and which are now held in other accounts being maintained as blocked or otherwise subject to the restrictions of Executive Order 8389, as amended, or regulations, rulings, orders or instructions issued thereunder, and

(b) Any and all rights in, to and under any securities (including, without limitation, bonds, coupons, mortgage participation certificates, shares of stock, scrip and warrants) and any and all declared and unpaid dividends on any shares of stock in any of said accounts,

excepting from the foregoing, however, all lawful liens and setoffs of the respective institutions in the United States with whom the aforesaid accounts are maintained,

is property within the United States;

2. That the property described in subparagraph 1 hereof is owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or is evidence of ownership or control by persons, names unknown, who, if individuals, there is reasonable cause to believe are residents of a designated enemy country and which, if partnerships, associations, corporations, or other organizations, there is reasonable cause to believe are organized under the laws of a designated enemy country or on or since the effective date of Executive Order 8389, as amended, have had their principal places of business in a designated enemy country;

3. That the persons referred to in subparagraph 2 hereof are nationals of a designated enemy country;

and it is hereby determined:

4. That to the extent that the persons referred to in subparagraph 2 hereof are 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.

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or other-

wise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended, and the term "designated enemy country" has reference to Germany or Japan.

Executed at Washington, D. C., on July 12, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director Office of Alien Property.

EXHIBIT A

[Accounts maintained in the name of Banque Populaire Suisse, Zurich, Switzerland]

Column I Name and address of institution which maintains account	Column II Designation of account
Brown Bros. Harriman & Co., 65 Wall St., New York 5, N. Y.	Banque Populaire Suisse, Zurich, ordinary account, blocked account, as described by Brown Bros. Harriman & Co., in its Form OAP-700 report bearing its Serial No. 18.

[F. R. Doc. 51-8295; Filed, July 18, 1951; 8:55 a. m.]

[Return Order 657]

RAOUL ROLAND RAYMOND SARAZIN AND SOCIETE FRANCAISE HISPANO-SUIZA

Having considered the claims set forth below and having issued a determination allowing the claims, which is incorporated by reference herein and filed herewith,

It is ordered, That the claimed property, described below and in the determination, including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, be returned after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Notice of Intention To Return Published, and Property

Raoul Roland Raymond Sarazin, Rue du Chateau de la Chasse, Villa "Les Surprises" Saint-Prix, France; Societe Francaise Hispano-Suiza, Rue du Capitaine Guynemer, Bois-Colombes, France; Claim Nos. 12523, 12524, and 5992; April 13, 1950 (15 F. R. 2096); all right, title and interest in and to United States Patent Application Serial No. 284,945 (now United States Letters Patent No. 2,313,206), vested by Vesting Order No. 293 (7 F. R. 9836, November 26, 1942); all right, title and interest in and to United States Patent Application Serial No. 455,908 (now United States Letters Patent No. 2,356,-435), vested by Vesting Order No. 1028 (8 F. R. 4205, April 2, 1943); all right, title and interest in and to United States Letters Patent Nos. 2,096,999; 2,127,888; 2,129,241; 2,137,-591; 2,154,359; 2,156,484; 2,183,467; 2,225,929; 2,211,076; 2,265,747, vested by Vesting Order No. 666 (8 F. R. 5047, April 17, 1943) to claimant, Raoul Roland Raymond Sarazin.

All interests and rights of the Attorney General in and to the reservations with respect to United States Letters Patent Nos. Re. 20,773; 2,079,227 and 2,202,967, vested by Vesting Order No. 1589 (8 F. R. 10583, July 29, 1943), made in a determination dated June 25, 1947 by The Vested Property Claims Committee, Office of Alien Property (filed with the Federal Register on July 3, 1947, F. R. Doc. 47-6319), said reservations being as follows: all interests and rights (1) in and to all damages and profits directly or indirectly recoverable at law or in equity from the Government of the United States for the infringement of said patents, (2) in and to all damages and profits recoverable at law or in equity from anyone for infringement of said patents on or after July 8, 1943 and prior to the return of said patents and (3) in any and all agreements of any kind or nature whatsoever relating to said patents including all royalties and any monies now or hereafter payable or held with respect to said interest and rights and all damages for breach of said agreements together with the right to sue therefor, to claimant, Raoul Roland Raymond Sarazin, to the extent owned by him immediately prior to vesting of said patents.

All interests and rights of the Attorney General in and to an agreement dated July 2, 1935 by and between Raoul Roland Raymond Sarazin and Societe Francaise Hispano-Suiza, relating among other things, to patents listed herein to Raoul Roland Raymond Sarazin and Societe Francaise Hispano-Suiza to the extent of their respective interests immediately prior to the vesting of said patents.

To Societe Francaise Hispano-Suiza, all interests and rights (including all accrued royalties and other monies payable or held with respect to said interests and rights and all damages for breach of the agreement hereinafer described, together with the right to sue therefor) created in Societe Francaise Hispano-Suiza by virtue of an agreement dated March 11, 1940 (including all modifications thereof and supplements thereto, if any) by and between Societe Francaise Hispano-Suiza and Fairchild Engine and Airplane Corporation, a corporation of Maryland, relating among other things, to United States Letters Patent No. 2,079,227 to the extent owned by Societe Francaise Hispano-Suiza immediately prior to the vesting thereof by Vesting Order No. 1589, including royalities in the amount of $8,860.70.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on July 11, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 51-8296; Filed, July 18, 1951; 8:56 a. m.]

[Return Order 997]

EDUARD BIER

Having considered the claim set forth below and having issued a determination allowing the claim, which is incorporated by reference herein and filed herewith,

It is ordered, That the claimed property, described below and in the determination, be returned, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Notice of Intention To Return Published, and Property

Eduard Bier, Berlin, Germany; Claim No. 42276; May 15, 1951 (16 F. R. 4517); $1,008.56 in the Treasury of the United States. All right, title, interest and claim of any kind or character whatsoever of Edward Bier in and to the Estate of Siegfried Max Bier, deceased; 4/25ths interest in 1/12th of oil, gas and other mineral royalties from property in Hopkins County, Texas, per contract from E. A. Dreeben to S. Max Bier; 4/25ths interest in 1/8th of 1/8th of oil, gas and other mineral royalties from property in Hopkins County, Texas, per contract from Alfred E. Aaronson to S. Max Bier; 4/25ths interest in 3/8ths of 3/16th of oil, gas and other mineral royalties from property in Dallas County, Texas, per contract from E. A. Dreeben to S. Max Bier; 4/25ths interest in 1/2 of oil, gas and other mineral royalties from property being part of Sec. 31, Twp. 1 North Range 8 West, Stephens County, Oklahoma, per contract from E. A. Aaronson to S. Max Bier.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on July 9, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 51-8297; Filed, July 18, 1951; 8:56 a. m.]

[Return Order 1010]

SOCIETE DE CONSTRUCTIONS MECANIQUES DE STAINS, S. A.

Having considered the claim set forth below and having issued a determination allowing the claim, which is incorporated by reference herein and filed herewith,

It is ordered, That the claimed property, described below and in the determination, including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, be returned after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Notice of Intention To Return Published, and Property

Societe de Constructions Mecaniques de Stains, S. A., Paris, France; Claim No. 40451; May 23, 1951 (16 F. R. 4824); property described in Vesting Order No. 666 (8 F. R. 5047, April 17, 1943) relating to United States Letters Patent No. 2,255,205. This return shall not be deemed to include the rights of any licensees under the above patent.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on July 11, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-8300; Filed, July 18, 1951; 8:57 a. m.]

[Return Order 1003]

ANTOINETTA LO RE AND MARIA BONASERA

Having considered the claim set forth below and having issued a determination allowing the claim, which is incorporated by reference herein and filed herewith,

It is ordered, That the claimed property, described below and in the determination, be returned, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Notice of Intention To Return Published, and Property

Antoinetta Lo Re, Villalba (Caltanissetta), Sicily, Italy, Claim No. 39441; Maria Bonasera, Vallelunga (Caltanissetta), Sicily, Italy, Claim No. 39442; May 23, 1951 (16 F. R. 4824); $2,665.61 in the Treasury of the United States, one-half to each claimant. All right, title, interest and claim of any kind or character whatsoever of Antoinetta Lo Re and Maria Bonasera in and to the Estate of Joseph Trifiro, deceased; estate probated in Surrogate's Court of Erie County, New York, Anthony Trifiro, Administrator.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on July 3, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 51-8298; Filed, July 18, 1951; 8:56 a. m.]

[Return Order 1005]

SOCIETE DE CONSTRUCTION D'APPAREILS MECANIQUES ET ELECTRIQUES POUR AUTOMOBILES, S. C. A. M. E. A.

Having considered the claim set forth below and having issued a determination allowing the claim, which is incorporated by reference herein and filed herewith,

It is ordered, That the claimed property, described below and in the determination, including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, be returned after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Notice of Intention To Return Published, and Property

Societe de Construction d'Appareils Mecaniques et Electriques pour Automobiles, S. C. A. M. E. A., Neuilly-sur-Seine, France; Claim No. 36869; May 23, 1951 (14 F. R. 4824); property described in Vesting Order No. 666 (8 F. R. 5047, April 17, 1943) relating to United States Letters Patent No. 2,254,082. This return shall not be deemed to include the rights of any licensees under the above patent.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on July 3, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-8299; Filed, July 18, 1951; 8:57 a. m.]

[Return Order 1016]

GIUSEPPE MENOZZI

Having considered the claim set forth below and having issued a determination allowing the claim, which is incorporated by reference herein and filed herewith,

It is ordered, That the claimed property, described below and in the determination, including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, be returned after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Notices of Intention To Return Published, and Property

Giuseppe Menozzi, Messina, Italy; Claim No. 36941; May 29, 1951 (16 F. R. 5033); property described in Vesting Order No. 201 (8 F. R. 625, January 16, 1943) relating to United States Letters Patent Nos. 2,178,480 and 2,178,487. This return shall not be deemed to include the rights of any licensees under the above patents.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on July 9, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-8302; Filed, July 18, 1951; 8:57 a. m.]

[Return Order 1017]

COMPAGNIE INTERNATIONALE DES PIEUX ARMES FRANKIGNOUL, SOCIETE ANONYME

Having considered the claim set forth below and having issued a determination allowing the claim, which is incorporated by reference herein and filed herewith,

It is ordered, That the claimed property, described below and in the determination, including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, be returned after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Notice of Intention To Return Published, and Property

Compagnie Internationale des Pieux Armes Frankignoul, Societe Anonyme, Liege, Belgium; Claim No. 37319; May 29, 1951 (16 F. R. 5032); property described in Vesting Order No. 675 (8 F. R. 5029, April 17, 1943) relating to United States Letters Patent Nos. 1,764,948; 1,830,651; 1,858,204; 1,887,630; 1,872,635; 2,048,252 and 2,169,789. This return shall not be deemed to include the rights of any licensees under the above patents.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on July 9, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-8301; Filed, July 18, 1951; 8:57 a. m.]

JOSEPH ROBMER

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of the publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Joseph Robmer, Freiburg-Littenweiler, Baden, Germany; Claim No. 5129; $4,213.43 in the Treasury of the United States. An undivided one-half interest in the real property situated in the Borough of Brooklyn, County of Kings, State of New York, and known as 106, 106½ and 108 Douglass Street, Brooklyn, N. Y. All right, title, interest, estate and claim of any name or nature whatsoever, contingent or otherwise and whether or not matured, of Joseph Robmer in and to any and all obligations secured by certain tax liens, evidenced by tax lien certificates Nos. 61714, 61715, and 61716, on the lot and improvements owned by Joseph Robmer and Oscar Jacobs, known as 106, 106½ and 108 Douglass Street, Brooklyn, New York, including but not limited to any and all collateral for any or all such obligations and the right to enforce and collect such obligations. The tax lien certificates are presently in the custody of the Office of Alien Property, 120 Broadway, New York, N. Y.

Executed at Washington, D. C., on July 11, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-8306; Filed, July 18, 1951; 8:50 a. m.]

[Return Order 1019]

ALBERT FRANCOIS THIEUZARD

Having considered the claim set forth below and having issued a Determination allowing the claim, which is incorporated by reference herein and filed herewith,

It is ordered, That the claimed property, described below and in the determination, including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, be returned after adequate provision for taxes and conservatory expenses:

Claimant, Claim Number, Notice of Intention To Return Published, and Property

Albert Francois Thieuzard, Paris, France; Claim No. 31759; May 29, 1951 (16 F. R. 5033); property described in Vesting Order No. 666 (8 F. R. 5047, April 17, 1943) relating to United States Letters Patent No. 2,003,457. This return shall not be deemed to include the rights of any licensees under the above patent.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on July 9, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-8303; Filed, July 18, 1951; 8:57 a. m.]

[Return Order 1020]

MARTIN LINDSAY AND HEDWIG BARTH

Having considered the claim set forth below and having issued a determination allowing the claim, which is incorporated by reference herein and filed herewith,

It is ordered, That the claimed property, described below and in the determination, be returned subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Notice of Intention To Return Published, and Property

Martin Lindsay, Trustee, u/w of Hedwig Barth, Chicago, Ill.. Claims Nos. 5578 and 5579; May 30, 1951 (16 F. R. 5103); $46,187.81 in the Treasury of the United States. This return is being made for the sole purpose of enabling Martin Lindsay, Trustee, to reconstitute the above-described property as part of the corpus of the trust presently being administered by him under the will of Hedwig Barth, deceased, and under the judicial supervision of the County Court of Milwaukee County, Wisconsin. Reserved from the return and retained expressly in the Attorney General are all the rights and interests in and to the property which were formerly owned by Helene von Bredow, Margrit Taeger and Dorothea Schieckel and the issue, names unknown, of these persons.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on July 9, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-8304; Filed, July 18, 1951; 8:58 a. m.]

WILHELMUS HERMSEN

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property located in Washington, D. C., including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, after adequate provision for taxes and conservatory expenses:

Claimant, Claim Nos., and Property

Wilhelmus Hermsen, Paris, France; Claim Nos. 6567 and 6568; the undivided one-half part of the whole right, title and interest in property described in Vesting Order No. 666 (8 F. R. 5047, April 17, 1943) relating to United States Letters Patent No. 2,184,716 and in Vesting Order No. 321 (7 F. R. 9851, November 26, 1942) relating to United States Patent Application Serial No. 292,748.

Executed at Washington, D. C., on July 13, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 51-8305; Filed, July 18, 1951; 8:58 a. m.]

LIBRARY OF CONGRESS

Office of the Librarian

[Gen. Order 1443]

HOURS OF SERVICE

JUNE 22, 1951.

The following table provides, effective June 23, 1951, a statement of the hours of public service of the several administrative and other units of the Library. This general order supersedes General Order 1443 dated November 21, 1950, and General Order 1465 dated January 17, 1951.

HOURS OF SERVICE

Services	Room No.[1]	Mondays through Fridays	Saturdays	Sundays	Holidays
General Reading Rooms:					
Main Reading Room.	100	9 a. m.-10 p. m.[2]	9 a. m.-6 p. m.[2]	2 p. m.-6 p. m.	2 p. m.-6 p. m.[4]
Thomas Jefferson Room.	5009, 5011	9 a. m.-5:45 p. m.	9 a. m.-6 p. m.[2]	2 p. m.-6 p. m.	2 p. m.-6 p. m.[4]
Special Reading Rooms:					
Aeronautics Division.	G-1006	9 a. m.-5:45 p. m.	Closed	Closed	Closed.
Congressional[3]	100	8:30 a. m.-10 p. m.	9 a. m.-6 p. m.	2 p. m.-10 p. m.	9 a. m.-10 p. m.[4]
Federal Agencies Collection (take elevator C).	Deck 37	9 a. m.-5:15 p. m.	Closed	Closed	Closed.
Government Publications.	133	9 a. m.-5:45 p. m.	9 a. m.-1 p. m.	2 p. m.-6 p. m.	2 p. m.-6 p. m.[4]
Hispanic Foundation.	239	9 a. m.-5:45 p. m.	Closed	Closed	Closed.
Law Library	244	9 a. m.-10 p. m.[2]	9 a. m.-6 p. m.[2]	2 p. m.-6 p. m.	2 p. m.-6 p. m.[4]
Law Library in the Capitol.[3]		9 a. m.-6 p. m.	9 a. m.-1 p. m.[5]	Closed	Closed.
Local History and Genealogy.	5009A	9 a. m.-5:45 p. m.	9 a. m.-6 p. m.[2]	2 p. m.-6 p. m.	2 p. m.-6 p. m.[4]
Manuscripts Division.	3005	9 a. m.-5:45 p. m.	9 a. m.-1 p. m.	Closed	Closed.
Map Division	140	9 a. m.-5:45 p. m.	9 a. m.-1 p. m.	do	Do.
Microfilm (take elevator C).	Deck 38	9 a. m.-5:45 p. m.	Closed	do	Do.
Music Division	G-144	9 a. m.-5:45 p. m.	do	do	Do.
Newspapers (current).	G-133	9 a. m.-5:45 p. m.	9 a. m.-1 p. m.	2 p. m.-6 p. m.	2 p. m.-6 p. m.[4]
Newspapers (noncurrent).	5010, 5012	9 a. m.-5:45 p. m.	9 a. m.-6 p. m.[2]	2 p. m.-6 p. m.	2 p. m.-6 p. m.
Orientalia Division.	5010, 5012	9 a. m.-5:45 p. m.	9 a. m.-1 p. m.	Closed	Closed.
Pamphlets Collection.	G-133	9 a. m.-5:45 p. m.	9 a. m.-1 p. m.	2 p. m.-6 p. m.	2 p. m.-6 p. m.[4]
Periodicals (current).	G-133	9 a. m.-5:45 p. m.	9 a. m.-1 p. m.	2 p. m.-6 p. m.	2 p. m.-6 p. m.[4]
Prints and Photographs.	209	9 a. m.-5:45 p. m.	Closed	Closed	Closed.
Rare Books	256	9 a. m.-5:45 p. m.	do	do	Do.
Slavic Room	5011B	9 a. m.-5:45 p. m.	9 a. m.-6 p. m.[2]	2 p. m.-6 p. m.	2 p. m.-6 p. m.[4]
Other Services:					
Copyright Office	1027	8:30 a. m.-5:15 p. m	Closed	Closed	Closed.
Division for the Blind.	1005	8:30 a. m.-5:15 p. m	do	do	Do.
Exhibit Halls (various locations).		9 a. m.-10 p. m.	9 a. m.-10 p. m.	11:30 a. m.-10 p. m.	11:30 a. m.-10 p. m.[4]
Information Office	108	9 a. m.-5:15 p. m.	Closed	Closed	Closed.
Loan Division[6]	G-153	9 a. m.-5:45 p. m.	9 a. m.-1 p. m.	do	Do.
National Union Catalog.	154	9 a. m.-10 p. m.	9 a. m.-6 p. m.	2 p. m.-6 p. m.	2 p. m.-6 p. m.[4]
Photoduplication Service.	G-1008	8:30 a. m.-5:15 p. m.	Closed	Closed	Closed.
Study Rooms and Study Tables (various locations).		9 a. m.-5:45 p. m.	9 a. m.-6 p. m.[2]	2 p. m.-6 p. m.	2 p. m.-6 p. m.[4, 7]
Other Administrative Offices (various locations).		8:30 a. m.-5:15 p. m.	Closed	Closed	Closed.

[1] 3-digit room numbers, Main Building; 4-digit room numbers, Annex Building.
[2] Limited service only (access to the card catalogs, reference collections, and materials previously issued from the stacks) is available to readers from 5:30 p. m.-10 p. m. Mondays through Fridays in the Main Reading Room and the Law Library, and from 12:45 p. m.-6 p. m. on Saturdays in these two rooms and also in the Thomas Jefferson Room, the Local History and Genealogy Room, the Slavic Room, and the Newspaper Reference Room (Annex). Readers' call slips are received in the Main Reading Room and the Law Library after 5:30 p. m. Mondays through Fridays and after 12:45 p. m. on Saturdays for books to be used on succeeding days.
[3] Also open whenever either House of Congress is in session.
[4] Closed on Christmas Day and the Fourth of July.
[5] Closed on Christmas Day only.
[6] During closed hours Congressional loans arranged through Congressional Reading Room; other questions regarding lending service handled by reference staff, Main Reading Room.
[7] Special passes for use of Study Rooms and Study Tables until 10 p. m. on Mondays through Fridays and until 6 p. m. on Saturdays may be obtained from the Chief of the Stack and Reader Division.
[8] Closed during summer months when Congress is not in session.

VERNER W. CLAPP,
Acting Librarian of Congress.

[F. R. Doc. 51-8268; Filed, July 18, 1951; 8:53 a. m.]