THE NATIONAL ARCHIVES
LITTERA SCRIPTA MANET
FEDERAL REGISTER
OF THE UNITED STATES 1934

VOLUME 7 NUMBER 24

Washington, Wednesday, February 4, 1942

The President

THOMAS ALVA EDISON DAY

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS the American people remember with deepest admiration and gratitude the achievements of Thomas Alva Edison and his contributions to the modern way of living; and

WHEREAS, when we contemplate the birth of Edison on February 11, 1847, in a small community in Erie County, Ohio, we are inspired with the faith that our country will be blessed in every generation with young people of practical minds and breadth of vision, resourceful in utilizing the forces of nature for the benefit of mankind; and

WHEREAS a joint resolution of July 17, 1941, provides as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States is hereby authorized and requested to issue a proclamation designating February 11, 1942, as Thomas Alva Edison Day and calling upon officials of the Government to display the flag of the United States on all Government buildings on said date and inviting the people of the United States to observe the day in schools and churches, or other suitable places, with appropriate ceremonies;

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, do hereby designate February 11, 1942, as Thomas Alva Edison Day, and I call upon the officials of the Government to display the flag of the United States on all Government buildings on that date; I also invite the people of the United States to observe the day in schools and churches, or other suitable places, with appropriate ceremonies.

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

DONE at the City of Washington this 29th day of January, in the year of our Lord nineteen hundred and [SEAL] forty-two, and of the Independence of the United States of America the one hundred and sixty-sixth.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL,
Secretary of State

[No. 2538]

[F. R. Doc. 42-985; Filed, February 3, 1942; 11:04 a. m.]

Rules, Regulations, Orders

TITLE 6—AGRICULTURAL CREDIT

CHAPTER III—FARM SECURITY ADMINISTRATION

SUBCHAPTER A—ADMINISTRATION

PART 300—GENERAL

Part 300[1] of Subchapter A in Title 6, Chapter III, of the Code of Federal Regulations is hereby amended by the addition of the following sections:

§ 300.2a *Regulations prohibiting side agreements between borrowers and vendors under the Tenant Purchase Program of the Farm Security Administration authorized by Title I of the Bankhead-Jones Farm Tenant Act.* The full purchase price of all farms purchased in connection with Title I of the Bankhead-Jones Farm Tenant Act, must be named in the option between prospective borrowers and their vendors. Side agreements between prospective borrowers and their vendors upon a purchase price greater or less than the option price shall not be permitted. Agreements to give second mortgages, mortgages on chattels, mortgages on other property, or other liens, notes or the payment of any cash consideration, other than the cash consideration named in the option price, are included within this prohibition, but it is

[1] 6 F.R. 14, 2225, 4351, 4913, 5687.

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500), under regulations prescribed by the Administrative Committee, approved by the President.

The Administrative Committee consists of the Archivist or Acting Archivist, an officer of the Department of Justice designated by the Attorney General, and the Public Printer or Acting Public Printer.

The daily issue of the FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.25 per month or $12.50 per year; single copies 10 cents each; payable in advance. Remit money order payable to the Superintendent of Documents directly to the Government Printing Office, Washington, D. C.

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not to be construed as limited to the side agreements herein specified. Such action shall be deemed grounds for the cancellation of the loan, or for declaring the amount unpaid immediately due and payable, or for the cancellation of the side agreement, regardless of its nature, and for the return to the prospective borrower, by the vendor, of any amount paid in pursuance to the side agreement. (Bankhead-Jones Farm Tenant Act, 50 Stat. 522, 7 U.S.C. Sup. 1000–1006, 1015 (e).)

§ 300.2b *Regulations impressing a trust on the proceeds of loans made by the Farm Security Administration pursuant to Title I of the Bankhead-Jones Farm Tenant Act and requiring that they be used for the purposes stated in the application therefor.* The proceeds of loans made pursuant to Title I of the Bankhead-Jones Farm Tenant Act shall be impressed with a trust for the purposes for which loans may be made under that Title, and may be used only for the purposes stated in the application therefor, and such trust shall continue, and the proceeds shall be free from garnishment, attachment, or the levy of an execution, until such proceeds have been used by the borrower for such purposes. Failure of the borrower to use the proceeds of such loans for such purposes, and in accordance with the purposes stated in the application therefor, shall be deemed grounds for the cancellation of the loan or for declaring the amount unpaid immediately due and payable. (Bankhead-Jones Farm Tenant Act, 50 Stat. 522, 7 U.S.C. Sup. 1000–1006, 1015 (e))

Recommended:

[SEAL] C. B. BALDWIN, *Administrator.*

Approved: January 31, 1942.

CLAUDE R. WICKARD, *Secretary of Agriculture.*

[F. R. Doc. 42-995; Filed, February 3, 1942; 11:26 a. m.]

TITLE 29—LABOR

SUBTITLE A—OFFICE OF THE SECRETARY OF LABOR

PART 1—REGULATIONS PRESCRIBED BY THE SECRETARY OF LABOR AS TO THE PROCEDURE TO BE FOLLOWED IN PREDETERMINING PREVAILING RATES OF WAGES

AMENDMENT TO THE REGULATIONS WITH RESPECT TO PAY ROLL DEDUCTIONS

Pursuant to and by virtue of the authority conferred by R. S. sec. 161, U.S.C., ti. 5, sec. 22, and the Davis-Bacon Law, as amended,[1] section 22 of the regulations dated September 30, 1935,[2] as amended by orders dated October 26, 1936, and November 30, 1936, is hereby repealed and in place thereof, there shall be added the following new section 22 to be effective immediately upon filing with the Division of the Federal Register.

§ 1.22 *Pay roll deductions.* The "Regulations Applicable to Contractors and Subcontractors on Public Building and Public Work and on Building and Work Financed in Whole or in Part by Loans or Grants From the United States"[3] promulgated from time to time by the Secretary of Labor pursuant to the act of June 13, 1934,[4] shall be appli-

[1] Act of August 30, 1935; 49 Stat. 1011, as amended 54 Stat. 399, as amended Public Law No. 22, 77th Congress, U.S.C., title 40, sec. 276a.

[2] Reg. No. 503.

[3] 6 F.R. 1210, 6329.

[4] Sec. 2, 48 Stat. 948, 40 U.S.C., Sup., 276c; Sec. 9 of Reorganization Plan No. IV, effective June 30, 1940, in accordance with Sec. 4 of H. J. Res. 551, Public Res. No. 75, approved June 4, 1940, Sec. 9, 54 Stat. 1236; Sec. 4, 54 Stat. 231; 5 U.S.C., 133u.

cable to the compensation of all laborers and mechanics employed on public buildings or public works subject to the Davis-Bacon Act, as amended.[5]

[SEAL] FRANCES PERKINS, *Secretary.*

[F. R. Doc. 42-992; Filed, February 3, 1942; 11:21 a. m.]

PART 2—REGULATIONS APPLICABLE TO CONTRACTORS AND SUBCONTRACTORS ON PUBLIC BUILDING AND PUBLIC WORK AND ON BUILDING AND WORK FINANCED IN WHOLE OR IN PART BY LOANS OR GRANTS FROM THE UNITED STATES

GENERAL REVISION OF THE REGULATIONS

Pursuant to and by virtue of the authority conferred by section 2 of the act of June 13, 1934,[1] and section 9 of Reorganization Plan No. IV, effective June 30, 1940, in accordance with section 4 of H. J. Res. 551 (Public Res. No. 75), approved June 4, 1940,[2] the Regulations of March 1, 1941,[3] shall be repealed and in place thereof the following Regulation shall become effective as provided in the last section thereof.

Sec.
2.1 Purpose and scope.
2.2 Definitions.
2.3 Weekly affidavit with respect to payment of wages.
2.4 Submission of weekly affidavits and subcontract summaries.
2.5 Pay roll deductions.
2.6 Regulations part of contract.
2.7 Opinions relating to the regulations.
2.8 Existing regulations superseded: Effective date.

§ 2.1 *Purpose and scope.* (a) The regulations in this part are promulgated to aid in the enforcement of the Copeland Act (48 Stat. 948) and to effectuate the purpose of the Davis-Bacon Act (49 Stat. 1011, as amended) and certain other statutes concerning rates of pay for labor;

(b) The regulations in this part shall be applicable within the geographical limits of the States of the Union, the District of Columbia, the Territory of Alaska, and the Territory of Hawaii.*

*§§ 2.1 to 2.8, inclusive, issued under the authority contained in sec. 2, 48 Stat. 948, secs. 4, 9, 54 Stat. 231, 1236; 40 U.S.C. 276c, 5 U.S.C., Sup., 113u.

§ 2.2 *Definitions.* As used in the regulations in this part:

(a) The terms "building" or "work" generally include construction activity as distinguished from manufacturing, furnishing of materials, or servicing and maintenance work. The terms include, without limitation, buildings, structures, and improvements of all types, such as bridges, dams, plants, highways, parkways, streets, subways, tunnels, sewers, mains, power lines, pumping stations, railways, ships, vessels, airports, terminals, docks, piers, wharves, ways, lighthouses, buoys, jetties, breakwaters, levees, and canals; dredging, shoring, scaffolding, drilling, blasting, excavating, clearing, and landscaping. Unless conducted in connection with and at the site of such a building or work as is described in the foregoing sentence, the manufacture or furnishing of materials, articles, supplies, or equipment (whether or not a Federal or State agency acquires title to such materials, articles, supplies, or equipment during the course of the manufacture or furnishing, or owns the materials from which they are manufactured or furnished) is not a "building" or "work" within the meaning of the regulations in this part.

(b) The terms "construction," "prosecution," "completion," or "repair" mean all types of work done on a particular building or work at the site thereof, including, without limitation, except as herein provided, altering, remodeling, painting and decorating, the transporting of materials and supplies to or from the building or work by the employees of the construction contractor or construction subcontractor, and the manufacturing or furnishing of materials, articles, supplies, or equipment on the site of the building or work, by persons employed at the site by the contractor or subcontractor. By way of limitation, the terms herein defined shall not include the installation of machinery, machine tools, or other apparatus, when such installation does not involve a substantial amount of construction, alteration, or remodeling of the building or work, nor shall they include the retooling or fabrication of machinery in the regular plants of concerns not ordinarily engaged in construction activities.

(c) The terms "public building" or "public work" include building or work for whose construction, prosecution, completion, or repair, as defined above, a federal agency is a contracting party, regardless of whether title thereof is in a federal agency.

(d) The term "building or work financed in whole or in part by loans or grants from the United States" includes building or work for whose construction, prosecution, completion, or repair, as defined above, payment or part payment is made from funds of any federal agency and for which a federal or state agency is a contracting party.

(e) Every person paid by a contractor or subcontractor in any manner for his labor in the construction, prosecution, completion, or repair of a public building or public work is "employed" and receiving "wages," regardless of any contractual relationship alleged to exist between him and the real employer.

(f) The term "any affiliated person" includes a spouse, child, parent, or other close relative of the contractor or subcontractor; a partner or officer of the contractor or subcontractor; a corporation closely connected with the contractor or subcontractor as parent, subsidiary, or otherwise, and an officer or agent of such corporation.

(g) The term "Federal agency" means the United States, the District of Columbia, and all executive departments, independent establishments, administrative agencies, and instrumentalities of the United States and of the District of Columbia, including corporations, all or substantially all of the stock of which is beneficially owned by the United States, by the District of Columbia, or any of the foregoing departments, establishments, agencies, and instrumentalities.*

§ 2.3 *Weekly affidavit with respect to payment of wages.* (a) As used in this section, the term "employee" shall not apply to persons in classifications higher than that of laborer or mechanic and those who are the immediate supervisors of such employees.

(b) Each contractor or subcontractor engaged in the construction, prosecution, completion, or repair of any public building or public work, or building or work financed in whole or in part by loans or grants from a federal agency, shall furnish each week a sworn affidavit with respect to the wages paid each of its employees engaged on work covered by these regulations during the preceding weekly pay roll period. The affidavit shall be executed and sworn to by the contractor or subcontractor or by an authorized officer or employee of the contractor or subcontractor who supervises the payment of wages, and shall be in the following form:

STATE OF _____
County of _____, *ss:*

I, _____ (name of party signing affidavit), _____ (title), being duly sworn, do depose and say: That I pay or supervise the payment of the persons employed by _____ (contractor or subcontractor) on the _____ (building or work); that the attached pay roll sets out accurately and completely the name, occupation, and hourly wage rate of each person so employed for the weekly pay roll period from the _____ day of _____, 194__, to the _____ day of _____, 194__, the total number of hours worked by him during such period, the full weekly wages earned by him and any deductions made from such weekly wages, and the actual weekly wages paid to him; that no rebates have been or will be made either directly or indirectly to or on behalf of said _____ (contractor or subcontractor) from the full weekly wages earned as set out on the attached pay roll; and that no deductions, other than the permissible deductions (as defined in the Regulations under the "Kickback" Act (48 Stat. 948)) described in the following paragraph of this affidavit, have been made or will be made, either directly or indirectly, from the full weekly wages earned as set out on the attached pay roll.

(Paragraph describing deductions, if any)

_____
(Signature and title)

Sworn to before me this _____ day of _____, 194__.

(c) Upon a written finding by the head of a federal agency, the Secretary of Labor may provide reasonable limitations, variations, tolerances, and exemptions from the requirements of this section subject to such conditions as the Secretary of Labor may specify.*

§ 2.4 *Submission of weekly affidavits and subcontract summaries.* (a) Each weekly affidavit shall be delivered by the contractor or subcontractor, within seven days after the regular payment date of the pay roll period, to a representative of a Federal or State agency in charge at the site of the building or work, or, if there is no representative of

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[1] Sec. 2, 48 Stat. 948, 40 U.S.C., Sup., 276 (c).

[2] Sec. 9, 54 Stat. 1236; Sec. 4, 54 Stat. 231; 5 U.S.C., Sup., 113 (u).

[3] 6 F.R. 1210; 6 F.R. 6329, as amended.

[5] Note 1, *supra.*

a Federal or State agency at the site of the building or work, the affidavit shall be mailed by the contractor or subcontractor, within such time, to a Federal or State agency contracting for or financing the building or work. After such examination and check as may be made, such affidavit, or a copy thereof, together with a report of any violation, shall be transmitted to the United States Department of Labor at Washington, D. C., unless otherwise arranged with the Department of Labor.

(b) Each contractor or subcontractor shall, within seven days after the making of any subcontract with another person concerning the construction, prosecution, completion, or repair of any public building or public work or work or building financed in whole or in part by loans or grants from the United States, deliver to the local or national Government representative in charge at the site of the building or work, or, if there is no Government representative, shall mail within such time to the Federal agency contracting for or financing the building or work, an affidavit setting forth the name and address of his subcontractor and a summary description of the precise work subcontracted.*

§ 2.5 *Pay roll deductions.* (a) Deductions for the following purposes are permissible:

(1) Where required by Federal, State, or local statutes or ordinances to be made by the employer from the wages earned by the employee;

(2) Bona fide prepayment of wages without discount or interest;

(3) Deductions required by court process provided that the contractor or subcontractor will not be permitted to make such a deduction in favor of the contractor, subcontractor, or any affiliated person or where collusion or collaboration exists.

(b) Any deduction is also permissible which in fact meets the following standards and with respect to which the contractor or subcontractor shall have made written application by registered mail to the Secretary of Labor, a copy of which application shall be sent to the contracting agency by the contractor or subcontractor, setting forth all the pertinent facts indicating that such deductions will meet the following standards:

(1) That such deduction is not prohibited by other law; and

(2) That such deduction is (i) voluntarily consented to by the employee in writing and in advance of the period in which the work was done, and that consent to the deduction is not a condition either for the obtaining of or for the continuance of employment; or (ii) that such deduction is for the benefit of the employees or their labor organization through which they are represented and is provided for in a bona fide collective bargaining agreement; and

(3) That from such deduction no payment is made to, nor profit or benefit is obtained directly or indirectly by the contractor or subcontractor or any affiliated person, and that no portion of the funds, whether in the form of a commission or otherwise, will be returned to the contractor or subcontractor or to any affiliated person; and

(4) That the convenience and interest of the employees are served thereby, and that such or similar deductions have been customary in this or comparable situations.

(c) After application in good faith, the deduction may be made in accordance with the foregoing standards: *Provided, however,* That if the Secretary of Labor, on his own motion, or on the application of any person or agency affected by the granting of the application, shall conclude at any time, after written notice to the applicant and an opportunity for him to present his views in support of the deduction, that the deduction has not met the foregoing standards, such deduction shall cease to be "permissible" seven days after the applicant and the federal agency concerned have been notified of the Secretary's decision.

(d) Upon application to and prior written permission from the Secretary of Labor, and subject to the standards set forth in paragraph (b) (1), (2) and (4) hereof, deductions may be made by a contractor or subcontractor or any affiliated person, for membership fees in group benefit or retirement associations; for board and lodging; or for other purposes where the Secretary of Labor concludes the deduction is required by compelling circumstances; provided, however, the contractor, subcontractor, or any affiliated person does not make a profit or benefit directly or indirectly from the deduction. A copy of the Secretary's decision shall be sent to the applicant and the federal agency concerned.

(e) In accordance with and subject to the standards set forth in subparagraphs (1) through (4) of paragraph (b) of this section, general permission is hereby granted to make pay roll deductions for:

(1) The payment of the purchase price of United States Defense Stamps and Bonds and United States Tax Savings Notes;

(2) The repayment of loans to or the purchase of shares in credit unions organized and operated in accordance with District of Columbia, Federal, or State credit union statutes.

(3) Contributions to a federal governmental or quasi-governmental agency.

(f) In any case in which the employee does not have full and actual freedom of disposition of his wage payment, whether made in cash or by check, any restricted payment made to the employee is considered a deduction under the regulations in this part.

(g) Nothing herein shall be construed to permit any deduction which the contractor or subcontractor knew, or in the exercise of good faith should have known, did not meet the foregoing standards. In order to insure compliance with this section, the Secretary of Labor may notify the contractor or subcontractor that the deduction will be permitted only if certain conditions with respect thereto are observed. The contractor or subcontractor or any affiliated person shall also comply with such general rules and regulations concerning the deductions as the Secretary of Labor shall make from time to time, notice of which shall have been given to the contractor or subcontractor or any affiliated person making the deduction and to the federal agency concerned either directly or through publication in the FEDERAL REGISTER.*

§ 2.6 *Regulations part of contract.* All contracts made with respect to the construction, prosecution, completion, or repair of any public building or public work covered by the regulations in this part shall expressly bind the contractor or subcontractor to comply with such of the regulations in this part as may be applicable.*

§ 2.7 *Opinions relating to the regulations.* The Secretary of Labor will furnish an opinion regarding the coverage of any specific project or with respect to the application of any provision of the regulations in this part at the request of any Federal or State agency.*

§ 2.8 *Existing regulations superseded: Effective date.* The regulations in this part shall supersede all existing regulations issued under the Copeland Act, sixty (60) days after their publication in the FEDERAL REGISTER, and thereafter shall govern all new contracts and all uncompleted portions of contracts and subcontracts which were awarded subsequent to June 13, 1934: *Provided, however,* That parties to such contracts or subcontracts may comply with the regulations in this part before the expiration of the sixty (60) day period.*

[SEAL] FRANCES PERKINS,
Secretary.

[F. R. Doc. 42-993; Filed, February 3, 1942; 11:21 a. m.]

TITLE 30—MINERAL RESOURCES

CHAPTER III—BITUMINOUS COAL DIVISION

[Docket No. A-1227]

PART 321—MINIMUM PRICE SCHEDULE, DISTRICT NO. 1

ORDER GRANTING TEMPORARY RELIEF AND CONDITIONALLY PROVIDING FOR FINAL RELIEF IN THE MATTER OF THE PETITION OF DISTRICT BOARD NO. 1 FOR THE ESTABLISHMENT OF PRICE CLASSIFICATIONS AND MINIMUM PRICES AND FOR A CHANGE IN SHIPPING POINTS FOR THE COALS OF CERTAIN MINES IN DISTRICT NO. 1

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices and a change in shipping points and freight origin group numbers for the coals of certain mines in District No. 1; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 321.7 (*Alphabetical list of code members*) is amended by adding thereto Supplement R, and § 321.24 (*General prices*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof; and commencing forthwith, the rail shipping points and freight origin group numbers appearing in "Supplement R," attached hereto, for Mine Index Nos. 163, 2503, and 894 are hereby made effective in lieu of the rail shipping points and freight origin group numbers heretofore established for these mines.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order; pursuant to the Rules and Regulations Governing Practice and Procedure Before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

Dated: January 23, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 1

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 321, Minimum Price Schedule for District No. 1 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 321.7 *Alphabetical list of code members*—Supplement R

[Alphabetical listing of code members having railway loading facilities, showing price classifications by size group Nos.

Mine index No.	Code member	Mine name	Subdist. No.	Seam	Shipping point	Railroad	Freight origin group No.	1	2	3	4	5
3300	Walker, Ray S. (Bradford Coal Company).	Cooper Smokeless #1.	8	B	Morrisdale, Pa..	NYO...	44	(†)	(†)	II	II	II
LISTINGS TO CHANGE SHIPPING POINTS AND FREIGHT ORIGIN GROUP NOS.												
163	Fair Oak Coal Company (Evan Jarvis).	Fair Oak Coal Co.	40	C'	Confluence, Pa..	W.Md..	102	(†)	(†)	(*)	(†)	(†)
2503	Ferrari, Nick	Ferrari	6	D	Anita, Pa	PRR	50	(†)	(†)	(*)	(*)	(*)
894	Yanity Brothers (Casmer Yanity).	Coy	23	E	Homer City, Pa.	PRR	81	(†)	(†)	(*)	(†)	(†)

*Indicates coal in this size group previously classified and priced.
†Indicates no classifications effective for these size groups.

FOR TRUCK SHIPMENTS

§ 321.24 *General prices*—Supplement T

[Prices in cents per net ton for shipment into all market areas]

Code member index	Mine index No.	Mine	Subdistrict No.	County	Seam	All lump coal double screened top size 2 inches and over	Double screened top size 2 inches and under	Run of mine, modified R/M	2 inches and under slack	¾-inch and under slack
						1	2	3	4	5
Miller, Willis	1,778	Miller	22	Indiana	Pittsburgh..	245	220	(*)	210	200
Walker, Ray S. (Bradford Coal Company).	3,300	Cooper Smokeless #1.	8	Clearfield	B	------	------	210	200	190

*Indicates coal in this size group previously classified and priced.

[F. R. Doc. 42-933; Filed, February 2, 1942; 10:48 a. m.]

[Docket No. A-1254]

PART 321—MINIMUM PRICE SCHEDULE, DISTRICT NO. 1

ORDER GRANTING TEMPORARY RELIEF AND CONDITIONALLY PROVIDING FOR FINAL RELIEF IN THE MATTER OF THE PETITION OF DISTRICT BOARD NO. 1, FOR THE ESTABLISHMENT OF PRICE CLASSIFICATIONS AND MINIMUM PRICES FOR THE COALS OF CERTAIN MINES IN DISTRICT NO. 1

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 1; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 321.7 (*Alphabetical list of code members*) is amended by adding thereto Supplement R, and § 321.24 (*General prices*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before

the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: January 23, 1942.

[SEAL] DAN H. WHEELER, *Acting Director.*

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 1

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 321, Minimum Price Schedule for District No. 1 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 321.7 *Alphabetical list of code members*—Supplement R

[Alphabetical listing of code members having railway loading facilities, showing price classifications by size group Nos.]

Mine index No.	Code member	Mine name	Subdist. No.	Seam	Shipping point	Railroad	Freight origin group No.	1	2	3	4	5
2675	Penn Smokeless Fuel Company.	Spory	29	E	Jerome, Pa	B&O	100	F	F	F	F	F

NOTE.—If coals within either of the following groups of mines are loaded into the same car the price that shall apply to such mixture shall be the price which is listed for the coal in the mixture which has the higher price classification: Mine Index Nos. 667, 3293, and 3294 of Mike Acey; Mine Index Nos. 3192 and 3193 of Harry O. McClain (McClain Coal Co.); Mine Index Nos. 88, 3187 and 1453 of Cherry Run Coal Mng. Co. (A. A. Groe); Mine Index Nos. 2675, 1077, and 213 of Penn Smokeless Fuel Company.

TRUCK SHIPMENTS

§ 321.24 *General prices*—Supplement T

[Prices in cents per net ton for shipment into all market areas]

Code member index	Mine Index No.	Mine	Subdistrict No.	County	Seam	All lump coal double screened top size 2" and over	Double screened top size 2" and under	Run of mine, modified R/M	2" and under slack	¾" and under slack
						1	2	3	4	5
No. 16 Coal Company (Joseph Matchock).	3327	No. 16 Coal Co	20	Clearfield	D	------	------	220	----	----
Penn Smokeless Fuel Company	2675	Spory	29	Somerset	E	245	------	(*)	210	200

*Indicates coal in this size group previously classified and priced.

[F. R. Doc. 42-934; Filed, February 2, 1942; 10:49 a. m.]

[Docket No. A-1207]

PART 327—MINIMUM PRICE SCHEDULE, DISTRICT NO. 7

ORDER GRANTING TEMPORARY RELIEF AND CONDITIONALLY PROVIDING FOR FINAL RELIEF IN THE MATTER OF THE PETITION OF DISTRICT BOARD NO. 7 FOR THE ESTABLISHMENT OF PRICE CLASSIFICATIONS AND MINIMUM PRICES FOR THE COALS OF CERTAIN MINES IN DISTRICT NO. 7

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 7; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 327.11 (*Low volatile coals: Alphabetical list of code members*) is amended by adding thereto Supplement R, and § 327.34 (*General prices in cents per net ton for shipment into any market area*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

Dated: January 23, 1942.

[SEAL] DAN H. WHEELER, *Acting Director.*

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 7

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 327, Minimum Price Schedule for District No. 7 and Supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 327.11 *Low volatile coals: Alphabetical list of code members*—Supplement R

[Alphabetical list of code members having railway loading facilities, showing price classifications by size groups for all uses except as separately shown]

Mine index No.	Code member	Mine name	Sub-district No.	Low volatile seam	Shipping point	Railroad	Freight origin group No.	Price classification by size group No. 1	2	3	4	5	6	7	8	9	10
562	Brooks, T. G. (New Richmond Coal Co.)	Brooks #1	5	Fire Creek	Pinoville, W. Va	VGN Ry	14	D	D	C	A	A	B	B	B	B	B
292	Brooks, T. G. (New Richmond Coal Co.)	Brooks #2	5	Poca. 6	Pinoville, W. Va	VGN Ry	14	D	D	C	A	A	B	B	B	B	B
569	Dequino, Louis & Tony, & Fred Cook (Louis Dequino)	Brown Eyes	3	Poca. 3	Powhatan, W Va	N&W	20	(†)	(†)	(†)	(†)	(†)	B	B	(†)	(†)	(†)
276	Taylor, J. S	Lynn	4	War Creek	Susanna, W. Va	N&W	30	(†)	(†)	(†)	(†)	(†)	E	D	(†)	(†)	(†)
612	Thompson, C. J	Ruth	3	Poca. 3	Matoaka, W. Va	N&W	20	D	D	C	A	A	(*)	(*)	B	B	(†)

*Indicates coal in this size group previously classified and priced.

†Indicates no classifications effective for these size groups.

FOR TRUCK SHIPMENTS

§ 327.34 *General prices in cents per net ton for shipment into any market area*—Supplement T

Code member index	Mine index No.	Mine	Sub-district No.	County	Seam	All lump, 3½" or larger, all egg and stove 1	All nut or pea 1¼" top size or smaller 2	Screened M/R 3	Straight mine run 4	1¼" screenings 5	¾" screenings 6
Brooks, T. G. (New Richmond Coal Co.).	562	Brooks #1	5	Wyoming	Fire Creek	290	250	(*)	(*)	195	(*)
Brooks, T. G. (New Richmond Coal Co.).	292	Brooks #2	5	Wyoming	Poca. 6	290	250	280	215	195	190
Camp, D. C	276	Camp	4	McDowell	War Creek	------	------	250	195	----	----
Thompson, C. J	612	Ruth	3	Mercer	Poca. 3	290	250	(*)	(*)	(*)	(*)

*Indicates coal in this size group previously classified and priced.

[F. R. Doc. 42-935; Filed, February 2, 1942; 10:50 a. m.]

[Docket Nos. A-132, A-158, A-171, A-178, A-205, A-223, A-230, A-242, A-246, A-260, A-266, A-283, A-287, and A-362]

PART 328—MINIMUM PRICE SCHEDULE, DISTRICT NO. 8

ORDER AMENDING ORDER GRANTING PERMANENT RELIEF IN THE MATTER OF THE PETITIONS OF DISTRICT BOARDS NOS. 1, 2, 4, 6, 8, 13, AND 19, RESPECTIVELY, FOR THE ESTABLISHMENT OF PRICE CLASSIFICATIONS AND MINIMUM PRICES FOR THE COALS OF CERTAIN MINES NOT HERETOFORE CLASSIFIED AND PRICED

Proceedings having been instituted upon original petitions of District Boards 1, 2, 4, 6, 8, 13, and 19, respectively, filed with the Bituminous Coal Division, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, proposing and seeking the establishment of price classifications and effective minimum prices for the coals of certain mines in the respective districts which had not theretofore been classified and priced;

Hearings having been held and the Director having granted permanent relief in an Order dated November 6, 1941, 6 F.R. 6476;

It appearing that certain errors were inadvertently made in Supplements R-XI and T-VI concerning District 8 annexed to and made a part of said Order;

Now, therefore, it is ordered, That Supplement R-XI, § 328.11 (*Alphabetical list of code members*), and Supplement T-VI, § 328.34 (*General prices for high volatile coals in cents per net ton for shipment into all market areas*), concerning District 8 annexed to and made part of said Order of the Director dated November 6, 1941, be and they hereby are amended by making the following corrections therein:

1. The "M" price classification listed in Supplement R-XI for the coals in Size Groups 18 to 21 produced for rail and lake shipment by the Piedmont #2 Mine of G. A. Bailey (Mine Index No. 2088), the W. C. Brown Mine (Mine Index No. 1894), and the S. S. Crass Mine (Mine Index No. 2040) is changed to "K."

2. The "N" price classification listed in Supplement R-XI for the Size Group 10 coals of the Benedict #7 Mine of Benedict Coal Corporation (Mine Index No. 40) for lake shipment is deleted.

3. The name Foley, L. O. & R. V., listed in Supplement R-XI as the code member operating the Foley Mine (Mine Index No. 1941), is amended to read "Foley, L. D. & R. V.".

4. The name "Glover, W. H. (Draper Mining Company)", listed in Supplement R-XI as the code member operating the Draper Mine (Mine Index No. 426), is changed to "Eagle Mines, Inc., The," and the mine name of "Draper" is changed to "Shamrock."

5. The "A" price classification listed in Supplement R-XI for the coals of the Brafford Mine of F. M. Johnson (Mine Index No. 536) in Size Groups 16 and 17 for lake shipment is changed to "K."[1]

6. The "C" price classification listed in Supplement R-XI for the coals of the Cardinal #2 Mine of Kentucky Cardinal C. Corp. (Mine Index No. 562) in Size Groups 16 and 17 for lake shipment is changed to "L."

7. A price classification of "E" is added in Supplement R-XI for the Size Group 10 coals of the #4 Mine of Stearns Coal & Lumber Co. (Mine Index No. 442) for lake shipment.

8. The name of "Tye & Nae (H. S. Tye)," listed in Supplements R-XI and T-VI as the code member operating the Lick Creek Mine (Mine Index No. 2931), is amended to read "Tye & Noe (H. S. Tye)."

9. The name "Octavia Coal Mining Company, Inc., The," listed in Supplement R-XI as the code member operating the Octavia Mine (Mine Index No. 356), is amended to read "Octavia Coal Mining Corporation, The."

10. The name "Mingo Mining Co.", listed in Supplement R-XI as the code member operating the Mingo #1 Mine (Mine Index No. 334), is amended to read "Mingo Mining Company."

Dated: January 29, 1942.

[SEAL] DAN H. WHEELER, *Acting Director.*

[F. R. Doc. 42-930; Filed, February 2, 1942; 10:47 a. m.]

[1] In Docket No. A-991, the price classification for these coals was changed, by Order of the Acting Director, dated November 28, 1941, from "H" to "K."

[Docket No. A-1203]

PART 333—MINIMUM PRICE SCHEDULE, DISTRICT NO. 13

ORDER GRANTING TEMPORARY RELIEF AND CONDITIONALLY PROVIDING FOR FINAL RELIEF IN THE MATTER OF THE PETITION OF DISTRICT BOARD NO. 13 FOR THE ESTABLISHMENT OF PRICE CLASSIFICATIONS AND MINIMUM PRICES FOR THE COALS OF CERTAIN MINES IN DISTRICT NO. 13

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 13; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 333.6 (*General prices*) is amended by adding thereto Supplement R-I, § 333.7 (*Special prices*—(a) *Prices for shipment to all railroads and for exclusive use of railroads*) is amended by adding thereto Supplement R-II, § 333.7 (*Special prices*—(c) *Prices for shipment by railroad, applicable to all coal sold for steamship vessel fuel*) is amended by adding thereto Supplement R-III, § 333.34 (*General prices in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T-I, and § 333.43 (*General prices in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T-II, which supplements are hereinafter set forth and hereby made a part hereof.

With respect to the Marion Nos. 16, 17, 18, 19 and 20 Mines of the Marion Black Creek Coal Mining Co., the schedule attached to the original petition requests the establishment of a price of $3 per ton in Size Group 13 for rail shipments. The explanatory matter with regard to prices in this size group for the said mines states that Size Group 13 is to be 10¢ higher than Size Group 12 for Mine Index No. 14. The price proposed in the schedule, however, is in fact 10¢ higher than Size Group 13 for Mine Index No. 14. Moreover, no price has been established for the coal in Size Group 12 produced at Mine Index No. 14. Because the price of $3 per ton for coal produced at these mines in Size Group 13 corresponds to the price established for coals of similar quality in the same size group produced at other mines in District No. 13, it is concluded that reference to Size Group 12 in the explanatory matter is a typographical error and that the reference should be to Size Group 13. This conclusion is supported by a communication dated December 31, 1941, from District Board No. 13 to the Division.

With respect to the Cy Bell Mine of George Gallacher, the schedule attached to the original petition requests the establishment of a price of $2.90 per ton in Size Group 13 for rail shipments. The explanatory matter with regard to prices in this size group for the said mine states that the price proposed for Size Group 13 is to be the same as that established for Size Group 12 for Mine Index No. 14. The price proposed in the schedule, however, is in fact the same as the price established for Size Group 13 for Mine Index No. 14. Moreover, no price has been established for the coal in Size Group 12 produced at Mine Index No. 14. Because the price of $2.90 per ton for coal produced at the Cy Bell Mine in Size Group 13 corresponds to the price established for coals of similar quality in the same size group produced at other mines in District No. 13, it is concluded that reference to Size Group 12 in the explanatory matter is a typographical error and that the reference should be to Size Group 13. This conclusion is supported by a communication dated December 31, 1941, from District Board No. 13 to the Division.

With respect to the Galloway Nos. 21 and 22 Mines of the Galloway Coal Co., the schedule attached to the original petition requests the establishment of a price of $2.30 per ton for the coals produced in Size Groups 14, 15 and 16 and a price of $2.30 per ton for the coals produced in Size Group 19 for rail shipments. The explanatory matter with regard to prices in these size groups for the said mines states that the prices for Size Groups 14, 15 and 16 are to be the same as the prices established for the coals in these size groups produced at Mine Index No. 33 and that the price proposed for Size Group 19 is to be 10¢ less than the price established for the coals in Size Group 14 produced at Mine Index No. 33. Prices proposed in the explanatory matter, however, are in fact 5¢ higher in each of these size groups than the prices proposed in the schedule attached to the petition. Because the prices proposed in the explanatory matter correspond to prices heretofore established for coals of similar quality produced in District No. 13, it is concluded that the prices proposed in the schedule attached to the petition are erroneous as a result of typographical errors and that the explanatory matter describes the prices which District Board No. 13 intended to propose.

With respect to the coals produced at the Stansbury Mine of Stansbury & Stansbury (A. H. Stansbury) and at the Jenkins #2 Mine of W. R. Jenkins, the original petition proposes a price for the coals produced at these mines in Size Group 4 of $2.50 per ton and in Size Group 5 of $2.60 per ton. These proposed prices do not correspond with prices heretofore established for the coals of similar quality produced in the same size groups by other mines in District No. 13, which have been priced at $2.60 per ton and $2.50 per ton in Size Groups 4 and 5, respectively. It appears, therefore, that the prices proposed in Size Groups 4 and 5 for these two mines have been transposed by a typographical error and that the original petition is intended to request a price of $2.60 per ton and $2.50 per ton for the coals produced in Size Groups 4 and 5, respectively, by these two mines. This conclusion is supported by a communication dated December 31, 1941, from District Board No. 13.

With respect to the Gaither Mine of Cicero Gaither, the petition requests the establishment of prices for rail shipments originating at Warrior, Alabama. This request conflicts with the records of the Division which reveal that the code member desires that prices be established for rail shipments originating at Hayden, Alabama. Therefore, prices established herein for coals produced at the said mine when shipped by rail are for shipments originating at Hayden, Alabama.

With respect to the coals produced at the Rocky Branch Mine of E. C. Brock, the petition requests a price of $2.20 per ton for the coals produced in Size Group 15. This price is substantially lower than the price of $2.60 per ton heretofore established for coals of similar quality in the same size group produced in District No. 13. A communication from the district board dated December 31, 1941, states that the proposal of $2.20 was a typographical error and that it was and is the intention of the district board to propose a price of $2.60 per ton for the coals produced in Size Group 15 at this mine.

Several mines are listed in the petition for the apparent purpose of advising the Division of a change in the Code Membership with respect to such mines. No relief is asked for these mines and, therefore, no relief is granted as to them herein. In several instances the names of code member producers and their mines were inaccurately spelled or the full names were not stated. These items have been changed to conform to the records of the Division. The Blocton Mine of code member David S. Evans was improperly identified in the petition as Mine Index No. 193. The proper Mine Index No. is 195 and the mine is described accordingly in this Order.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

Dated: January 22, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 13

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 333, Minimum Price Schedule for District No. 13 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 333.6 *General prices*—Supplement R-I

Prices f. o. b. mines for shipment by railroad, applicable for all uses except railroad locomotive fuel, steamship bunker fuel, and blacksmithing]

Mine index No.	Code member	Mine	Sub-district	Seam	Freight origin group
	BIBB COUNTY, ALA.				
105	Evans, David S	Blocton No. 8 [1]	1	Thompson	41
	BLOUNT COUNTY, ALA.				
1309	Cooper, Floyd	Cooper's [2]	1	Black Creek	31
1372	Cooper, Floyd	Cooper's No. 2 [2]	1	Black Creek	31
1408	Drake & Cato (C. R. Drake)	Drake & Cato [2]	1	Black Creek	31
1360	Hays & Beasley (Alfred D. Hays)	Nyota No. 0 [2]	1	Black Creek	31
229	Reid, Robert W	Reid [2]	1	Black Creek	31
1373	Skinner & Parker (R. S. Skinner)	Skinner [2]	1	Black Creek	31
1370	Smith, F. R	Smith No. 2 [2]	1	Black Creek	31
1357	Tidwell & Reno (R. D. Tidwell)	Nyota No. 5 [2]	1	Black Creek	31
1287	Whaley, Grady T	Whaley Black Creek [2]	1	Black Creek	31
1354	Gaither, Cicero	Gaither [2]	1	Black Creek	31
1402	Parker, Billie	Bell [2]	1	Black Creek	31
	JEFFERSON COUNTY, ALA.				
1288	Bennett, J. W	McCormack [4]	1	Pratt	50
1375	Bonds, A. E	New Nickel Plate [5]	1	Nickel Plate	50
1376	Daisy City Coal Co. (Damon Negron)	Daisy City #7 [6]	1	Pratt	L
1377	Daisy City Coal Co. (Damon Negron)	Daisy City #3 [7]	1	Nickel Plate	50
1351	Lollar, E. E	Lollar [8]	1	Nickel Plate	50
1412	Smith & Smith (R. D. Smith)	Old Warner [9]	1	Pratt	50
326	Garrett & Whitten (J. A. Garrett)	Happy Hollow [10]	1	Mary Lee	31

[1] Shipping Point: Blocton, Ala.; Railroad: GM&O, L&N, and Sou.
This mine shall have the same price in size group 13 on all price tables as listed for mine with Index Number 4.
This mine shall have a price in size group 23 on all price tables, 10¢ under the price listed in size group 18 for mine with Index Number 4.

[2] Shipping Point: Warrior, Ala.; Railroad: L&N. These mines shall have a price in size group 13 on all price tables, 10¢ under the price listed in size group 12 for mine with Index Number 76.

[3] Shipping Point: Hayden, Ala.; Railroad: L&N. These mines shall have a price in size group 13 on all price tables, 10¢ under the price listed in size group 12 for mine with Index Number 76.

[4] Shipping Point: Brookside, Ala., Railroad: Southern.
This mine shall have the same prices in size groups 13 and 23 on all price tables as listed for mine with Index Number 71.

[5] Shipping Point: Republic, Ala.; Railroad: Southern
This mine shall have a price in size group 13 on all price tables, 5¢ under the price listed for mine with Index Number 71.

[6] Shipping Point: Brookside, Ala.; Railroad: Southern.
This mine shall have the same prices in size groups 13 and 23 on all price tables as listed for mine with Index Number 71.

[7] Shipping Point: Brookside, Ala.; Railroad: Southern.
This mine shall have a price in size groups 13 and 23 on all price tables, 5¢ under the prices listed for mine with Index Number 71.

[8] Shipping Point: Brookside, Ala.; Railroad: Southern.
This mine shall have a price in size group 13 on all price tables, 5¢ under the price listed for mine with Index Number 71.

[9] Shipping Point: Republic, Ala.; Railroad: Southern.
This mine shall have the same price in size group 13 on all price tables as listed for mine with Index Number 71.

[10] Shipping Point: Tarrant, Ala. (Shipping point formerly Monmouth, Ala.); Railroad: L&N.

§ 333.6 *General prices*—Supplement R-I—Continued

Mine index No.	Code member	Mine	Sub-district	Seam	Freight origin group
	MARION COUNTY, ALA.				
1381	Guthrie, Fred	Wheelot #1 [11]	1	Black Creek	101
1327	Harbin, W. J	Harbin #5 [12]	1	Black Creek	101
1328	Harbin, W. J	Harbin #6 [12]	1	Black Creek	101
1329	Harbin, W. J	Harbin #7 [12]	1	Black Creek	101
1330	Harbin, W. J	Harbin #8 [12]	1	Black Creek	101
1383	Marion Black Creek Coal Mining Co	Marion No. 16 [13]	1	Black Creek	101
1384	Marion Black Creek Coal Mining Co	Marion No. 17 [13]	1	Black Creek	101
1385	Marion Black Creek Coal Mining Co	Marion No. 18 [13]	1	Black Creek	101
1386	Marion Black Creek Coal Mining Co	Marion No. 19 [13]	1	Black Creek	101
1387	Marion Black Creek Coal Mining Co	Marion No. 20 [13]	1	Black Creek	101
	SHELBY COUNTY, ALA.				
512	Paramount Coal Co	Paramount #6 [14]	1	Helena	31
	TUSCALOOSA COUNTY, ALA.				
838	Jenkins, H. M	Jenkins [15]	1	Milldale	44
	WALKER COUNTY, ALA.				
166	Gallacher, George	Cy Bell [16]	1	Black Creek	110
1389	Galloway Coal Co	Galloway No. 21 [17]	1	Jagger	101
1390	Galloway Coal Co	Galloway No. 22 [17]	1	Mary Lee	101

[11] Shipping Point: Glen Allen, Ala.; Railroad: SL&SF.
This mine shall have a price in size group 13 on all price tables, 10¢ higher than the price listed for mine with Index Number 14.
This mine shall have the same price in size group 18 on all price tables as listed for mine with Index Number 18.
This mine shall have a price in size group 23 on all price tables, 10¢ under the price listed in size group 18 for mine with Index Number 18.

[12] Shipping Point: Glen Allen, Ala.; Railroad: SL&SF.
These mines shall have the same prices in size groups 1, 4, 6, 17 and 18 on all price tables as listed for mine with Index Number 18.
These mines shall have a price in size groups 13 and 19 on all price tables, 10¢ higher than the prices listed for mine with Index Number 14.
These mines shall have a price in size group 23 on all price tables, 10¢ under the price listed in size group 18 for mine with Index Number 18.

[13] Shipping Point: Glen Allen, Ala. Railroad: SL&SF.
These mines shall have the same prices in size groups 1, 2, 4, 6, 17 and 18 on all price tables as listed for mine with Index Number 18.
These mines shall have a price in size groups 7, 22, and 23 on all price tables, 10¢ under the prices listed in size groups 6, 17 and 18, respectively, for mine with Index Number 18.
These mines shall have a price in size group 20 on all price tables, 10¢ higher than the price listed in size group 19 for mine with Index Number 14.
These mines shall have a price in size group 13 on all price tables, 10¢ higher than the price listed for mine with Index Number 14.

[14] Shipping Point: Paramount, Ala. Railroad: L&N.
This mine shall have the same prices in size groups 1, 2, 6, 12, 14, 15, 16, 17, 18 and 24 on all price tables as listed for Mine with Index Number 53.

[15] Shipping Point: Brookwood, Ala. Railroad: L&N.
This mine shall have the same price in size group 13 on all price tables as listed for mine with Index Number 14.
This mine shall have the same price in size group 23 on all price tables as listed in size group 18 for mine with Index Number 17.

[16] Shipping Point: Nauvoo, Ala.; Railroad: Southern.
This mine shall have the same prices in size groups 1 and 13 on all price tables as listed for mine with Index Number 14.
This mine shall have a price in size groups 7 and 23 on all price tables, 10¢ under the prices listed in size groups 6 and 18, respectively, for mine with Index Number 14.

[17] Shipping Point: Carbon Hill, Ala.; Railroad: SL&SF.
These mines shall have the same prices in size groups 1, 2, 6, 12, 14, 15, 16, 17, 18 and 24 on all price tables as listed for mine with Index Number 33.
These mines shall have a price in size groups 7, 13, 19, 22 and 23 on all price tables, 10¢ under the prices listed in size groups 6, 12, 14, 17 and 18, respectively, for mine with Index Number 33.

§ 333.6 *General prices*—Supplement R-I—Continued

Mine index No.	Code member	Mine	Sub-district	Seam	Freight origin group
	WALKER COUNTY ALA—continued.				
1391	Harris, Coniel	Broome #2 [18]	1	Mt. Carmel	10
1393	Myers, Dewey	Myers No. 2 [19]	1	Jagger	101
1394	Myers, Dewey	Myers No. 3 [19]	1	Jagger	101
1395	Myers, Dewey	Myers No. 4 [19]	1	Jagger	101
1396	Tucker, S. C	Gas Light No. 2 [20]	1	Corona	120
1410	Wilson & Huddleston (E. S. Wilson)	Wilson #1 [21]	1	Mary Lee	50
1411	Wilson & Huddleston (E. S. Wilson)	Wilson #2 [21]	1	Mary Lee	50

[18] Shipping Point: Cordova, Ala.; Railroad: SL&SF.
This mine shall have a price in size groups 13 and 23 on all price tables, 10¢ under the prices listed in size groups 12 and 18, respectively, for mine with Index Number 31.
[19] Shipping Point: Carbon Hill, Ala.; Railroad: SL&SF
These mines shall have the same prices in size groups 1 and 2 on all price tables as listed for mine with Index Number 33.
These mines shall have a price in size groups 7, 13, 22 and 23 on all price tables, 10¢ under the prices listed in size groups 6, 12, 17 and 18, respectively, for mine with Index Number 33.
[20] Shipping Point: Oakman, Ala.; Railroad: Southern
This mine shall have the same prices in size groups 1 and 2 on all price tables as listed for mine with Index Number 56.
This mine shall have a price in size groups 7, 13, 22 and 23 on all price tables, 10¢ under the prices listed in size groups 6, 12, 17 and 18, respectively, for mine with Index Number 56.
[21] Shipping Point: Burnwell, Ala.; Railroad: Southern
These mines shall have the same prices in size groups 1 and 2 on all price tables as listed for mine with Index Number 31.
These mines shall have a price in size groups 7, 13, 19, 22 and 23 on all price tables, 10¢ under the prices listed in size groups 6, 12, 14, 17 and 18, respectively, for mine with Index Number 31.

§ 333.7 *Special prices*—(a) *Prices for shipment to all railroads and for exclusive use of railroads*—Supplement R-II

[Prices f. o. b. mines for shipment to all railroads and for the exclusive use of railroads]

Mine index No.	Code member	Mine	Sub-district	Seam	Freight origin group
	BIBB COUNTY, ALA.				
195	Evans, David S	Blocton No. 8 [1]	1	Thompson	41
	JEFFERSON COUNTY, ALA.				
1288	Bennett, J. W	McCormack [1]	1	Pratt	50
1412	Smith & Smith (R. D. Smith)	Old Warner [1]	1	Pratt	50
	MARION COUNTY, ALA.				
182	Marion Black Creek Coal Mining Co	Marion No. 1 [1]	1	Black Creek	101
183	Marion Black Creek Coal Mining Co	Marion No. 2 [1]	1	Black Creek	101
184	Marion Black Creek Coal Mining Co	Marion No. 3 [1]	1	Black Creek	101
185	Marion Black Creek Coal Mining Co	Marion No. 4 [1]	1	Black Creek	101
186	Marion Black Creek Coal Mining Co	Marion No. 10 [1]	1	Black Creek	101
187	Marion Black Creek Coal Mining Co	Marion No. 11 [1]	1	Black Creek	101
188	Marion Black Creek Coal Mining Co	Marion No. 12 [1]	1	Black Creek	101
189	Marion Black Creek Coal Mining Co	Marion No. 13 [1]	1	Black Creek	101
190	Marion Black Creek Coal Mining Co	Marion No. 14 [1]	1	Black Creek	101
191	Marion Black Creek Coal Mining Co	Marion No. 15 [1]	1	Black Creek	101
1383	Marion Black Creek Coal Mining Co	Marion No. 16 [1]	1	Black Creek	101
1384	Marion Black Creek Coal Mining Co	Marion No. 17 [1]	1	Black Creek	101
1385	Marion Black Creek Coal Mining Co	Marion No. 18 [1]	1	Black Creek	101
1386	Marion Black Creek Coal Mining Co	Marion No. 19 [1]	1	Black Creek	101
1387	Marion Black Creek Coal Mining Co	Marion No. 20 [1]	1	Black Creek	101

[1] The above mines in the various counties shall have the same prices for all sizes customarily furnished railroads for Locomotive Fuel on price tables as listed for mines with Index Numbers 1, 2, 3, etc. (See § 333.7 (a) in Minimum Price Schedule.)

§ 333.7 *Special prices*—(a) *Prices for shipment to all railroads and for exclusive use of railroads*—Supplement R-II—Continued

Mine index No.	Code member	Mine	Sub-district	Seam	Freight origin group
	WALKER COUNTY, ALA.				
1226	Brasfield & Owen	Burnwell [1]	1	Mary Lee	50
1391	Harris, Coniel	Broome #2	1	Mt. Carmel	101
1393	Myers, Dewey	Myers No. 2 [1]	1	Jagger	101
1394	Myers, Dewey	Myers No. 3 [1]	1	Jagger	101
1395	Myers, Dewey	Myers No. 4 [1]	1	Jagger	101
1396	Tucker, S. C	Gas Light No. 2 [1]	1	Corona	120
1410	Wilson & Huddleston (E. S. Wilson)	Wilson #1 [1]	1	Mary Lee	50
1411	Wilson & Huddleston (E. S. Wilson)	Wilson #2 [1]	1	Mary Lee	50
	SHELBY COUNTY, ALA.				
512	Paramount Coal Co	Paramount #6 [2]	1	Helena	31
	WALKER COUNTY, ALA.				
1389	Galloway Coal Co	Galloway No. 21 [3]	1	Jagger	101
1390	Galloway Coal Co	Galloway No. 22 [3]	1	Mary Lee	101

[1] The above mines in the various counties shall have the same prices for all sizes customarily furnished railroads for Locomotive Fuel on price tables as listedf or mines with Index Numbers 1, 2, 3, etc. (See § 333.7 (a) in Minimum Price Schedule.)
[2] This mine shall have the same prices for all sizes customarily furnished railroads for Locomotive Fuel on price tables as listed for mine with Index Number 58. (See § 333.7 (a) in Minimum Price Schedule.)
[3] These mines shall have the same prices for all sizes customarily furnished railroads for Locomotive Fuel on price tables as listed for mines with Index Numbers 1, 2, 3, etc. (See § 333.7 (a) in Minimum Price Schedule.)

§ 333.7 *Special prices*—(c) *Prices for shipment by railroad, applicable to all coal sold for steamship vessel fuel*—Supplement R-III

[Prices f. o. b. mines for shipment by railroad, applicable to all coal sold for steamship vessel fuel subject to price instructions and exceptions]

Mine index No.	Code member	Mine	Sub-district	Seam	Freight origin group
	BIBB COUNTY, ALA.				
195	Evans, David S	Blocton No. 8 [1]	1	Thompson	41
	JEFFERSON COUNTY, ALA.				
1412	Smith & Smith (R. D. Smith)	Old Warner [2]	1	Pratt	50
	MARION COUNTY, ALA.				
1381	Guthrie, Fred	Wheeler No. 1 [3]	1	Black Creek	101
182	Marion Black Creek Coal Mining Co	Marion No. 1 [3]	1	Black Creek	101
183	Marion Black Creek Coal Mining Co	Marion No. 2 [3]	1	Black Creek	101
184	Marion Black Creek Coal Mining Co	Marion No. 3 [3]	1	Black Creek	101
185	Marion Black Creek Coal Mining Co	Marion No. 4 [3]	1	Black Creek	101
186	Marion Black Creek Coal Mining Co	Marion No. 10 [3]	1	Black Creek	101
187	Marion Black Creek Coal Mining Co	Marion No. 11 [3]	1	Black Creek	101
188	Marion Black Creek Coal Mining Co	Marion No. 12 [3]	1	Black Creek	101
189	Marion Black Creek Coal Mining Co	Marion No. 13 [3]	1	Black Creek	101
190	Marion Black Creek Coal Mining Co	Marion No. 14 [3]	1	Black Creek	101
191	Marion Black Creek Coal Mining Co	Marion No. 15 [3]	1	Black Creek	101
1383	Marion Black Creek Coal Mining Co	Marion No. 16 [3]	1	Black Creek	101
1384	Marion Black Creek Coal Mining Co	Marion No. 17 [3]	1	Black Creek	101
1385	Marion Black Creek Coal Mining Co	Marion No. 18 [3]	1	Black Creek	101
1386	Marion Black Creek Coal Mining Co	Marion No. 19 [3]	1	Black Creek	101
1387	Marion Black Creek Coal Mining Co	Marion No. 20 [3]	1	Black Creek	101

[1] This mine shall have the same prices on price table as set forth in § 333.7 (c) in Minimum Price Schedule for District No. 13 as shown for mine with Index Number 4.
[2] This mine shall have the same prices on price table as set forth in § 333.7 (c) in Minimum Price Schedule for District No. 13 as shown for mine with Index Number 71.
[3] These mines shall have the same prices on price table as set forth in § 333.7 (c) in Minimum Price Schedule for District No. 13 as shown for mine with Index Number 18.

§ 333.7 *Special prices*—(c) *Prices for shipment by railroad, applicable to all coal sold for steamship vessel fuel*—Supplement R–III—Continued

Mine index No.	Code member	Mine	Sub-district	Seam	Freight origin group
	SHELBY COUNTY, ALA.				
512	Paramount Coal Co	Paramount #6 [4]	1	Helena	31
	WALKER COUNTY, ALA.				
13	Brookside-Pratt Mining Co	Deepwater [5]	1	Black Creek	110
1301	Harris, Coniel	Broomo #2 [6]	1	Mt. Carmel	101
1303	Myers, Dewey	Myers No. 2 [7]	1	Jagger	101

[4] This mine shall have the same prices on price table as set forth in § 333.7 (a) in Minimum Price Schedule for District No. 13 as shown for mine with Index Number 58.
[5] This mine shall have the same prices on price table as set forth in § 333.7 (c) in Minimum Price Schedule for District No. 13 as shown for mines with Index Numbers 14 and 15.
[6] This mine shall have the same prices on price table as set forth in § 333.7 (c) in Minimum Price Schedule No. 1 for District No. 13 as shown for mine with Index Number 31.
[7] These mines shall have the same prices on price table as set forth in § 333.7 (c) in Minimum Price Schedule for District No. 13 as shown for mine with Index Number 33.

§ 333.7 *Special prices*—(c) *Prices for shipment by railroad, applicable to all coal sold for steamship vessel fuel*—Supplement R–III—Continued

Mine index No.	Code member	Mine	Sub-district	Seam	Freight origin group
	WALKER COUNTY, ALA.—continued				
1304	Myers, Dewey	Myers No. 3 [7]	1	Jagger	101
1305	Myers, Dewey	Myers No. 4 [7]	1	Jagger	101
1306	Tucker, S. C	Gas Light No. 2 [8]	1	Corona	120
1389	Galloway Coal Co	Galloway No. 21 [9]	1	Jagger	101
1390	Galloway Coal Co	Galloway No. 22 [9]	1	Mary Lee	101

[8] This mine shall have a price of $2.05 for size group 13 for Steamship Vessel Fuel.
[9] These mines shall have the same prices on price table as set forth in § 333.7 (c) in Minimum Price Schedule for District No. 13 as shown for mines with Index Numbers 30, 31, 32, 33, etc.

FOR TRUCK SHIPMENTS

§ 333.34 *General prices in cents per net ton for shipment into all market areas*—Supplement T–I

Code member index	Mine	Mine index No.	Sub-district	Seam	Lump: Over 2", egg: Top size over 6"	Egg: Top size 6" and under	Lump: 2" and under	Nut: Top size 3" and under bottom size over ½"		Chestnut: Top size 3" and under, bottom size ½" and under		Chestnut: Top size 1½" and under, bottom size ½" and under		Run of mine, modified R/M	Resultants: 3" and under		Screenings: 1½" and under		Industrial coal
								Wash	Raw	Wash	Raw	Wash	Raw	Raw	Wash	Raw	Wash	Raw	24, 25, 26
					1	2	3	6	7	8	9	10	11	13	17	22	18	23	
ALABAMA																			
BIBB COUNTY																			
Odom, J. I	Odom	1355	2	Upper Nunnally	280	280	275	295	275	-------	-------	270	250	230	235	200	230	180	230
BLOUNT COUNTY																			
Cooper, Floyd	Cooper's #2	1372	2	Black Creek	355	355	340	345	325	310	300	295	285	285	275	265	265	250	285
Drake & Cato (C. R. Drake)	Drake & Cato	1408	2	Black Creek	355	355	340	345	325	310	300	295	285	285	275	265	265	250	285
Gaither, Cicero	Gaither	1354	2	Black Creek	355	355	340	345	325	310	300	295	285	285	275	265	265	250	285
Hays & Beasley (Alfred D. Hays)	Nyota No. 9	1360	2	Black Creek	355	355	340	345	325	310	300	295	285	285	275	265	265	250	285
Mickle & Gilland (William Mickle)	Mickle & Gilland	1349	2	Black Creek	355	355	340	345	325	310	300	295	285	285	275	265	265	250	285
Parker, Billie	Bell	1402	2	Black Creek	355	355	340	345	325	310	300	295	285	285	275	265	265	250	285
Skinner & Parker (R. S. Skinner)	Skinner	1373	2	Black Creek	355	355	340	345	325	310	300	295	285	285	275	265	265	250	285
Skinner, Willie	Scratchout No. 2	1362	2	Black Creek	355	355	340	345	325	310	300	295	285	285	275	265	265	250	285
Tidwell & Reno (R. D. Tidwell)	Nyota #5	1357	2	Black Creek	355	355	340	345	325	310	300	295	285	285	275	265	265	250	285
Whaley, Horton	#7 North Carbon	1401	2	Black Creek	355	355	340	345	325	310	300	295	285	285	275	265	265	250	285
Young, Joe	Young	1374	2	Black Creek	355	355	340	345	325	310	300	295	285	285	275	265	265	250	285
CULLMAN COUNTY																			
Boyd & Trimble (B. W. Boyd)	Bohannon	1,303	2	Black Creek	335	335	360	335	315	315	305	310	300	290	275	265	265	225	290
JEFFERSON COUNTY																			
Bonds, A. E	New Nickel Plate	1,375	2	Nickel Plate	290	290	280	285	275	-------	-------	275	250	245	260	210	255	230	245
Daisy City Coal Co. (Damon Negron)	Daisy City #7	1,376	2	Pratt	325	325	325	320	310	310	295	305	290	265	270	250	265	240	265
Daisy City Coal Co. (Damon Negron)	Daisy City #8	1,377	2	Nickel Plate	290	290	280	285	275	-------	-------	275	250	245	260	240	255	230	245
Davis, J. W	Black Shale #6	1,378	2	Black Shale	365	365	340	335	315	315	290	300	275	275	260	160	250	150	275
Gill, Jim	Gill	1,347	2	Mt. Carmel	275	275	275	295	275	280	260	270	250	225	235	200	230	180	225
Lollar, E. E	Lollar	1,351	2	Nickel Plate	290	290	280	285	275	-------	-------	275	250	245	260	240	255	230	245
Smith, F. R	Smith #3	1,379	2	Black Creek	355	355	340	345	325	310	300	295	285	285	275	265	265	250	285
Smith, Joe	#1 Drift	1,380	2	Upper Helena	280	280	275	295	275	-------	-------	270	250	230	235	200	230	180	230
Smith & Smith (R. D. Smith)	Old Warner	1,412	2	Pratt	325	325	325	320	310	310	295	305	290	265	270	250	265	240	265

§ 333.34 *General prices in cents per net ton for shipment into all market areas*—Supplement T-I—Continued

Code member index	Mine	Mine index No.	Sub-district	Seam	Lump: over 2", egg: Top Size over 6"	Egg: top size 6" and under	Lump: 2" and under	Nut: Top size 3" and under bot. size over ½"		Chestnut: Top size 3" and under, bottom size ½" and under		Chestnut: Top size 1½" and under, bottom size ½" and under		Run of mine, modified R/M	Resultants: 3" and under		Screenings: 1½" and under		Industrial Coal
								Wash	Raw	Wash	Raw	Wash	Raw	Raw	Wash	Raw	Wash	Raw	
					1	2	3	6	7	8	9	10	11	13	17	22	18	23	24, 25, 26
MARION COUNTY																			
Guthrie, Fred	Wheeler No. 1	1381	2	Black Creek	385	385	360	335	315	315	305	310	300	290	275	265	265	225	290
Hollis, B. M	Hollis #4	881	2	Black Creek	385	385	360	335	315	315	305	310	300	290	275	265	265	225	290
Lazenby, R. L	West No. 7	1382	2	Black Creek	385	385	360	335	315	315	305	310	300	290	275	265	265	225	290
Marion Black Creek Coal Mining Co	Marion No. 16	1383	2	Black Creek	385	385	360	335	315	315	305	310	300	290	275	265	265	225	290
Marion Black Creek Coal Mining Co	Marion No. 17	1384	2	Black Creek	385	385	360	335	315	315	305	310	300	290	275	265	265	225	290
Marion Black Creek Coal Mining Co	Marion No. 18	1385	2	Black Creek	385	385	360	325	315	315	305	310	300	290	275	265	265	225	290
Marion Black Creek Coal Mining Co	Marion No. 19	1386	2	Black Creek	385	385	360	335	315	315	305	310	300	290	275	265	265	225	290
Marion Black Creek Coal Mining Co	Marion No. 20	1387	2	Black Creek	385	385	360	335	315	315	305	310	300	290	275	265	265	225	290
ST. CLAIR COUNTY																			
Sprayberry, L. D	Sprayberry No. 2	1388	2	Wadsworth	365	365	340	335	315	315	290	300	275	275	260	190	250	175	275
WALKER COUNTY																			
Cunningham, Hugh	Cunningham	1366	2	Mary Lee	275	275	275	295	275	280	260	270	250	225	235	200	230	180	225
Ensor Coal Co. (J. H. Ensor)	Ensor	1407	2	Mary Lee	275	275	275	295	275	280	260	270	250	225	235	200	230	180	225
Galloway Coal Co	Galloway No. 21	1389	2	Jagger	280	280	275	295	275	------	------	270	250	230	235	200	230	180	230
Galloway Coal Co	Galloway No. 22	1390	2	Mary Lee	275	275	275	295	275	280	260	270	250	225	235	200	230	180	225
Harris, Coniel	Broome No. 2	1391	2	Mt. Carmel	275	275	275	295	275	280	260	270	250	225	235	200	230	180	225
Hayes, Sam M	Mountain Top	1358	2	Black Creek	385	385	360	335	315	315	305	310	300	290	275	265	265	225	290
Long, L. S	Joe Wheeler #2	1392	2	Blue Creek	385	385	360	335	315	315	305	310	300	290	275	365	265	250	290
Myers, Dewey	Myers No. 2	1393	2	Jagger	280	280	275	295	275	------	------	270	250	230	235	200	230	180	230
Myers, Dewey	Myers No. 3	1394	2	Jagger	280	280	275	295	275	------	------	270	250	230	235	200	230	180	230
Myers, Dewey	Myers No. 4	1395	2	Jagger	280	280	275	295	275	------	------	270	250	230	235	200	230	180	230
Parsons, M. B	Lost Creek	82	2	Jagger	280	280	275	295	275	------	------	270	250	230	235	200	230	180	230
Tucker, S. C	Gas Light No. 2	1396	2	Corona	325	325	325	320	310	310	295	305	290	265	270	250	265	220	265
Wideman & Sons	Wideman No. 1	1350	2	Black Creek	385	385	360	335	315	315	305	310	300	290	275	365	265	225	290
Wilson & Huddleston (E. S. Wilson)	Wilson #1	1410	2	Mary Lee	275	275	275	295	275	280	260	270	250	225	235	200	230	180	225
Wilson & Huddleston (E. S. Wilson)	Wilson #2	1411	2	Mary Lee	275	275	275	295	275	280	260	270	250	225	235	200	230	180	225
WINSTON COUNTY																			
Ramey, Inglo	Ramey	1397	2	Black Creek	385	385	360	335	315	315	305	310	300	290	275	265	265	225	290

§ 333.43 *General prices in cents per net ton for shipment into all market areas*—Supplement T-II

Code member index	Mine	Mine index No.	Sub-district	Seam	Lump: over 2", egg: top size over 5"	Egg: top size 5" and under, bottom size 2" and under	Lump: 2" and under	Nut: top size 2" and under, bottom size 1" and under	Stoker: top size 1½" and under, bottom size ½" and under	Stoker: top size ¾" and under, bottom size ⅜" and under	Straight and modified M/R	Resultants: 5" and under	Resultants: 4" and under	Screenings: 2" and under	Screenings: 1½" and under	Screenings: 1¼" and under	Screenings: ¾" and under	Screenings: ⅜" and under	Industrial coal
					1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
TENNESSEE-GEORGIA																			
GRUNDY COUNTY																			
Partin's Store	Partin	1352	4	Sewanee	315	315	305	260	250	245	235	235	235	205	205	205	200	165	260
MARION COUNTY																			
Bolton, Holland & Robertson (Frank Bolton)	Bolton & Holland	1339	4	Bluff	315	315	305	260	250	245	235	235	235	205	205	205	200	165	260
Stansbury & Stansbury (A. H. Stansbury)	Stansbury	1348	4	Etna #7	315	315	305	260	250	245	235	235	235	225	225	215	205	175	260
SEQUATCHIE COUNTY																			
Edgeman, Roberts, Saints & Roberts (William G. Lusk).	Lusk	1304	4	Sewanee	315	315	305	260	250	245	235	235	235	205	205	205	200	165	260
Johnson Creek Coal Co	White	1363	4	Sewanee #2	315	315	305	260	250	245	235	235	235	205	205	205	200	165	260
VAN BUREN																			
Brock, E. C	Rocky Branch	1405	4	Battle Creek	340	340	330	260	250	245	235	235	235	205	205	195	175	140	285
DADE COUNTY																			
Jenkins, W. R	Jenkins #2	1406	4	Etna	315	315	305	260	250	245	235	235	235	225	225	215	205	175	260

[F. R. Doc. 42-932; Filed, February 2, 1942; 10:47 a. m.]

TITLE 31—MONEY AND FINANCE: TREASURY

CHAPTER I—MONETARY OFFICES

PART 131—GENERAL LICENSES UNDER EXECUTIVE ORDER NO. 8389, APRIL 10, 1940, AS AMENDED, AND REGULATIONS ISSUED PURSUANT THERETO

PUBLIC CIRCULAR NO. 14 UNDER EXECUTIVE ORDER NO. 8389, APRIL 10, 1940, AS AMENDED, AND REGULATIONS ISSUED PURSUANT THERETO, RELATING TO TRANSACTIONS IN FOREIGN EXCHANGE, ETC.[1]

FEBRUARY 3, 1942.

(a) No license or other authorization now outstanding or hereafter issued, unless expressly referring to this public circular, shall be deemed to authorize any blocked country or any national thereof to purchase, directly or indirectly, securities of any one issue of a corporation if the securities so purchased together with the aggregate of all other securities held directly or indirectly by such blocked country or national constitute more than one percent of the outstanding securities of that issue. Banking institutions shall not effect any such purchases if they have reasonable cause to believe that the terms hereof are being violated.

(b) Monthly reports on Form TFR-4 are hereby required to be filed with respect to the purchase or sale of securities for any blocked account and, unless expressly referring to this public circular, no license or other authorization shall be deemed to suspend the requirement of filing this report. Such report shall be filed with the appropriate Federal Reserve Bank by the banking institution with which such blocked account is held and shall be filed on or before the 15th day of the month following the calendar month with respect to which the report is filed. No report need be filed for any calendar month during which the total purchases and the total sales for any blocked account are each less than $5,000. This reporting requirement shall be deemed to be in lieu of that required under any license now outstanding or hereafter issued so far as such license requires the filing of reports with respect to the purchase or sale of securities for any blocked account.

(c) Banking institutions shall have a reasonable period of time, but not to exceed 15 days from the date hereof, in which to adjust their records for the purpose of complying with the provisions of paragraph (1) hereof: *Provided, however,* That a special report shall be filed with respect to any case in which the one percent limitation contained in paragraph (1) was exceeded as a consequence of records being in the process of adjustment. Such report shall be filed with the appropriate Federal Reserve Bank within 30 days of the date hereof and shall expressly refer to paragraph (3) of this Public Circular.

[SEAL] E. H. FOLEY, Jr.,
Acting Secretary of the Treasury.

[F. R. Doc. 42-1003; Filed, February 3, 1942; 11:43 a. m.]

[1] Sec. 5 (b), 40 Stat. 415 and 966; Sec. 2, 48 Stat. 1; 54 Stat. 179; Public No. 354, 77th Congress; E.O. 8389, April 10, 1940, as amended by E.O. 8785, June 14, 1941, E.O. 8832, July 26, 1941, E.O. 8963, December 9, 1941, and E.O. 8998, December 26, 1941; Regulations, April 10, 1940, as amended June 14, 1941, and July 26, 1941.

TITLE 32—NATIONAL DEFENSE

CHAPTER IX—WAR PRODUCTION BOARD

SUBCHAPTER A—GENERAL PROVISIONS

PART 903—DELEGATIONS OF AUTHORITY

Supplementary Directive No. 1A

§ 903.2 *Further delegation of authority to the Office of Price Administration with reference to rationing of passenger automobiles.* (a) In order to permit the efficient rationing of new passenger automobiles, the authority delegated to the Office of Price Administration § 903.1 (*Directive No. 1*)[1] is hereby extended to the exercise of rationing control over the sale, transfer or other disposition of new passenger automobiles by any person to any other person except those specified in paragraph (a) (1) of said Directive No. 1. The exercise of such authority shall be subject to the terms and conditions specified in said Directive No. 1.

(b) As used in this Supplementary Directive, the term "passenger automobiles" means passenger vehicles propelled by internal combustion engines and having a seating capacity of not more than eight (including station wagons and taxicabs, but excluding ambulances); and the term "new passenger automobiles" means any 1942 model passenger automobiles irrespective of the number of miles they have been driven, or any other passenger automobiles which have been driven less than 1,000 miles. (E.O. 9024, Jan. 16, 1942, 7 F.R. 329, E.O. 9040, Jan. 24, 1942, 7 F.R. 567; Sec. 2 (a), Public No. 671, 76th Congress Third Session, as amended by Public No. 89, 77th Congress, First Session; W.P.B. Dir. No. 1, Jan. 24, 1942, 7 F. R. 562)

Issued this 2nd day of February 1942.

DONALD M. NELSON,
Chairman, War Production Board.

[F. R. Doc. 42-956; Filed, February 2, 1942; 3:42 p. m.]

[1] 7 F.R. 562.

SUBCHAPTER B—DIVISION OF INDUSTRY OPERATIONS

PART 937—ZINC

Supplementary Order No. M-11-h[2]

§ 937.9 *Supplementary Order M-11-h.* (a) The Director of Industry Operations hereby determines that the amount of Metallic Zinc, Zinc Oxide and Zinc Dust to be set aside by Producers under paragraph (c) of § 937.1 as extended, for the month of February 1942, and for each month thereafter until otherwise determined by him, shall be as follows:

(1) *Metallic Zinc.* An amount equal to 40% of Producer's November 1941 production.

(2) *Zinc Oxide.* An amount equal to 20% of Producer's November 1941 production of Lead Free Zinc Oxide (American & French Process).

(3) *Zinc Dust.* None.

(b) This Order shall take effect on the 1st day of February, 1942. (P.D. Reg. 1 Amended, Dec. 23, 1941, 6 F.R. 6680; W.P.B. Reg. 1 Jan. 26, 1941, 7 F.R. —; E.O. 9024, Jan. 16, 1942, 7 F.R. 329; E.O. 9040, Jan. 24, 1942, 7 F.R. 527; sec. 2 (a) Public No. 671, 76th Congress, Third Session, as amended by Public No. 89, 77th Congress, First Session)

Issued this 31st day of January 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42-957; Filed, February 2, 1942; 3:42 p. m.]

[2] 6 F.R. 3179, 5290, 6792.

PART 941—MATERIAL AND EQUIPMENT ENTERING INTO FREIGHT CAR CONSTRUCTION INCLUDING RAILROAD, INDUSTRIAL AND MINE FREIGHT CARS

Interpretation No. 1 of General Preference Order No. P-8

The following official interpretation is hereby issued by the Director of Industry Operations with respect to § 941.1, General Preference Order P-8[1] issued June 18, 1941:

Section 941.1 (a) (1) assigns a preference rating of A-3 "to deliveries of material and equipment entering directly or indirectly into freight cars at any stage of construction or repair." The preference rating assigned by this subsection is not to be applied to obtain delivery of material on earlier dates than required to enable the producer to maintain his production schedules. Further, the words "material and equipment entering directly or indirectly into freight cars" have reference only to that material and equipment which in the final stage of production become parts of freight cars. The quoted words do not include material and equipment for the maintenance or improvement of the plant or equipment of the producer or the rated subcontractor.

Section 941.1 (a) (2) refers to the producer and it should be particularly noticed that this means producer and not a rated subcontractor.

Issued this 3d day of February 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42-999; Filed, February 3, 1942; 11:39 a. m.]

[1] 6 F.R. 3009, 6270; 7 F.R. 28.

PART 956—MATERIAL ENTERING INTO THE CONSTRUCTION OF SPECIFIED LOCOMOTIVES

Interpretation No. 1 of Preference Rating Order No. P-20

The following official interpretation is hereby issued by the Director of Industry Operations with respect to § 956.1, Preference Rating Order P-20,[1] issued July 21, 1941:

Section 956.1 (b) assigns a preference rating of A-3 to "deliveries of all material which will enter directly or indirectly, at any stage, into the production by the Producer" of the locomotives covered by the Order. The quoted words have reference only to that material which in the final stage of production becomes parts of locomotives, plus such cutting and other perishable tools as are used up in the plant of the Producer in the manufacture of the locomotives. The quoted words do not include material for maintenance, extension, or addition to the plant or equipment of the producer or supplier.

Issued this 3d day of February 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42-998; Filed, February 3, 1942; 11:39 a. m.]

PART 957—MATERIAL ENTERING INTO THE REPAIR AND REBUILDING OF STEAM, ELECTRIC OR DIESEL LOCOMOTIVES WHETHER FOR RAILROAD, MINING, OR INDUSTRIAL USE

Interpretation No. 1 of Preference Rating Order No. P-21

The following official interpretation is hereby issued by the Director of Industry Operations with respect to § 957.1, Preference Rating Order P-21,[1] issued July 21, 1941:

Section 957.1 (b) assigns a preference rating of A-3 to "deliveries of all material which will enter directly or indirectly, at any stage, into the repair or rebuilding by the repairer of locomotives." The quoted words have reference only to that material which in the final stage of production becomes parts of locomotives, plus such cutting and other perishable tools as are used up in the plant of the producer in the repairing and rebuilding of the locomotives. The quoted words do not include material for maintenance, extension, or addition to the plant or equipment of the repairer or supplier.

Issued this 3d day of February 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42-997; Filed, February 3, 1942; 11:40 a. m.]

PART 962—STEEL

Supplementary Order M-21-e—Tin Plate, Terne Plate and Long Ternes

§ 962.6 *Supplementary Order M-21-e*—(a) *Definitions.* For the purposes of this section

(1) "Tin plate" means steel sheets generally referred to as black plate, coated with tin.

(2) "Terne plate" means steel sheets generally referred to as black plate, coated with a lead-tin alloy.

(3) "Long ternes" means steel sheets other than black plate, coated with a lead-tin alloy.

(4) "Terne metal" means the lead-tin alloy used as the coating for terne plate and long ternes.

(5) "Producer" means any person who produces tin plate, terne plate or long ternes, whether for sale or for his own consumption or use.

(b) *Restrictions on use of tin plate, terne plate and long ternes.* (1) No person shall use tin plate, terne plate or long ternes in the production of any item except as permitted by Conservation Orders M-43-a (§ 1001.2), M-38-c (§ 984.4), and any other or further Order or direction of the Director of Industry Operations.

(2) No person shall use long ternes unless he obtained delivery thereof on a rating of A-10 or higher and unless such use is for the purpose for which such rating was assigned.

(c) *Restrictions on use of terne metal.* No producer shall use terne metal except in the production of terne plate or long ternes.

(d) *Prohibitions against sales or deliveries.* No person shall sell or deliver tin plate, terne plate or long ternes to any person if he knows or has reason to believe that such material is to be used in violation of the terms of this Order, or any other or further Order or direction of the Director of Industry Operations.

(e) *Restrictions on tin consumption.* During the first calendar quarter of 1942 and during each calendar quarter thereafter, no producer shall use tin in the production of tin plate, terne plate, or long ternes in excess of the quota assigned to such producer by the Director of Industry Operations.

(f) *Special directions.* The Director of Industry Operations may from time to time issue special directions as to production, deliveries, and use of tin plate, terne plate, and long ternes, which may include directions as to the tin or lead content or coating thereof. Until further direction, no producer shall produce tin plate with a tin coating in excess of 1.25 pounds per base box, except with the specific authorization of the Director of Industry Operations.

(g) *Effective date.* This Order shall take effect immediately. (P.D. Reg. 1, amended Dec. 23, 1941, 6 F.R. 6680; O.P.M. Reg. 3, amended Sept. 2, 1941, 6 F.R. 4865; E.O. 8629, Jan. 7, 1941, 6 F.R. 191; E.O. 8875, Aug. 28, 1941, 6 F.R. 4483; E.O. 9024, Jan. 16, 1942, 7 F.R. 329; sec. 2 (a), Pub. No. 671, 76th Cong., 3d Sess., as amended by Pub. No. 89, 77th Cong. 1st Sess.)

Issued this 3d day of February 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42-1000; Filed, February 3, 1942; 11:39 a. m.]

PART 976—MOTOR TRUCKS, TRUCK TRAILERS AND PASSENGER CARRIERS

Amendment No. 4 to Supplementary General Limitation Order L-3-e Further Restricting Sales and Delivery of Light Motor Trucks

Section 976.9 (*Supplementary General Limitation Order L-3-e*[1]) as amended, is hereby further amended by changing the expiration date thereof from February 2, 1942 to February 11, 1942 unless otherwise ordered.

This Amendment shall take effect immediately. (P.D. Reg. 1, amended December 23, 1941, 6 F.R. 6680; W.P.B. Reg. 1, Jan. 26, 1942, 7 F.R. 561, E.O. 9024, Jan. 16, 1942, 7 F.R. 329; E.O. 9040 Jan. 24, 1942, 7 F.R. 527; sec. 2 (a), Public No. 671, 76th Congress, Third Session, as amended by Public No. 89, 77th Congress, First Session)

Issued this 31st day of January 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42-958; Filed, February 2, 1942; 3:42 p. m.]

PART 976—MOTOR TRUCKS, TRUCK TRAILERS AND PASSENGER CARRIERS

Amendment No. 4 to Supplementary General Limitation Order L-1-c Further Restricting Sale and Delivery of Medium and Heavy Motor Trucks and Truck Trailers

Section 976.10 (*Supplementary General Limitation Order L-1-c*[1]) as amended, is hereby further amended by changing the expiration date thereof from February 2, 1942 to February 11, 1942 unless otherwise ordered.

This Amendment shall take effect immediately. (P.D. Reg. 1, amended December 23, 1941, 6 F.R. 6680; W.P.B. Reg. 1, Jan. 26, 1942, 7 F.R. 561, E.O. 9024, Jan. 16, 1942, 7 F.R. 329; E.O. 9040, Jan. 24, 1942, 7 F.R. 527; sec. 2 (a), Public No. 671, 76th Congress, Third Session, as amended by Public No. 89, 77th Congress, First Session)

Issued this 31st day of January 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42-959; Filed, February 2, 1942; 3:42 p. m.]

PART 1089—SECOND HAND MACHINE TOOLS

General Preference Order No. E-4

Whereas the fulfillment of requirements for the defense of the United States has resulted in a shortage of second hand machine tools for defense, for private account, and for export, and

Whereas the Director of Industry Operations now deems it necessary to place sales and deliveries of second hand machine tools under greater control in order to insure their delivery to persons with the most urgent and essential needs for such Tools.

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[1] 6 F.R. 3646, 6185; 7 F.R. 28.

[1] 7 F.R. 116, 218, 311.

Now therefore, it is hereby ordered:

§ 1089.1 *General Preference Order E-4* — (a) *Definitions.* (1) "Machine tool" means any machine for the cutting abrading, shaping, forming, and joining of metals.

(2) "Second hand machine tool" means any Machine Tool which has previously been used or purchased for use, whether or not it has been rebuilt.

(3) "Sale" includes, but is not restricted to, an auction sale.

(b) *Applicability of priorities Regulation No. 1.* This section and all transactions affected thereby, including sales and deliveries of second hand machine tools, are subject to the provisions of Priorities Regulation No. 1 (Part 944) as amended from time to time, except to the extent that any provision of this section may be inconsistent therewith, in which case the provisions of this section shall govern.

(c) *Allocation of certain second hand machine tools.* Whenever the Director of Industry Operations, or other official duly authorized by him, deems such action to be necessary for the prosecution of War, he may, in his discretion, issue an Order prohibiting the sale or other disposition of any specific second hand machine tool until further notice. No person to whom such an Order is issued may thereafter sell or otherwise dispose of such machine tool until he receives directions as to its disposal from the Director of Industry Operations or such other duly authorized official.

(d) *Reports and other communications.* All reports hereafter required to be filed hereunder, and all communications concerning this section shall, unless otherwise directed, be addresed to the Used Tool Section, Division of Production, War Production Board, Washington, D. C., Ref: E-4.

(e) *Violations.* Any person who wilfully violates any provision of this section, or who by any act or omission falsifies records to be kept or information to be furnished pursuant to this section, may be prohibited from receiving further deliveries of any material subject to allocation, and such further action may be taken as is deemed appropriate, including a recommendation for prosecution under Section 35 (A) of the Criminal Code (18 U.S.C. 80).

(f) *Effective date.* This section shall take effect immediately and shall continue in effect until revoked by the Director of Industry Operations. (P.D. Reg. 1 Amended, Dec. 23, 1941, 6 F.R. 6680; W.P.B. Reg. 1, Jan. 26, 1942, 7 F.R. 561; E.O. 9024, Jan. 16, 1942, 7 F.R. 329; E.O. 9040, Jan. 24, 1942, 7 F.R. 527; sec. 2 (a) Pub. No. 671, 76th Cong., 3d Sess., as amended by Pub. No. 89, 77th Cong., 1st Sess.)

Issued this 3d day of February 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42-1001; Filed, February 3, 1942; 11:39 a. m.]

CHAPTER XI—OFFICE OF PRICE ADMINISTRATION

PART 1303—ZINC

AMENDMENT NO. 2 TO PRICE SCHEDULE NO. 3—ZINC SCRAP MATERIALS AND SECONDARY SLAB ZINC

Sections 1303.8 and 1303.10 are hereby amended to read as set forth below:

§ 1303.8 *Definitions.* When used in this Schedule, the term

(a) "Person" means an individual, partnership, association, corporation or other business entity;

(b) "Producer" means any person who produces slab zinc;

(c) "Secondary slab zinc" means slab zinc more than 50% of the zinc content of which shall be obtained from scrap material by distillation, remelting, electrolysis, or any other method; and

(d) "Zinc scrap materials" means the kinds and grades of zinc scrap materials set forth in Appendix A of this Schedule.

§ 1303.10 *Appendix B; maximum prices for secondary slab zinc*—(a) *Base prices.*

Grade	*Base price, per pound (Cents)*
Prime Western and poorer grades	8.25
Selected	8.35
Brass Special	8.50
Intermediate and higher grades	8.75

(b) *Sold or shipped, delivered, or carried away in carload lots.* The term "base price" referred to in this section means the price listed in paragraph (a) of this section for the respective grade of slab zinc.

Grade	*Maximum price, per pound (Delivered, buyer's receiving point)*
Prime Western and poorer grades.	Base Price plus carload freight from E. St. Louis to buyer's receiving point.
Selected	Base price plus carload freight from E. St. Louis to buyer's receiving point.
Brass Special	Base Price plus carload freight from E. St. Louis to buyer's receiving point.
Intermediate and higher grades.	Base Price plus carload freight from E. St. Louis to buyer's receiving point.

The minimum quantity making up a carload lot for the purpose of this Schedule shall be the minimum quantity required to obtain railroad carload lot rates from the point of shipment to the point of destination.

(c) *Sold and shipped, delivered or carried away in less than carload lots.* The term "base price" referred to in this section means the price listed in paragraph (a) of this section for the respective grade of slab zinc.

(1) *Sales of secondary slab zinc by the producer of the zinc sold.*

For sales in lots of	*Maximum price per pound (f. o. b.) point of shipment*
20,000 lbs. and less than a carload.	Base price plus .15¢ plus carload freight from E. St. Louis to point of shipment.
10,000 lbs. and less than 20,000 lbs.	Base price plus .25¢ plus carload freight from E. St. Louis to point of shipment.
2,000 lbs. and less than 10,000 lbs.	Base price plus .40¢ plus carload freight from E. St. Louis to point of shipment.
Less than 2,000 lbs.	Base price plus .50¢ plus carload freight from E. St. Louis to point of shipment.

(2) *Sales by all persons except producers.*

For sales in lots of	*Maximum price per pound (f. o. b. point of shipments)*
20,000 lbs. and less than a carload.	Base price plus .65¢ plus carload freight from E. St. Louis to point of shipment.
10,000 lbs. and less than 20,000 lbs.	Base price plus .75¢ plus carload freight from E. St. Louis to point of shipment.
2,000 lbs. and less than 10,000 lbs.	Base price plus 1.00¢ plus carload freight from E. St. Louis to point of shipment.
Less than 2,000 lbs.	Base price plus 1.50¢ plus carload freight from E. St. Louis to point of shipment.

(d) *Specifications.* The grades of Secondary Slab Zinc specifically referred to above shall conform to the following chemical requirements:

Maximum impurities—percent

Grade	Lead	Iron	Cadmium	Aluminum	Total not over
Intermediate	0.20	0.03	0.50	None	0.50
Brass Special	0.60	0.03	0.50	None	1.00
Selected	0.80	0.04	0.75	None	1.25
Prime Western	1.60	0.08	------	------	------

(e) *Terms of sale.* The maximum prices set forth above are f. o. b. point of shipment. Secondary slab zinc may, however, be sold, offered for sale, delivered, or transferred at prices delivered buyer's receiving point. In such cases, whenever the total delivered price exceeds the maximum f. o. b. point of shipment price fixed by this Schedule, in all price quotations (1) the transportation charge must be shown as a separate item and (2) the price f. o. b. point of shipment, obtained by subtracting the transportation charge from the total delivered price, must not exceed the maximum f. o. b. point of shipment price set forth in this Schedule.

Whenever delivery is made in the seller's conveyance, the transportation charge shall not exceed the charge which would be applicable on an identical ship-

ment from the same point of shipment to the same receiving point at the lowest available commercial transportation rate. In such cases, the transportation charge must be shown as a separate item in all price quotations.

When used in this Schedule, the term "point of shipment" means the point from which the seller ships to the buyer. This is usually the seller's plant, warehouse, or yard, but, where the material is shipped directly to the buyer from some point other than the seller's plant, warehouse, or yard, such other point is the point of shipment. (E.O. Nos. 8734, 8875, 6 F.R. 1917, 4483)

This amendment No. 2 shall become effective February 2, 1942. Issued this 2d day of February 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-968; Filed, February 2, 1942; 5:20 p. m.]

PART 1303—ZINC

AMENDMENT NO. 1 TO PRICE SCHEDULE NO. 81—PRIMARY SLAB ZINC

Section 1303.57 is hereby amended by amending paragraphs (d) and (e) thereof to read as set forth below and by adding thereto the new paragraph (f) as set forth below; and § 1303.59 is hereby amended by adding the sentence set forth below at the end of paragraph (b) thereof, by amending the statement preceding the table in paragraph (c) (1) thereof to read as set forth below, and by amending paragraph (e) thereof to read as set forth below:

§ 1303.57 *Definitions.*

* * * * *

(d) "Primary slab zinc" means slab zinc made from ores or concentrates, even though other material is mixed therewith, provided such other material accounts for 50% or less of the zinc content thereof, and must be produced by a process of distillation or by electrolysis;

(e) "Producer" means any person who produces slab zinc; and

(f) "Carload lot" means the minimum quantity required to obtain railroad carload lot rates from the point of shipment to the point of destination.

§ 1303.59 *Appendix A; maximum prices for primary slab zinc.*

* * * * *

(b) *Sold or shipped, delivered, or carried away in carload lots.* * * * The minimum quantity making up a carload lot for the purposes of this Schedule shall be the minimum quantity required to obtain railroad carload lot rates from the point of shipment to the point of destination.

(c) *Sold and shipped, delivered, or carried away in less than carload lots.* * * *

(1) *Sales of primary slab zinc by the producer of the zinc sold.*

* * * * *

(e) *Specifications.* The grades of slab zinc specifically referred to above shall conform to the following chemical requirements:

Maximum impurities—percent

Grade	Lead	Iron	Cadmium	Aluminum	Total not over
Special High Grade	0.007	0.005	0.005	None	0.010
High Grade	0.07	0.02	0.07	None	0.10
Intermediate	0.20	0.03	0.50	None	0.50
Brass Special	0.60	0.03	0.50	None	1.00
Selected	0.80	0.04	0.75	None	1.25
Prime Western	1.60	0.08	------	------	------

Primary slab zinc which fails to meet such standards should be sold at normal differentials below the established maximum prices: *Provided, however,* That if a producer makes primary slab zinc to conform with individual specifications, other than those set forth above, required by an individual customer or customers, in accordance with a contract entered into on or before January 31, 1942, said producer may sell and deliver, and said individual customer or customers may purchase and accept delivery of such primary slab zinc conforming with individual specifications for a period of 60 days from and after February 2, 1942, at a price no higher than that price established by the terms of the said contract. Such producers shall submit to the Office of Price Administration not later than March 1, 1942. complete and accurate records of all such contracts, setting forth the name and address of the buyer, the required specifications, the quantity in pounds or tons required by the contract, the amounts and shipping dates of all deliveries made thereunder, and the price per pound or ton established by said contract.

(E.O. Nos. 8734, 8875, 6 F.R. 1917, 4483)

This amendment No. 1 shall become effective February 2, 1942 Issued this 2 day of February, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-970; Filed, February 2, 1942; 5:22 p. m.]

PART 1304—IRON AND STEEL SCRAP

AMENDMENT NO. 13 OF PRICE SCHEDULE NO. 4—IRON AND STEEL SCRAP

Sections 1304.5 and 1304.6 are amended to read as follows; in paragraph (a) the grades, *"open hearth grades"* and *"electric furnace and foundry grades"* and footnotes 6 and 7, and paragraphs (c), (d), (e), and items 2, 4, 5, 7, 14, 21, and 23 of paragraph (f) of § 1304.13 are amended as set forth below; paragraphs (a), (c), and (d) of § 1304.14 are amended as set forth below and paragraphs (e) and (f) of § 1304.14 are revoked; paragraphs (a), (b) and (c) of § 1304.15 are amended to read as follows:

§ 1304.5 *Geographical application.* The provisions of this Schedule shall apply only to sales, offers to sell, deliveries, or transfers of iron and steel scrap moving within, into or out of one of the 42 States of the United States or the District of Columbia.

§ 1304.6 *Commissions.* No commission shall be payable hereunder, except by a consumer to a broker for brokerage services rendered to the consumer. In the event that a consumer shall employ a broker to purchase iron and steel scrap, such consumer may pay such broker a commission not exceeding 50 cents per gross ton. No commission shall be payable unless (a) the broker guarantees the quality and delivery of an agreed tonnage of scrap; (b) the scrap is purchased by the consumer at a price not higher than the maximum applicable herein; (c) the broker sells the scrap to the consumer at the same price at which he purchased it; (d) the broker does not split or divide the commission, in whole or in part, with the seller or sellers of the scrap, with another broker or subbroker, or with the consumer. No commission shall be payable to a person for scrap which he prepares.

* * * * *

§ 1304.13 *Appendix A; maximum prices for iron and steel scrap other than railroad scrap.* (a) Basing point[2] prices from which shipping point prices and consumers' delivered prices are to be computed.

* * * * *

BASIC OPEN HEARTH GRADES

* * * * *

ELECTRIC FURNACE, ACID OPEN HEARTH AND FOUNDRY GRADES

(For electric furnace, acid open hearth & foundry use only)

* * * * *

[6] Inferior grades shall continue to be purchased at the differential below the corresponding listed grade price which the consumer paid during the period September 1, 1940 to January 31, 1941. In the case of cast iron borings, containing no more than 0.5 percent oil content, for chemical use in the manufacture of explosives, the basing point price shall be $5.00 per gross ton over the price of Item 11. Where cast iron borings are purchased for chemical use other than in the manufacture of explosives, the price shall be $3.00 per gross ton over the price of Item 11. Except in this case and in the case of manganese scrap, ingot iron scrap and any alloyed ferrous scrap purchased by an Electric Furnace or Acid Open Hearth for recovery of alloy content, which grades shall be purchased at the differential above the corresponding listed grade which the consumer paid during the period September 1, 1940 to January 31, 1941, no grade of scrap deemed by buyer or seller or both to be superior to any grade listed above shall be purchased at a premium above the corresponding listed grade except upon prior approval by the Office of Price Administration. In no case may special preparation charges be added to the prices listed above. Mixed shipments of Basic Open Hearth or Blast Furnace grades shall be deemed shipments of unprepared scrap and shall be priced in accordance with the provisions of paragraph (e) hereof, un-

less the consumer has authorized a mixed shipment in his purchase order.

[7] Except in cases in which the Office of Price Administration has given prior approval to Basic Open Hearth consumers to purchase Alloy Free Low Phos. and Sulphur Turnings at the prices listed above, no Basic Open Hearth or Blast Furnace consumer may purchase any of the above grades at a price in excess of the price listed herein for the corresponding Basic Open Hearth or Blast Furnace Grade. The price of item 12 shall not exceed the price of Open Hearth grades unless delivered to the consumer direct from the original industrial producer thereof. The same limitations pertain to the sale of item 22 at a price in excess of that established for Blast Furnace grades.

* * * * *

(c) *Maximum shipping point price*—(1) *Where shipment to the consumer is wholly or partially by rail, or vessel, or combination of rail and vessel.* Where the shipment of scrap to the consumer is by rail, or vessel, or combination of rail and vessel, the scrap is at its shipping point when it has been placed f. o. b. railroad car or f. a. s. vessel for shipment to the consumer. In such cases, the maximum shipping point price shall be:

(i) For shipping points located within a basing point, the price listed in paragraph (a) hereof for the scrap at the basing point in which the shipping point is located, minus the lowest established switching charge for scrap within the basing point; and

(ii) For shipping points located outside a basing point, the price listed in paragraph (a) hereof for the scrap at the most favorable basing point, minus the lowest established charge for transporting scrap from the shipping point to such basing point by rail or water carrier, or combination thereof. Where vessel movement is involved in the computation, in lieu of any established charges at the dock or of any charge or cost customarily incurred at the dock, 75 cents per gross ton must be included as part of the deduction in computing the shipping point price: *Provided, however,* At Memphis, Tenn. the deduction shall be 50 cents per gross ton, at Great Lakes ports $1.00 per gross ton, and at New England ports $1.25 per gross ton.

(2) *Where shipment to the consumer is solely by motor vehicle.* Where the shipment of scrap to the consumer is solely by motor vehicle, the scrap is at its shipping point when it has been loaded on such vehicle. In such cases, the maximum shipping point price shall be:

(i) For shipping points located within a basing point, the price listed in paragraph (a) hereof for the scrap at the basing point in which the shipping point is located minus the lowest established switching charge for scrap within the basing point; and

(ii) For shipping points located outside a basing point, the price listed in paragraph (a) hereof for the scrap at the most favorable basing point minus the lowest established charge for transporting scrap by public carrier from the shipping point to such basing point. Where vessel movement is involved in the computation, in lieu of any established charges at the dock or of any charge or cost customarily incurred at the dock, 75 cents per gross ton must be included as part of the deduction in computing the shipping point price: *Provided, however,* At Memphis, Tenn., the deduction shall be 50 cents per gross ton, at Great Lakes ports $1.00 per gross ton, and at New England ports $1.25 per gross ton. If no established transportation rate exists for a portion of the movement from shipping point to basing point, the actual charge or cost customarily incurred by the shipper in such portion of the movement shall be included as part of the deduction in computing the shipping point price.

(3) No Charge shall be deemed an established charge within the meaning of this Schedule unless it has been the basis of actual movement of scrap to the most favorable basing point during the calendar year 1941.

(4) *Exceptions to the formula for computing shipping point prices contained in (a) and (b) above.*[1] (1) At all shipping points in the United States, the maximum shipping point price for No. 1 Heavy Melting Steel Scrap (with St. Louis price differentials for the other grades) need not fall below $13.00 per gross ton. In Tampa, Florida, Pensacola, Florida, Gulfport, Mississippi, Mobile, Alabama, New Orleans, Louisiana, Lake Charles, Louisiana, Port Arthur, Texas, Beaumont, Texas, Galveston, Texas, Texas City, Texas, Houston, Texas, and Corpus Christi, Texas, the maximum shipping point price need not fall below $14.00 per gross ton for No. 1 Heavy Melting Steel Scrap (with St. Louis price differentials for the other grades).

(2) Maximum shipping point prices at any shipping point in New York City, Brooklyn, N. Y., and New Jersey, which by reason of vessel rates have Buffalo or Sparrows Point as their most favorable basing point shall be computed from the prices at the Bethlehem, Pennsylvania basing point rather than the prices at Buffalo or Sparrows Point.

(3) The maximum shipping point price within the Cincinnati basing point for Basic Open Hearth Grades shall be the Cincinnati basing point price minus 80 cents per gross ton.

(d) *Maximum prices delivered to the plant of a consumer.* Scrap is at its point of delivery to the consumer when it has arrived for unloading at the plant of the consumer.

Where transportation from shipping point to point of delivery is by public carrier, the maximum delivered price shall be the shipping point price as determined in paragraph (c) above, plus the established charge for transporting the scrap from the shipping point to the point of delivery by the mode of transportation employed.

Where transportation from shipping point to point of delivery includes water movement, if no established rate exists for such water movement, then the actual charge or cost incurred in such movement may be used in computing the maximum delivered price.

Where transportation to the point of delivery includes water movement, no established charges at the dock, or any charge or cost customarily incurred at the dock, may be included in the delivered price. In lieu thereof, 75 cents per gross ton may be included in the maximum delivered price: *Provided, however,* That this maximum allowance shall be 50 cents per gross ton at Memphis, Tenn. $1.00 per gross ton at Great Lakes ports, and $1.25 per gross ton at New England ports. In either case such charges must be shown as a separate item on the invoice.

Where transportation from shipping point to point of delivery is by *other than public carrier,* the maximum delivered price shall be the shipping point price as determined in paragraph (c) above, plus the charge for transporting the scrap at the established rail carload rate for the lowest minimum weight from the rail siding nearest the shipping point to the rail siding nearest the point of delivery: *Provided, however,* That this charge need never fall below $1.50 per gross ton.

In no case shall any charge or cost incurred in placing the scrap at the shipping point or any charge or cost incurred in unloading the scrap at the point of delivery, or in subsequent handling, be included in the maximum delivered price.

In no case, however, shall the delivered price exceed by more than one dollar the price listed in paragraph (a) for the basing point nearest, in terms of established transportation charges, to the consumer's plant, with the following exceptions:

Exception 1. For consumers having St. Louis as their nearest basing point the delivered price may not exceed the St. Louis basing point price by more than $1.50: *Provided,* That the delivered price of scrap shipped to such consumers from shipping points in Arkansas may not exceed the St. Louis basing point price by more than two dollars. For consumers whose nearest basing points are Detroit, Birmingham and Alabama City, respectively, the delivered price may not exceed by more than two dollars the price at their respective basing points.

Exception 2. In the case of machine shop turnings or related grades of turnings, as defined herein, delivered to electric furnace producers of ferro alloys, and in the case of chemical borings delivered to chemical users thereof, the delivered price shall not be limited to one dollar in excess of the price at the basing point nearest the consumer's plant.

Exception 3. "Remote Scrap" means all the kinds and grades of iron and steel scrap referred to in Appendix A and having a shipping point and a point of origin within the states of Montana, Idaho, Wyoming, Nevada, Arizona, New Mexico, Texas, Oklahoma, Florida, Oregon, Utah, North Dakota, and South Dakota. Colorado scrap shall be remote scrap for Colorado consumers only.

[(i) and (ii) follow]

Exception 4. Where scrap is shipped by vessel from Duluth, Minnesota, or Superior, Wisconsin, to consumers located in Buffalo, New York, Elyria, Ohio, Cleveland, Ohio, Saginaw, Michigan, Detroit, Michigan, or Chicago, Illinois, the delivered price shall not be limited

to one dollar in excess of the price at the basing point nearest the consumer's plant.

Exception 5. In computing the delivered price of Billet, Bloom and Forge crops originating in and shipped from the Pittsburgh Basing Point, the maximum transportation charges which may be added *to the shipping point price* shall be $2.50.

Exception 6. The delivered price of Low Phos. and Sulphur Punchings and Plate Scrap, Low Phos. and Sulphur Bar Crops and Smaller, Alloy Free Low Phos. and Sulphur Turnings, and First Cut Heavy Axle and Forge Turnings produced in industrial plants in the State of Michigan and shipped directly to consumers located in or nearest, in terms of established transportation charges, to the Buffalo, N. Y., Pittsburgh, Brackenridge, or Midland, Pa. basing points, shall not exceed by more than $3.00 the price at the basing point nearest the consumer's plant.

Exception 7. Where scrap is shipped from a New England shipping point, the maximum transportation charges which may be added to the shipping point price shall be $6.27 per gross ton.

Exception 8. Where the shipping point price of scrap is computed from water rates, and water movement is not available the year round, consumers who can establish that they did receive delivery of such scrap by water within $1.00 of the price at their nearest basing point between April 15 and November 15, 1941, may pay the shipping point price plus all-rail transportation charges from the shipping point to the point of delivery whenever water movement is not available.

(e) *Unprepared scrap.* The maximum prices established hereinabove are maximum prices for prepared scrap.

For unprepared scrap, maximum prices shall be $2.50 less than the maximum prices for the corresponding grade or grades of prepared scrap. In no case, however, shall Electric Furnace and Foundry grades, listed in paragraph (a) above be used as the "corresponding grade or grades of prepared scrap".

Except as otherwise provided hereunder, where scrap is to undergo preparation prior to its arrival at the point of delivery, such scrap is not at its shipping point, as that phrase is defined in paragraph (c) hereof, until after such preparation has been completed. Where a consumer purchases unprepared remote scrap, if no adequate facilities for preparation exist at or near the shipping point, the consumer may designate a dealer or dealers to prepare such scrap for its use at a maximum conversion fee of $2.50 per gross ton. In such cases the maximum delivered price shall be the shipping point price for unprepared scrap at the remote shipping point plus transportation charges to the point of delivery at the dealer's yard plus a $2.50 per gross ton conversion fee plus transportation charges from the dealer's yard to the point of delivery after the scrap has been loaded on the delivering carrier. Interim loading, unloading and similar charges may not be absorbed by the consumer. The maximum delivered price of such scrap shall not exceed by more than $5.00 the price at the basing point nearest the consumer's plant except upon prior approval of the Office of Price Administration as provided in Exception 3 in paragraph (d) above. Such purchases of scrap shall be subject to all the filing and other requirements in Exception 3 of paragraph (d) above.

At no time shall ownership of such scrap reside in the dealer to whom the conversion fee is paid.

(f) *Definitions of grades referred to in paragraph (a).*

* * * * *

Item 2—"No. 1 Hydraulic compressed Black Sheet Scrap": New black steel sheet clippings, shearings, skeleton stamping scrap, side and sheet scrap, hydraulically compressed into charging box size, weighing not less than 75 pounds per cubic foot, must be clean and free from excessive rust, point, or protective coating of any kind. No detinned scrap, electrical sheets, or material over 0.5 per cent of silicon may be included.

* * * * *

Item 4—"Dealers' No. 1 Bundles": New, black steel sheet clippings, shearings, skeleton stamping scrap, side and end sheet scrap, hydraulically compressed into charging box size, weighing not less than 75 pounds per cubic foot; must be clean and free from excessive rust, paint, or protective coating of any kind. No detinned scrap, electrical sheets, or material over 0.5 per cent silicon may be included.

Item 5—"Dealers' No. 2 Bundles": Body and fender scrap, shearings, skeleton stamping scrap, side and end sheet and tin mill scrap, hydraulically compressed to charging box size. This grade must not include coated stock or foreign material such as galvanized, tin, etc.

N. B. Coated bundled scrap is an inferior grade to Item 5 and shall be priced in accordance with the provisions of footnote 6 of paragraph (a) above.

* * * * *

Item 7—"Machine Shop Turnings": New, clean steel turnings, free from lumps, badly tangled or matted material, cast-iron borings, other metals, excessive oil, dirt, or foreign material of any kind. Badly rusted or corroded stock may not be included. This grade may include high sulphur turnings or shell turnings.

* * * * *

Item 14—"Low Phos. Punchings & Plate Scrap": Punchings from plate and structural-steel scrap, not less than ½ inch diameter, not over 0.04 per cent of phosphorus or 0.05 per cent of sulphur, not over 0.5 per cent of silicon, free from alloys. Must be free from dirt and excessive rust or corrosion. Pieces must be cut 12 inches and under.

* * * * *

Item 21—"Alloy Free Low Phos. and Sulphur Turnings": New, short, clean steel turnings, free from lumps, badly tangled or matted material, cast-iron borings, other metals, excessive oil, dirt, or foreign material of any kind. Badly rusted or corroded stock must not be included. (Material must be alloy free and 0.045 and under in phosphorus and sulphur).

* * * * *

Item 23 must be new all black hydraulic compressed sheet bundles 14 x 14 x 20 in. or smaller.

§ 1304.14 *Appendix B; maximum prices for iron and steel scrap originating from railroads*—(a) *Scrap originating from railroads—operating in a basing point*[1] *named below* (all prices given below are per gross ton). The scrap is at its point of delivery to the consumer when it has arrived for unloading at the plant of the consumer. Where used in this appendix, the term "transportation charges" means the established charges for transporting the scrap to the point of delivery by the mode of transportation employed. In no case shall the maximum delivered price include any charge or cost incurred in unloading the scrap at the point of delivery or in subsequent handling.

[(1), (i), and (ii) follow]

(2) *Delivered to a consumer's plant located off the line of the railroad from which the scrap originated.* Except in the case of shipments of scrap by vessel from Duluth, Minnesota, or Superior, Wisconsin to consumers located in Buffalo, N. Y., Cleveland, Ohio, Elyria, Ohio, Detroit and Saginaw, Michigan, and Chicago, Illinois, the maximum price is either of the following, whichever is greater:

(i) The maximum price established in paragraph (1) above, for scrap delivered to a consumer on the line of the railroad from which the scrap originated, or, if the consumer can establish that he has been served by the same source of scrap in the past, this maximum price plus transportation charges (including off-the-line switching charges), from the railroad's line to the point of delivery, of not more than two dollars per gross ton for Rails for Rerolling, Scrap Axles and other scrap for rerolling, and of not more than one dollar per gross ton for all other grades of scrap; or

(ii) The prices listed in paragraph (1) above, for the Basing Point nearest the consumer's plant.

Where scrap is shipped by vessel from Duluth, Minnesota, or Superior, Wisconsin, to consumers located in Buffalo, New York, Elyria, Ohio, Cleveland, Ohio, Detroit and Saginaw, Michigan, and Chicago, Illinois, the maximum delivered price shall be the maximum price established in paragraph (1) above, for scrap delivered to a consumer on the line of the railroad from which the scrap originated, plus transportation charges from the railroad's line to the point of delivery.

* * * * *

(c) *Maximum prices for scrap which cannot be identified as to origin, scrap originating from mines, logging roads, and similar sources, and scrap originat-*

ing from railroads who do not, within two weeks after the issuance of this schedule, file average price information with the Office of Price Administration. Railroad scrap shipped from a dealer's yard shall be deemed to have lost its railroad origin. In the case of railroad scrap which cannot be identified as to origin, scrap originating from mines, logging roads, and similar sources, and scrap originating from any railroad which does not, within two weeks after the issuance of this schedule, file the average price information required under paragraphs (a) or (b) hereof and by § 1304.4 of this schedule, the maximum prices shall be as follows:

(1) In the case of scrap rails, scrap rails 3 feet and under, scrap rails 2 feet and under, scrap rails 1 foot and under, and rails for rerolling, the shipping point price shall be computed by application of the provisions of paragraphs (b) and (c) of Appendix A to the prices at the most favorable basing point in Appendix B. In no case need this shipping point price fall below $14.00 for scrap rails, $16.00 for scrap rails 3 feet and under, $16.25 for scrap rails 2 feet and under, $16.50 for scrap rails 1 foot and under, and $15.50 per gross ton for rails for rerolling. The maximum delivered price shall be the shipping price thus obtained plus transportation charges from the shipping point to the point of delivery.

(2) All other grades of such scrap shall be classified under Appendix A or Appendix C and their maximum prices shall be governed by the provisions of the applicable appendix.

(d) *Unprepared scrap.* The maximum prices established hereinabove are maximum prices for prepared scrap. For unprepared scrap, maximum prices shall be $2.50 less than the maximum prices for the corresponding grade or grades of prepared scrap.

Where scrap is to undergo preparation prior to its arrival at the point of delivery, such scrap is not at its shipping point, as that phrase is defined in paragraph (c) hereof, until after such preparation has been completed.

§ 1304.15 *Appendix C; maximum price for cast iron scrap other than railroad scrap* (all the prices given below are per gross ton). (a) *Maximum price at shipping point.* Where shipment of the scrap to the consumer is wholly or partially by rail, or vessel, or combination of rail and vessel, the scrap is at its shipping point when it has been placed f. o. b. railroad car or f. a. s. vessel for shipment to the consumer.

Where shipment of the scrap to the consumer is solely by motor vehicle, the scrap is at its shipping point when it has been loaded on such vehicle.

The shipping point price for grades[1] of cast iron scrap at the following shipping points in the United States shall be:

	Group A	Group B	Group C
1. No. 1 Cupola Cast	$18.00	$19.00	$20.00
2. No. 1 Machinery Cast, Drop Broken 150 lbs. & under	18.00	19.00	20.00
3. Clean Auto Cast	18.00	19.00	20.00
4. Unstripped Motor Blocks	17.50	18.50	19.50
5. Stove Plate	17.00	18.00	19.00
6. Heavy Breakable Cast	15.50	16.50	17.50
7. Charging Box Cast	17.00	18.00	19.00
8. Misc. Malleable	20.00	21.00	22.00

Group A includes the states of Montana, Idaho, Wyoming, Nevada, Utah, Arizona and New Mexico.

Group B includes the states of North Dakota, South Dakota, Nebraska, Colorado, Kansas, Oklahoma, Texas and Florida.

Group C includes all states not named in groups A and B, and includes the switching district of Kansas City, Kans.-Mo.

(b) *Maximum price delivered to a consumer.* Scrap is at its point of delivery to a consumer when it has arrived for unloading at the plant of the consumer.

(1) Except as provided in subparagraph (2), below, the maximum price at which any grade of cast iron scrap may be delivered to a consumer shall be:

(i) Where transportation from shipping point to point of delivery is by *public carrier,* the shipping point price, as listed in paragraph (a) above, plus the established charge for transporting the scrap from the shipping point to the point of delivery by the mode of transportation employed. Where transportation to the point of delivery includes water movement, and tariffs establishing charges at the dock are published, charges incurred at the dock, but not to exceed the published tariffs, may be included in the delivered price. Where no such tariffs are published, actual charges incurred at the dock but not to exceed 75 cents per gross ton, may be included in the delivered price. In either case such charges must be shown as a separate item on the invoice.

[1] Inferior grades shall continue to be purchased at the differential below the corresponding schedule grade which the consumer paid during the period September 1, 1940 to January 31, 1941. In no case shall any grade deemed by buyer, or seller, or both to be superior to any grade listed above be sold at a premium above the corresponding schedule grade except upon prior approval by the Office of Price Administration. No special preparation charges may in any case be added to the prices listed above. Except in the case of items 4 and 7, no Basic Open Hearth (and, in the case of item 8, no consumer other than a malleable foundry) may pay for any grade a price in excess of the price listed for item 6. Mixed shipments of any of the above grades shall be deemed shipments of unprepared scrap and shall be priced in accordance with the provisions of paragraph (d) hereof, unless the consumer has authorized a mixed shipment in his purchase order.

(ii) Where transportation from shipping point to point of delivery is by other than public carrier, the shipping point price, as listed in paragraph (a) above, plus the charge for transporting the scrap at the established rail carload rate for the lowest minimum weight, from the rail siding nearest the shipping point to the rail siding nearest the point of delivery, provided however that this charge need never fall below $1.50 per gross ton.

(2) Where shipment of the scrap to the consumer is solely by motor vehicle, the delivered price shall not exceed the shipping point price unless the consumer shall receive a certificate made out to the Office of Price Administration, Washington, D. C. and signed by the person from whose yard or point of accumulation the scrap was placed at its shipping point and by the person by whom or on behalf of whom the scrap was transported from shipping point to point of delivery. Such certificate shall specify the shipping point, quantity and grade of the scrap, and the transportation charges from shipping point to point of delivery. The consumer shall acknowledge receipt of the material on the face of the certificate. Forms for such certificates may be secured by writing to the Office of Price Administration. However, any certificate containing the information required above will suffice.

The above mentioned certificate, shall be preserved by the consumer as part of the record-keeping requirements outlined in § 1304.8. A copy shall likewise be preserved by all persons signing the certificate.

(c) Definitions of grades referred to in paragraph (a).

Item 1—No. 1 Cupola Cast: Clean cast-iron scrap, such as columns, pipes, plates and castings of miscellaneous nature, but free from stove plate and agricultural scrap. Must be cupola size, not over 24 by 30 inches in dimensions, and no piece to weigh over 150 pounds. Must be free from steel and malleable parts and foreign material.

Item 2—No. 1 Machinery Cast, Drop Broken, 150 lbs. and under: Clean machinery cast-iron scrap. May include the cast-iron parts of agricultural machinery. Must be cupola size, not over 24 by 30 inches in dimensions, and no piece to weigh over 150 pounds. Must be free from steel and malleable parts.

Item 3—Clean Auto Cast: Clean, broken auto blocks, free of all steel parts and broken 75 pounds or under.

Item 4—Unstripped Motor Blocks: Motor blocks from which steel or nonferrous fittings have not yet been removed.

Item 5—Stove Plate: Clean cast-iron stove plate. Must be free from malleable and steel parts, window weights, plow points, grates, burnt iron, etc.

Item 6—Heavy Breakable Cast: Clean cast-iron scrap, such as columns, pipes,

plates, and castings of miscellaneous nature, weighing over 150 pounds, and which can be broken by an ordinary drop into cupola size.

Item 7—Charging Box Size Cast: Clean cast-iron scrap, such as columns, pipes, plates and castings of miscellaneous nature, but free from stove plate and agricultural scrap. Must be 18 in. x 5 ft. and smaller.

Item 8—Miscellaneous Malleable: Malleable parts of automotive vehicles, agricultural implements, and miscellaneous malleable iron castings. Must be free from cast iron and steel parts and other foreign material.

(E.O. Nos. 8734, 8875, 6 F.R. 1917, 4483)

Issued this 2 day of February 1942. This amendment No. 13 shall become effective February 2, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-979; Filed, February 2, 1942; 5:25 p. m.]

PART 1306—IRON AND STEEL

AMENDMENT NO. 1 TO PRICE SCHEDULE NO. 10—PIG IRON

Two new sections, §§ 1306.57 and 1306.58, are hereby added as set forth below:

§ 1306.57 *Appendix B; exceptions.* The following person has been granted an exception under § 1306.55 of this Schedule, permitting it to make a charge of $1.00 in addition to the maximum prices in Appendix A for pig iron: E. and G. Brooke Iron Company, Birdsboro, Pennsylvania.

§ 1306.58 *Geographical application.* The provisions of this Schedule shall apply only to sales, offers to sell or delivery of pig iron moving within, into, or out of one of the forty-eight States of the United States or the District of Columbia.

(E.O. Nos. 8734, 8875, 6 F.R. 1917, 4483).

This Amendment No. 1 shall become effective February 7, 1942. Issued this 2d day of February 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-981; Filed, February 2, 1942; 5:26 p. m.]

PART 1306—IRON AND STEEL

AMENDMENT NO. 2 TO PRICE SCHEDULE NO. 49—RESALE OF IRON AND STEEL PRODUCTS

Sections 1306.151; 1306.154; (e) and (m) of § 1306.157; (a) (2) and (a) (2) (ii), (b), (c) (1), (c) (i) and (c) (ii), and (d) (1), (f), (g) (1), (g) (i) and (g) (iii), (h) (ii) and (h) (2) (3) (4) (5) and (6), (i) and (i) (4), (j), (k) (3) and (5), (1) of § 1306.159; § 1306.160; and § 1306.161 are amended and § 1306.159 (i) (6); § 1306.159 (m) (3); and § 1306.162 are added as set forth below:

§ 1306.151 *Maximum prices for the resale of iron or steel products.* On and after December 15, 1941; regardless of the terms of any contract of sale or purchase, or other commitment, no seller as defined in § 1306.157 (b) of this Schedule shall sell, offer to sell, deliver or transfer iron or steel products, and no person shall buy, offer to buy, or accept delivery of iron or steel products at prices higher than the maximum prices set forth in Appendix A, incorporated herein as § 1306.159.

Provided, That the provisions of this Schedule shall apply only to sales, offers to sell, deliveries, or transfers of iron or steel products moving within, into or out of one of the 48 states of the United States or the District of Columbia; *Provided further,* That the export provisions of this Schedule shall apply to any sale for delivery outside the 48 states or the District of Columbia.

* * * * *

§ 1306.154 *Records and reports*—(a) *Records of sales, inventory and orders.* Every person making sales, or purchases for resale, of iron or steel products, in quantities dealt in, or on which prices are quoted by established jobbers, dealers, or distributors, after December 15, 1941, shall keep for inspection by the Office of Price Administration for a period of not less than one year, complete and accurate records of (1) each such purchase or sale, showing the date thereof, the name and address of the buyer or the seller, the price paid on each purchase for resale and received on each resale, the quality and grade, the sizes, and the quantity of each product purchased or sold, and (2) the tonnage of iron or steel products on hand and on order, classified by product, in a manner similar to that of Form PD 83 as issued by the War Production Board. A copy of Form PD 83 may be had upon request by applying to the War Production Board.

(b) *Filing prices.* On or before December 31, 1941, every seller of iron or steel products having annual gross sales of $100,000 or more, even though iron and steel products comprise only a part of the total, during the year ending December 31, 1941, shall file in duplicate, in affidavit form, with the Office of Price Administration, Washington, D. C., his prices circulated to his salesmen or customers in effect on April 16, 1941, or customarily quoted and charged on that date, including extras lists, deduction lists, charges, and discounts. Special prices or discounts given to any customers and classes of customers as of April 16, 1941, shall be filed. This includes prices or discounts to jobbers, dealers and large, industrial or other special buyers. Every seller shall file individual price sheets for each warehouse or branch, showing city and country prices, wherever such exist; and he shall indicate the area or cities to which such prices apply. In the event that any prices so filed exceed the maximum prices established by this Schedule, the seller shall, after the effective date of this Schedule, eliminate this excess and charge a maximum price not in excess of the maximum prices established herein. Every seller shall state with regard to his April 16, 1941 price for each product, the range of sizes, types or cross-section covered by each price submitted; trade names, if any, and prices charged; prices for each base quantity; products sold in various quantity brackets, and prices for each bracket. If the person is a seller without prices as of April 16, 1941, (a) because of establishment of business after April 16, 1941, or (b) because of introduction of a product not handled on or prior to April 16, 1941, he shall file a list of his inventory as of December 1, 1941, and prices he proposes to charge for such products. These prices shall not be in excess of the maximum as established by this Schedule. Additional filing requirements from Pacific Coast and Gulf Port sellers, and for carload business, are included in other sections of this Schedule. Persons affected by this Schedule shall submit such other reports to the Office of Price Administration as it may from time to time require.

* * * * *

§ 1306.157 *Definitions.*

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(e) "Published listed price" or "published list price" means a price for resale of iron or steel products publicly circulated in the trade, and is confined, except as stated below in § 1306.159 (m) (3), to price lists issued for the cities named and the persons stated in Appendix B, incorporated herein as § 1306.160. If not otherwise stated, the term is meant to apply only to price lists effective as of April 16, 1941. In any *"listed city"* in which there are several such published listed prices for any product or quantity, the highest of such prices shall be the published listed price herein referred to:

* * * * *

(m) "Mixed carload" means a bona fide "mixed carload" containing not less than three items of steel of substantial quantity and of different type, such as strip, plates, sheets, bars. (Hot Rolled and Cold Finished bars or Hot Rolled and Cold Rolled sheets shall be considered as examples of different types of steel products in this definition.)

* * * * *

§ 1306.159 *Appendix A; domestic and export maximum prices for iron and steel products*—(a) *Maximum delivered prices in any city (whether listed or unlisted), or free delivery area, in which the seller is located.*

* * * * *

(ii) That in *unlisted cities,* the maximum delivered price shall not exceed the lowest delivered price that is the result of a combination of (a) country prices of any seller named in Appendix B herein [or as may hereinafter be issued under *"General Provisions"*, § 1306.159 (m) (3)] located in any *listed city,* and (b) less-than-carload freight from such *listed city.*

(2) Extras which were customarily charged as of April 16, 1941, may be computed in the maximum delivered price: *Provided,* That such extras do not exceed those established and charged on April 16, 1941, by sellers listed in Appendix B of this Schedule. Extras listed but not customarily charged as of April 16, 1941, shall not be charged. Deductions cus-

tomarily granted as of April 16, 1941, shall be deducted in computing the maximum delivered price.

(b) *Maximum delivered prices in places other than the city or free delivery area in which the seller is located.* (1) In any place other than a city or free delivery area in which the seller is located, the maximum delivered price for that seller shall be the lowest delivered price that is the result of a combination of (i) country price of any seller named in Appendix B herein [or as may hereinafter be issued under *"General Provisions"*, §1306.159 (m) (3)] located in any *listed city* and (ii) less-than-carload freight from such *listed city*. It is provided, however, that in no case shall the maximum delivered price on a sale for delivery into a *listed city* exceed published listed prices, extras and deductions, as set out in Appendix B, in effect as of April 16, 1941, for that city or free delivery area.

(c) *Maximum delivered prices for persons without prices.* (1) In the city or free delivery area in which are located certain persons without prices as of April 16, 1941, because of (a) the establishment of their business after that date, or (b) the introduction of a product not handled on or prior to April 16, 1941, the maximum delivered price for persons having no prices for the product or the quantity being sold shall be:

(i) *In listed cities*, the maximum delivered price shall not exceed the published listed prices, as set out in Appendix B, [or, as may hereinafter be issued under *"General Provisions"*, § 1306.159 (m) (3)] for that city or free delivery area.

(ii) *In unlisted cities*, the maximum delivered price shall not exceed the lowest delivered price that is the result of a combination of (a) country prices of any seller named in Appendix B herein [or as may hereinafter be issued under *"General Provisions"*, § 1306.159 (m) (3)] located in any *listed city*, and (b) less-than-carload freight from such *listed city*.

* * * * *

(d) *Modification of certain April 16, 1941, prices.* (1) Any seller located in listed city or free delivery area to which published listed prices are applicable, if his prices as of April 16, 1941, were lower than such published listed prices, may make application to the Office of Price Administration to increase the maximum delivered price applicable to him in order to correspond to the published listed prices applicable to such *listed city* or free delivery area Such application shall be in affidavit form and shall state that the services rendered by such seller are comparable to services rendered by the sellers named in Appendix B for such city, in such matters as delivery service, performance of cutting, shearing, bending, threading and similar operations, carrying of a full line of products, of comparable type, grade and quality, etc.

* * * * *

(f) *Maximum delivered prices for dislocated tonnage.* In case of shipments by a seller of 150 miles or more, and if shipment is through or into any *listed city*, or substantially in the same direction and past any *listed city*, or in case of any shipments by a seller of not less than 350 miles, the maximum delivered price for any iron or steel product so shipped shall be the country price of the seller plus less-than-carload freight as customarily charged less 15¢ per cwt.: *Provided*, That such deduction of 15¢, or any part thereof, does not bring the delivered price on such dislocated tonnage below the maximum delivered price as established in paragraph (b) of this section.

(g) *Maximum delivered prices on the Pacific Coast and for Gulf Ports; special filing provisions.* (1) Maximum delivered prices on the Pacific Coast shall be as provided in this Schedule: *Provided*, That:

(i) On the following products and no others, the sum of 35¢ per cwt. may be added to the maximum delivered price as established in this Schedule: plates, universal and sheared, carbon; hot rolled sheets, carbon; hot rolled bars and small shapes, carbon; galvanized, galvannealed, enameling, and galvanized corrugated sheets; floor plates; hot rolled strip, carbon; and structural shapes, carbon. (This 35¢ per cwt. shall not be added to the price of concrete reinforcing bars.)

* * * * *

(iii) Pending analysis of data to be submitted under provisions of this Schedule, sellers located in Gulf Ports shall have a maximum delivered price as established in this Schedule based on sellers' prices in effect as of April 16, 1941.

* * * * *

(h) *Maximum delivered prices for specific wire products.*

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(ii) Carload freight from the nearest mill Basing Point to warehouse, and

* * * * *

(2) The maximum delivered price of less-than-carload quantities of standard wire nails, annealed smooth wire, and galvanized smooth wire at any other place, shall be the price (as computed above) in any city and less-than-carload freight from such city.

(3) On all merchant wire products, whether covered by subparagraphs (1), (2) or (4) of this paragraph, extras charged by jobbers and dealers on merchant wire products shall be the same as regular published mill extras in effect as of April 16, 1941, and deductions customarily granted as of April 16, 1941, shall be deducted in computing the maximum delivered price. On standard wire nails, annealed smooth wire and galvanized smooth wire, for which maximum prices are established above, deductions shall be in the same ratio to these maximum prices as they were to prices existing on April 16, 1941.

(4) The maximum delivered prices for less than carload quantities of all other merchant wire products shall be computed as otherwise provided in this Schedule.

(5) The maximum prices for mixed or straight carloads of merchant wire products are established by § 1306.159 (k) (3).

(6) This section establishes maximum prices to be charged to dealers and quantity purchasers (as noted below) of merchant wire products, and does not establish a maximum price for sales by retail dealers (such as retail hardware stores, retail lumber yards, or mail order houses) to consumers: *Provided*, That sales by any person of nails in quantities of more than 25 kegs or other merchant wire products in quantities of more than 2500 lbs. shall be governed by the price provisions of this Schedule.

(i) *Maximum delivered prices for pipe and tubular products.* Maximum delivered prices for the following types of iron and steel pipe and tubular products shall be the sellers' prices in effect as of April 16, 1941: *Provided* they do not exceed the maximum delivered prices established below. Standard published mill extras in effect as of April 16, 1941, may be computed in the maximum delivered price: *Provided*, That where such extras were listed but not customarily charged by the seller as of April 16, 1941, they shall not be charged. Deductions customarily granted as of April 16, 1941, shall be deducted in computing the maximum delivered price.

* * * * *

(4) For boiler and other pressure tubes: the lowest price resulting from that combination of Basing Point prices in each quantity bracket of the National Tube Company Price List for sales to consumer in effect April 16, 1941, and less-than-carload freight from Basing Point to destination of customer (carload freight shall be charged on shipments of 40,000 lbs. and over).[1] *Provided*, That maximum prices for merchant and other tubes shall be in the same ratio to the maximum prices established for seamless tubing as existed on April 16, 1941. In no case shall these prices exceed the maximum established here for seamless tubing.

* * * * *

(6) This Schedule does not establish a maximum price for sales to consumers by retail hardware stores or mail order houses in quantities not greater than 5 standard lengths of pipe.

* * * * *

(j) *Maximum delivered prices for tool steel.* The maximum delivered price for Tool Steel shall be the seller's prices which were in effect, or would have been charged on April 16, 1941, provided they do not exceed, for comparable products, prices listed in the published price list of Crucible Steel Company, effective on April 16, 1941 The locations of warehouses of the Crucible Steel Company are set forth in Appendix B of this Schedule.

* * * * *

(k) *Maximum delivered prices for shipments in carload quantities, and in certain specific cases.*

* * * * *

(3) Mixed or straight carload of Merchant Wire Products shall be sold at maximum prices not exceeding the published mill base prices established under Price Schedule 6. (Regular jobber allowances given by mills may be retained by seller of such mixed carload)

* * * * *

(5) On shipments of 40,000 lbs. or more out of seller's stock not falling within paragraphs (2), (3) and (4) of this section, (except that on rails, these provisions shall apply to shipments of 59,000 lbs. or more) the maximum delivered price shall be the mill price as established under Price Schedule No. 6: *Provided,* That on presentation to the Office of Price Administration of a certificate that such shipment out of seller's stock has been specifically authorized by the War Production Board, a maximum delivered price will be established by the Office of Price Administration.

* * * * *

(l) *Maximum delivered prices for seconds, wasters, off-grade and used products.* The maximum delivered price for all off-grades, seconds, wasters and used iron or steel products after such shearing, cutting, straightening, bending or pickling, as may be necessary, shall be the seller's prices which were or would have been charged on April 16, 1941, provided they do not exceed the maximum delivered price for comparable iron or steel products of prime quality.

(m) *General provisions.*

* * * * *

(3) Whenever the Office of Price Administration published prices for any city or free delivery area, they shall on publication become the official published listed prices for such city or free delivery area, and shall supersede references otherwise made in this Schedule for the determination of sellers' maximum prices for such products, either in Appendix B for listed cities, or for unlisted cities. Transportation and delivery charges and all extras, deductions and other terms of sale to continue in effect as established by the Schedule, unless specifically stated otherwise in such official published price sheet.

§ 1306.161 *Appendix B; listed cities*

Baltimore	Scully Steel Products.
Birmingham	Southern Steel Company.
	Moore-Handley Company.[1]
Boston	Jos. T. Ryerson & Son.
	Scully Steel Products.
	Wheeling Corrugating Company.[1]
	Wheelock-Lovejoy & Company.
Buffalo	Jos. T. Ryerson & Son.
	Wheeling Corrugating Company.[1]
	Wheelock-Lovejoy & Company.
Chicago	Jos. T. Ryerson & Son.
	Scully Steel Products.
	Jones & Laughlin Steel Corporation.
	A. M. Castle & Company.
	Hibbard Spencer Bartlett & Company[1]
	Wheelock-Lovejoy & Company.
Cincinnati	Jos. T. Ryerson & Son.
	Jones & Laughlin Steel Corporation.
	The H. Belmer Company.[1]
	Wheelock-Lovejoy & Company.
Cleveland	Jos. T. Ryerson & Son.
	Scully Steel Products.
	The George Worthington Company.[1]
	Wheelock-Lovejoy & Company.

[1] The prices of these firms are published list prices only as to the merchant wire product line.

§ 1306.161 *Appendix B; listed cities*—Continued

Detroit	Jos. T. Ryerson & Son.
	Jones & Laughlin Steel Corporation
	Buhl Sons Company.[1]
	Wheelock-Lovejoy & Company.
Houston	Earle M. Jorgensen Company.
	F. W. Heitmarn & Company.[1]
Indianapolis	W. J. Holliday Company.
Los Angeles	A. M. Castle & Company.
	Earle M. Jorgensen Company.
	Ducommun Metals & Supply Company.
Memphis	Jones & Laughlin Steel Corporation.
Milwaukee	Jos. T. Ryerson & Son.
	Frankfurth Hardware Company.[1]
New Orleans	Jones & Laughlin Steel Corporation.
	Cahn Brothers & Ryder, Incorporated.[1]
New York	Jos. T. Ryerson & Son.
	Scully Steel Products.
	Jones & Laughlin Steel Corporation.
	Wheelock-Lovejoy & Company
Norfolk	Eagleston-Parke, Incorporated
Omaha	Drake - Williams - Mount Company.
Philadelphia	Jos. T. Ryerson & Son.
	Wheeling Corrugating Company.[1]
Pittsburgh	Scully Steel Products.
	Jones & Laughlin Steel Corporation.
	C. A. Turner Company.[1]
St. Louis	Jos. T. Ryerson & Son.
	Scully Steel Products.
St. Paul	Scully Steel Products.
San Francisco	A. M Castle & Company.
	Earle M. Jorgensen Company.
Seattle	A. M. Castle & Company.

(b) *Listed cities or free delivery areas in which Crucible Steel Company warehouse stocks of tool steel are located.* Atlanta; Boston; Buffalo; Chicago; Cincinnati; Cleveland; Denver; Detroit; Indianapolis; Los Angeles; Milwaukee; Newark; New Haven; New York; Philadelphia; Providence; St. Louis; San Francisco; Seattle; Springfield.

(c) Listed cities or free delivery areas in which National Tube Company's exclusive distributors of mechanical tubing are located.

Cambridge	Austin-Hastings Company.
Los Angeles	Ducommun Metals & Supply Company.
New York, Buffalo, Philadelphia	Peter A. Frasse & Company, Incorporated.
Cincinnati	E. K. Morris & Company, Incorporated.
Chicago, Detroit, Indianapolis, St. Louis	C. A. Roberts Company.
Cleveland	Strong, Carlisle & Hammond.
Atlanta	J. M. Tull Metal Supply Company.
Pittsburgh	Williams & Company.

§ 1306.161 *Appendix C; List of products.* The following iron and steel products and their alloys (including stainless) are "Iron or Steel Products" as defined in Price Schedule No. 6. They are therefore iron or steel products as defined in this Schedule, covering resale of iron or steel products. This list does not limit the inclusiveness of the definition. As interpretations are made, this list will be supplemented from time to time.

- Ingots
- Blooms
- Billets
- Slabs
- Sheet Bars
- Skelp
- Tube rounds
- Muck bar
- Forging rounds
- Bars and small shapes, new billet and rail steel—all types and grades including:
  - Merchant
  - Cold finished—carbon
  - Concrete reinforcing
  - Alloy-hot rolled; cold finished
  - Hoops and baling-bands
- Tool steel bars (rolled and forged)
- Plates—all types
- Armor plate—forged, rolled and otherwise
- Shapes including bearing piles
- Sheets piling and accessories
- Rails—all types
- Track materials including:
  - Tie plates
  - Tie rods
  - Track spikes
  - Splice bars (joint bars, angle bars, rail joints, and fish plates)
  - Ties
- Axles, car wheels, or any combination, rolled or forged
- Pipe and tube—plain, threaded and coupled—all types and grades, including:
  - Conduit
  - Spiral welded
  - Mechanical tubing
  - Boiler, pressure, and heat exchanger tubing
- Black Plate
- Tin plate—all types
- Sheets and strip, including plain and corrugated; and roofing and siding of all types; including:
  - Hot rolled
  - Cold rolled
  - Galvanized
  - Ternes
  - Enameling
  - Electrical
  - All other
- Wire rods—all types and grades
- Merchant wire products, including:
  - Nails, staples, and brads
  - Merchant quality wire
  - Wire fencing, including woven, chain link and lawn
- Bale ties and buckle wire
- Posts—all types and accessories
- Poultry and animal farm netting
- Twisted barbless and barbed wire
- Wire clothes line
- Wire rope, wire strand, and special cords such as aircraft
- Woven wire cloth—insect, hardware, and all other
- Wire belting
- Wire hoops
- Communications and power transmission wire
- Welded or woven wire fabrics for reinforcing

§ 1306.162 *Appendix D; exceptions to Price Schedule No. 49.* The following persons have been granted an exception under the terms of Price Schedule No. 49,

which exception has been defined and limited in certain letters. All action taken in reliance upon the terms of any exception shall be at the risk of the person acting until and unless official notification has been received by such persons pursuant to such application. Persons interested may secure the terms of such exception on application to the Office of Price Administration.

Name	*Date Granted*
State Export Company, 24 State Street, New York City	January 30, 1942.
Omni Products Corporation, 347 Fifth Ave., New York City	January 31, 1942.
Overseas Mercantile Company, 14-16 E. 38th St., New York City	January 31, 1942.
First Pan-American Mercantile Company, 19 Rector Street, New York City	December 27, 1941.
	January 6, 1942.
	January 14, 1942.
Import-Export Industries, Inc., 30 Rockefeller Plaza, New York City	January 29, 1942.
R. Maes Export and Import Corporation, 327 E. 29th Street, New York City	December 31, 1941.
T. J. MacDonald, 24 State Street, New York City	January 14, 1942.
Merx Foreign Trade Company, 1270 Sixth Avenue, New York City	December 31, 1941.
	January 8, 1942.
Coronia Trading Corporation, 175 Fifth Avenue, New York City	January 7, 1942.
Industrial Sales Corporation, 295 Madison Avenue, New York City	December 31, 1941.
	January 14, 1942.
Requisitioning Division, Board of Economic Warfare, Washington, D. C.; Mr. Lambo Kisselintcheff; and Atlas Trading Corporation, New York City.	January 19, 1942.
Requisitioning Division, Board of Economic Warfare, Washington, D. C.; Wessel-Duval & Company, New York City.	January 19, 1942.
Requisitioning Division, Board of Economc Warfare, Washington, D. C.; Mr. Frederic Rohner.	January 19, 1942.
Requisitioning Division, Board of Economic Warfare, Washington, D. C.; Mr. Lambo Kisselintcheff; and Atlas Trading Corporation, New York City.	January 24, 1942.
M. Paquet & Company, Inc., 17 Battery Place, New York City	January 31, 1942.
Vance Iron and Steel Company, Chattanooga, Tennessee	January 31, 1942.
Fisher Brothers Steel Corporation, 297-305 Morris Avenue, New York City	January 31, 1942.
Wimberly and Thomas Hardware Company, Birmingham, Alabama	January 31, 1942.
Roberts, Sanford & Taylor Company, Sherman, Texas	January 31, 1942.
Van Deren Hardware Company, Lexington, Kentucky	January 17, 1942.
Baker, Hamilton & Pacific Company, San Francisco, California	January 28, 1942.
Horace T. Potts Co., Philadelphia, Pa	January 31, 1942.

(E.O. Nos. 8734, 8875, 6 F.R. 1917, 4493)

This amendment No. 2 shall become effective February 2, 1942. Issued this 2d day of February 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-961; Filed, February 2, 1942; 5:18 p. m.]

[Revised to February 3, 1942]

PART 1307—RAW MATERIALS FOR COTTON TEXTILES

AMENDMENT NO. 7 TO PRICE SCHEDULE NO. 7—COMBED COTTON YARNS AND THE PROCESSING THEREOF

The title of Price Schedule No. 7 is hereby amended to read as above and §§ 1307.1 to 1307.8, inclusive, are hereby amended so that Price Schedule No. 7 will read as follows:

§ 1307.1 *Maximum prices for combed yarns and for mercerizing, bleaching, and gassing.* (a) On and after the applicable ceiling date, regardless of the terms of any contract of sale or purchase or other commitment (except as provided in Appendix A, incorporated herein as § 1307.12), no person shall sell, offer to sell, deliver or transfer combed yarn and no person shall buy, offer to buy, accept delivery of combed yarn, at prices higher than the applicable maximum prices set forth in Appendix A: *Provided,* That the provisions of this Schedule shall not apply to retail sales of combed yarn.

(b) On and after the applicable ceiling date, regardless of the terms of any contract or other commitment, no person shall charge and no person shall pay for the mercerizing, bleaching, and/or gassing of combed yarn, prices higher than the applicable maximum prices set forth in Appendix A.*

*§ 1307.1 to 1307.12, inclusive, issued under the authority contained in E.O. Nos. 8734, 8875, 6 F.R. 1917, 4483.

§ 1307.2 *Less than maximum prices.* Lower prices than those set forth in Appendix A may be charged, demanded, paid, or offered.*

§ 1307.3 *Evasion.* (a) The price limitations set forth in this Schedule shall not be evaded whether by direct or indirect methods in connection with a purchase, sale, delivery or transfer of combed yarn, or in connection with the mercerizing, bleaching, or gassing of combed yarn, alone or in conjunction with any other material, or by way of any commission, service, transportation, or other charge, or discount, premium, or other privilege, or by tying-agreement or other trade understanding, or otherwise.

(b) No price agreed upon in any contract shall be charged by amendment of such contract, by substitution therefor of a new contract, or otherwise (whether or not such change is made pursuant to the terms of the original contract) if the change so effected results in an agreed price in excess of the maximum price applicable under § 1316.12 hereof, in accordance with the date the original contract was made, to the original contract or to deliveries pursuant thereto.*

§ 1307.4 *Records and reports.* (a) Every person making purchases or sales of combed yarn after February 2, 1942, shall keep for inspection by the Office of Price Administration for a period of not less than one year, complete and accurate records of (1) each such purchase or sale, showing the date thereof, the name and address of the buyer and the seller, the price paid or received, and the quantity and specifications of each kind or grade purchased or sold; (2) the quantity of combed yarn (i) on hand, and (ii) on order, as of the close of each calendar month; and (3) in the case of manufacturers (i) the quantity in pounds of each count of base-grade combed yarn manufactured during each calendar month and (ii) the quantity in pounds of each type of combed yarn, other than base-grade combed yarn, manufactured or sold during each calendar month, and the kind, grade, and staple of cotton used in each such type.

(b) Every person who, for a charge, mercerizes, bleaches, and/or gasses combed yarn after February 2, 1942, shall keep for inspection by the Office of Price Administration for a period of not less than one year, complete and accurate records of each such transaction, including (1) the name of the customer, (2) the date of the contract, (3) the count and ply of the yarn, (4) the service performed, and (5) the price charged.

(c) Persons affected by this Schedule shall submit such reports to the Office of Price Administration as it may, from time to time, require.*

§ 1307.5 *Details required in contract of sale and invoice.* (a) Every seller of combed yarn shall, with respect to every sale thereof, deliver to the purchaser a contract of sale which shall contain, in addition to the terms thereof, (1) the date on which the sale or contract of sale was made, and (2) a full description of the yarn sold, including (i) the count, (ii) the ply, and (iii) where, in conformity with this Schedule, a premium is charged, the feature of the yarn (including, when relevant, the kind of cotton used, the twist, and the put-up), of the packaging, or of the sale for which such premium is allowed.

(b) Every seller of combed yarn shall, with respect to each delivery thereof, transmit to the purchaser an invoice or similar document which shall either contain the information required by paragraph (a) above or make reference to the contract in which such information is set forth.*

§ 1307.6 *Affirmations of compliance.* On or before March 10, 1942, and on or before the 10th day of each month thereafter, every person who, during the preceding calendar month has purchased or sold combed yarn, whether for immediate or future delivery, shall submit to the Office of Price Administration an affirmation of compliance on Form 107:2, containing a sworn statement that during such month all such purchases or sales were made at prices in compliance with this Schedule or with any exception therefrom or modification thereof. Copies of Form 107:2 can be procured from the Office of Price Administration, or, provided that no change is made in the style and content of the form and that it is reproduced on 8 x 10½" paper, they may be prepared by persons required to submit affirmations of compliance hereunder.*

§ 1307.7 *Enforcement.* In the event of refusal or failure to abide by the price limitations, record and report requirements, or other provisions of this Schedule, or in the event of any evasion or attempt to evade the price limitations or other provisions of this Schedule, the Office of Price Administration will invoke all appropriate sanctions at its command, including taking action to see (a) that the Congress and the public are fully informed thereof, and (b) that the powers of the Government, both state and federal, are fully exerted in order to protect the public interest and the interests of those persons who comply with this Schedule. Persons who have evidence of the offer, receipt, demand or payment of prices higher than the maximum prices, or of any evasion or effort to evade the provisions hereof, or of speculation or manipulation of prices of combed yarn, or of the hoarding or accumulating of unnecessary inventories thereof, are urged to communicate with the Office of Price Administration.*

§ 1307.8 *Modification of the Schedule.* Persons complaining of hardship or inequity in the operation of this Schedule may apply to the Office of Price Administration for approval of any modification thereof or exception therefrom: *Provided,* That no application under this section will be considered unless filed by persons complying with this Schedule.*

§ 1307.9 *Definitions.* When used in this Schedule, the term

(a) "Person" means an individual, partnership, association, corporation, or other business entity;

(b) "Combed yarn" means grey and (unless otherwise specified) mercerized, gassed, and/or bleached combed cotton yarn of all qualities and specifications in numbers up to 120s, inclusive, and includes imported combed yarn;

(c) "Retail sales" means sales to the ultimate consumer: *Provided,* That no manufacturer, processor, purchaser for resale, or commercial user shall be considered an ultimate consumer;

(d) "Ceiling date" means the date, as specified in Appendix A, upon which a given maximum price becomes effective;

(e) "For export" means to a person outside the United States, its territories and possessions;

(f) "Spot cotton price" means the average, published daily by the United States Department of Agriculture, Agricultural Marketing Service, of the price quotations for middling $\frac{15}{16}$-inch cotton on 10 designated spot markets.

(g) "Base-grade yarn" means grey combed yarn of all qualities falling within the following specifications:

Ply	Singles, two or three-ply
Twist	Regular or reverse
Turns per inch—	
Yarns sold as singles	2.75 to 3.74, inclusive, times the square root of the yarn number
Yarns sold after plying—	
Single twist	2.75 to 3.74, inclusive, times the square root of the yarn number
Plied twist	Up to 3.74, inclusive, times the square root of the number of the single yarn equivalent
Put-up	
Singles	Open-wind cones of the following dimensions: Yarn diameter at base 5" to 7", inclusive Traverse: 5½" to 6½", inclusive; or Open-wind parallel tubes of the following dimensions: Yarn diameter: 4" to 7", inclusive Traverse: 5½" to 6½", inclusive; or Round-tied skeins
Plied	Cones and tubes of the above descriptions; or Quiller warps; or Round-tied skeins
Cotton content	American cotton which, according to the respective count, does not exceed the following staple lengths: 10s to 24s, inclusive 1$\frac{11}{16}$" 25s to 30s, inclusive 1$\frac{35}{32}$" 31s to 44s, inclusive 1⅛" 45s to 55s, inclusive 1$\frac{5}{32}$" 56s to 70s, inclusive 1$\frac{3}{16}$" 71s to 80s, inclusive 1$\frac{7}{32}$" 81s to 90s, inclusive 1¼" 91s to 100s, inclusive 1$\frac{9}{16}$" 110s to 120s, inclusive 1⅜"

(h) "American cotton" includes all cotton grown in the United States except Sea Island, Pima, and SXP cotton;

(i) "Producer" includes a person who mercerizes, bleaches, and/or gasses combed yarn, whether for sale or on commission;

(j) "Purchaser" includes a person for whom a producer mercerizes, bleaches, and/or gasses combed yarn on commission.*

§ 1307.10 *Effective date of the Schedule.* This Schedule became effective May 26, 1941. [6 F.R. 2561, No. 102, May 24, 1941]*

§ 1307.11 *Effective dates of amendments.* (a) The amendment issued June 19, 1941, adding paragraph 1307.1 (c) and amending § 1307.7 became effective as of May 26, 1941. [6 F.R. 3010, No. 120, June 20, 1941]

(b) The amendment issued July 19, 1941, amending paragraph 1307.1 (a) and § 1307.7, became effective July 21, 1941. [6 F.R. 3593, No. 141, July 22, 1941]

(c) The amendment issued August 1, 1941, amending § 1307.7, became effective as of July 21, 1941. [6 F.R. 3864, No. 150, August 2, 1941]

(d) Amendment No. 4, issued December 24, 1941, amending § 1307.7, became effective December 24, 1941. [6 F.R. 6767, No. 251, December 27, 1941]

(e) Amendment No. 5, issued January 5, 1942, amending § 1307.7 (b) (3), became effective as of December 24, 1941. [7 F.R. 121, No. 3, January 6, 1942]

(f) Amendment No. 6, issued January 21, 1942, amending § 1307.7 (b) (3), became effective as of January 14, 1942. [7 F.R. 474, No. 16, January 23, 1942]*

(g) Amendment No. 7, issued February 2, 1942, revising the entire schedule, shall be effective February 3, 1942.*

§ 1307.12 *Appendix A; maximum prices for combed yarns and for mercerizing, bleaching, and/or gassing thereof*—(a) *Arrangement of Appendix.* Paragraph (b) sets forth the terms of sale and of delivery to be observed in connection with the maximum prices established in this Schedule.

Paragraph (c) recapitulates the maximum prices established for grey combed yarns prior to December 24, 1941. Grey combed yarns delivered against contracts entered into prior to that date are subject to these maximum prices.

Paragraph (d) contains maximum prices applicable to (1) all sales and deliveries of single, two and three-ply grey combed yarns except deliveries against contracts entered into prior to December 24, 1941; (2) all sales and deliveries of grey combed yarn of four or more ply and of mercerized, bleached, and/or gassed combed yarns on or after February 3, 1942; and (3) all contracts for commission mercerizing, bleaching, and/or gassing entered into on or after February 3, 1942 and all deliveries after that date of yarn mercerized, bleached, and/or gassed on commission.

(b) *Terms of sale*—(1) *Freight;* (i) *Sales and deliveries by producers.* As applied to sales and deliveries by the producer, the maximum prices established herein include freight up to one cent per pound to the purchaser's place of business. The producer may require the purchaser to pay any freight in excess of one cent per pound. If the producer does not pay the freight, the maximum price shall be that shown herein less freight (up to one cent per pound) at the lowest published rate. In the case of sales or deliveries for export, if export is by sea, the seaport from which the yarn is shipped, or, if export is overland, the point at which the yarn leaves the United States, shall be regarded as the purchaser's place of business.

(ii) *Sales and deliveries of stock yarn.*[1] As applied to sales and deliveries of stock yarn, the maximum prices established herein are prices f. o. b. the stock-yarn seller's shipping point.

(2) *Discounts and commissions.* The maximum prices established by this Schedule are gross prices before any dis-

[1] As used in this Schedule, the term "stock yarn" means combed yarn owned by a person independent of the producer thereof and stored in space (1) belonging to or leased by such person and (2) located within 25 miles of his principal place of business; the term "independent" means not controlling, controlled by, or under common control with.

counts are deducted and they include all commissions.

The maximum prices for combed yarns (as distinguished from those for commission mercerizing, bleaching, and/or gassing) established in Paragraph (d) below, shall be discounted by 2 per cent where payment is made within 30 days of delivery.

(c) *Maximum prices for grey combed yarns covered by contract of sale prior to December 24, 1941.* Grey combed yarns of the following specifications which, prior to December 24, 1941, were covered by a sale or contract of sale but not delivered pursuant thereto, shall not be delivered to the purchaser at prices in excess of those set forth below.

Prices per Pound for Grey Combed Peeler Yarns [2]

Yarn Nos.	Single	2-ply
10s	$.385	$.425
12s	.39	.43
14s	.395	.435
16s	.40	.44
18s	.405	.445
20s	.41	.45
24s	.42	.46
26s	.43	.47
30s	.45	.49
36s	.48	.53
38s	.49	.54
40s	.50	.55
50s	.58	.63
60s	.67	.72
70s	.77	.82
80s	.87	.92
86s	1.00	1.12
90s	1.08	1.20
100s	1.28	1.42
110s	----------	1.64
120s	----------	1.88

The maximum prices set forth above are not applicable to deliveries of grey combed yarn which is to be exported outside the territory of the United States, regardless of whether such export is to be effected through a middleman: *Provided,* That yarn delivered for export shall not subsequently be sold or delivered for use within the territory of the United States at more than the maximum prices set forth above.

The maximum prices set forth above have been effective since July 21, 1941,[3] which constitutes the ceiling date therefor.

(d) *Combed yarns not covered by contract prior to December 24, 1941; mercerizing, bleaching, and/or gassing*—(1) *Applicability of maximum prices in paragraph (d).* The maximum prices established in paragraph (d) apply to all sales and deliveries of single, two and three-ply grey combed yarns on and after December 24, 1941; to all sales and deliveries of grey combed yarn of four or more ply and of mercerized, bleached, and/or gassed combed yarns on or after February 3, 1942; and to all contracts for and deliveries against contracts for commission mercerizing, bleaching, and/or gassing of combed yarn after February 3, 1942.

(2) *Determination of maximum price for combed yarns.* The maximum price for any offer to buy or sell, sale or contract of sale, delivery or transfer of combed yarn shall be determined from the tables in (3) below, as qualified by (4) below, in the following manner:

(i) *Offer to buy or sell.* By the spot cotton price of the business day immediately preceding that on which the offer was made, except that, if the offering price is not otherwise specified, an offer to buy or sell at the maximum price applicable on the day the contract of sale is to be made shall not be a violation of the schedule;

(ii) *Sale or contract of sale.* By the spot cotton price of the business day immediately preceding the day on which the sale or contract of sale is made, regardless of the maximum price applicable to the offer pursuant to which such sale or contract is made;

(iii) *Delivery or transfer.*[4] By the spot cotton price of the business day immediately preceding that on which the sale or contract of sale is made, regardless of any change in the spot cotton price subsequent thereto.

(3) *Tables of maximum prices for combed yarns.* For a yarn number intermediate between any two appearing in Table I or in Table II, the maximum price shall be that price obtained from these tables by interpolation in accordance with the respective yarn numbers.

TABLE I—*Yarn numbers up to 50s*

[Cents per pound]

Yarn Nos.	Singles	Plied
10s and under	38	41
12s	38.5	41.5
14s	39	42
16s	39.5	42.5
18s	40	43
20s	40.5	44
22s	41	45
24s	42	46
26s	43	47
28s	44	48
30s	45	49
32s	46	50.5
34s	47	52
36s	48.5	53.5
38s	50	55
40s	51.5	57
42s	53	59
44s	55	61
46s	57	63
48s	59	65

The above prices shall be adjusted as follows in accordance with the spot cotton price:

Spot cotton price (cents per pound)	*Adjustment*
14.38 to 14.77, inclusive	Deduct 2 cents per lb.
14.78 to 15.17, inclusive	Deduct 1½ cents per lb.
15.18 to 15.58, inclusive	Deduct 1 cent per lb.
15.59 to 15.98, inclusive	Deduct ½ cent per lb.
15.99 to 16.38, inclusive	None
16.39 to 16.79, inclusive	Add ½ cent per lb.
16.80 to 17.19, inclusive	Add 1 cent per lb.
17.20 to 17.59, inclusive	Add 1½ cents per lb.
17.60 to 18.00, inclusive	Add 2 cents per lb.
18.01 to 18.40, inclusive	Add 2½ cents per lb.
18.41 to 18.80, inclusive	Add 3 cents per lb.
18.81 to 19.20, inclusive	Add 3½ cents per lb.
19.21 to 19.61, inclusive	Add 4 cents per lb.
19.62 to 20.01, inclusive	Add 4½ cents per lb.

TABLE II—*Yarn numbers 50s and above*

[Cents per pound]

Yarn Nos.	Singles	Plied
50s	61	67
52s	63	69
54s	65	71
56s	67	73
58s	69	75.5
60s	71	78
62s	73	80
64s	75	82
66s	77	84
68s	79	86.5
70s	81	89
72s	83	91
74s	85	93

TABLE II—*Yarn numbers 50s and above*—Continued

[Cents per pound]

Yarn Nos.	Singles	Plied
76s	87	95
78s	89	97
80s	91	99
82s	93	103
84s	96	107
86s	100	112
90s	108	120
100s	123	142
110s	----------	164
120s	----------	188

The above prices shall be adjusted as follows in accordance with the spot cotton prices:

Spot cotton price (cents per pound)	*Adjustment*
14.53 to 14.89, inclusive	Deduct 2 cents per lb.
14.90 to 15.25, inclusive	Deduct 1½ cents per lb.
15.26 to 15.62, inclusive	Deduct 1 cent per lb.
15.63 to 15.98, inclusive	Deduct ½ cent per lb.
15.99 to 16.35, inclusive	None.
16.36 to 16.71, inclusive	Add ¼ cent per lb.
16.72 to 17.08, inclusive	Add 1 cent per lb.
17.09 to 17.44, inclusive	Add 1½ cents per lb.
17.45 to 17.81, inclusive	Add 2 cents per lb.
17.82 to 18.17, inclusive	Add 2½ cents per lb.

[2] The above prices apply only to grey combed cotton yarns of ordinary commercial quality. For yarns with excess twist, reverse twist, three or more ply, high break, or requiring the use of extra length American cotton, Pima cotton, Egyptian cotton, or Sea Island cotton, a premium over the above prices may be charged to cover the additional cost involved in manufacturing these special qualities.

[3] 6 F.R. 2561, N. 102, May 24, 1941; 6 F.R. 3010, No. 120, June 20, 1941; 6 F.R. 3593, No. 141, July 22, 1941; 6 F.R. 3864, No. 150, August 2, 1941.

[4] Except as is otherwise provided herein, this method of determining the maximum price shall be used in connection with deliveries and transfers pursuant to sales or contracts of sale made before, as well as on or after, the applicable ceiling date.

Spot cotton price (cents per pound)—Continued	*Adjustment*
18.18 to 18.54, inclusive	Add 3 cents per lb.
18.55 to 18.90, inclusive	Add 3½ cents per lb.
18.91 to 19.27, inclusive	Add 4 cents per lb.
19.28 to 19.63, inclusive	Add 4½ cents per lb.
19.64 to 20.00, inclusive	Add 5 cents per lb.

(4) *Premiums.* Where applicable, the premiums set forth below may be charged in addition to the maximum prices set forth in (3) above.

No premiums may be charged for any combed yarn except as permitted herein.

(i) *Export packaging.* For yarns in waterproof packaging to be exported by sea, a premium of one cent per pound may be charged.

(ii) *Export sales.* A premium of 5 per cent may be charged by the producer for combed yarns sold for export.[5]

Persons other than the producer, and independent[1] of him, may charge for yarns sold for export a premium which can be justified as commensurate with the difference in cost between the given export sale and a comparable domestic sale.

(iii) *Jobbers.* A jobber[6] who is independent[7] of the producer may:

(*a*) Sell broken-case lots of combed yarn in quantities of 1,500 pounds or less per calendar month to a given customer at a premium of 10 percent, and in quantities in excess thereof (but not exceeding 15,000 pounds in any calendar month to all his customers) at a premium of 5 percent;

(*b*) Sell combed yarn in lots of 1 to 3 unbroken cases at a premium of 5 percent: *Provided,* That he may not avail himself of this premium in connection with sales in any calendar month in excess of (1) 3,000 pounds to the same customer or (2) 20,000 pounds to all his customers.

(iv) *High twist.* For turns per inch exceeding the range provided for in the specifications for base-grade yarns, premiums may be charged in accordance with the following tables:

Single Twist

[All numbers herein inclusive]

Yarn Nos.	Multiples[8] 3.75 to 4.24	Multiples 4.25 to 4.74	Multiples 4.75 to 5.24	Multiples 5.25 and up
	Cents per pound			
Up to 30s	.20	.60	.95	1.35
31s to 40s	.30	.85	1.35	1.90
41s to 50s	.40	1.20	2.00	2.75
51s to 60s	.55	1.60	2.65	3.75
61s to 70s	.70	2.05	3.40	4.80
71s to 80s	.85	2.55	4.20	5.90
81s to 90s	1.00	3.05	5.10	7.10
91s to 100s	1.20	3.60	6.00	8.40
101s to 120s	1.65	4.90	8.15	11.40

[8] As used in this Table "multiple" means the quotient of the number of turns per inch divided by the square root of the yarn number.

Plied Twist[9]

[All numbers herein inclusive]

Yarn Nos.	Multiples[10] 3.75 to 4.24	Multiples 4.25 to 4.74	Multiples 4.75 to 5.24	Multiples 5.25 and up
	Cents per pound			
Up to 30s	.35	.50	.65	.75
31s to 40s	.50	.70	.85	1.05
41s to 50s	.70	.85	1.05	1.20
51s to 60s	.90	1.15	1.40	1.60
61s to 70s	1.15	1.50	1.75	2.05
71s to 80s	1.45	1.80	2.20	2.55
81s to 90s	1.75	2.20	2.65	3.10
91s to 100s	2.10	2.60	3.10	3.60
101s to 120s	2.70	3.15	3.60	4.05

[9] If the single, as well as the plied, twist of a plied yarn exceeds that provided for in the base-grade specifications, the applicable premium set forth in the "Single Twist" Table, above may be charged in addition to the premium for plied twist set forth herein.

[10] As used in this Table, "multiple" means the quotient of the number of turns per inch divided by the square root of the number of the single-yarn equivalent of the plied yarn.

(v) *Put-up.* For yarns in the following put-ups, premiums may be charged as indicated.

Put-up	Yarn Nos.	Premium
Perforated dye tubes (without socks)	10s to 50s	1.00 cents per lb.
	51s to 120s	2.00 cents per lb.
(with socks)	10s to 50s	2.00 cents per lb.
	51s to 120s	3.00 cents per lb.
Cross-tied skeins	10s to 20s	.50 cents per lb.
	21s to 50s	1.00 cents per lb.
	51s to 80s	2.00 cents per lb.
	81s to 120s	3.00 cents per lb.

(vi) *Special yarns for defense.* The premiums set forth below may be charged for yarn of the following constructions: *Provided,* That (*a*) the yarn is made for use in the manufacture of products to meet the specification named below opposite the construction of the yarn sold; (*b*) the purchaser of the yarn shall certify in writing to the seller, before any delivery is made, that the yarn is to be so used; and (*c*) yarns entitled to carry any of the premium set forth below shall not be eligible for any other premium established by this Schedule.

Yarn construction	When made for use in products to meet	Allowable premium (cents per pound)
17/1	Army Specification P. Q. D. No. 1 (Wind Resistant Cotton Cloth), December 13, 1940	5.25
20/1	do	5.25
40/2	do	8.75
12/1	Type I or II, Army Specification P. Q. D. 33-A (Cloth, Cotton, Uniform, Twill), December 9, 1941	5.25
24/2	do	13.00
22/2	do	10.25
40/2	Type I Quartermaster Corps Tentative Specification P. Q. D. No. 82 (Netting, Mosquito, Cotton, O. D.), July 30, 1941	4.00
55/1	Type II Quartermaster Corps Tentative Specification P. Q. D. No. 82 (Netting, Mosquito, Cotton, O. D.), July 30, 1941	10.25
60/2	Type III Quartermaster Corps Tentative Specification P. Q. D. No. 82 (Netting, Mosquito, Cotton, O. D.), July 30, 1941	4.00

(vii) *Mercerized, bleached, and/or gassed yarns.* For combed yarns which are mercerized, bleached, and/or gassed, premiums may be charged as follows:[11]

Premiums for mercerized, bleached, and/or gassed yarns maximum prices for mercerizing, bleaching, and gassing

[Cents per pound]

Yarn Nos. (inclusive)	Single Yarns		Plied Yarns		
	Mercerizing[12]	Bleaching[13]	Mercerizing[12]	Bleaching[13]	Gassing[14]
20s to below	28	12	15	7	3
21s to 30s	29	13.5	16.75	8	3
31s to 40s	31	15.25	18.5	9	3
41s to 50s	33.5	17	20	9	4
51s to 60s	38	19	21	9	4
61s to 70s	43	21.25	23	10	5
71s to 80s	49	23.5	27	11	7
81s to 90s	55	27.5	32.5	12	8
91s to 120s	62	30.5	40	12	9

[12] Includes quilling and winding.

[13] Includes winding from bobbins to springs and from springs to cones.

[14] No extra charge is allowable for quilling or winding.

(viii) *Other premium yarns; reports on sales thereof.* A premium may be charged for (*a*) combed yarns in put-ups or of plies other than, or of twist slacker than, those provided for in the specifications for base-grade yarn and (*b*) combed yarns which, in order to meet breaking-strength requirements reason-

[1] See footnote 1, page 709, for definition of "independent".

[5] See § 1307.9 (c) for definition of "for export".

[6] As used herein, "jobber" means a person at least 75 percent of whose sales of combed yarn during the calendar month preceding any given transaction consisted of stock-yarn sales. See footnote 1, above, for definition of "stock yarn."

[7] See footnote 1, above.

[11] The premiums set forth herein for mercerized, bleached, and/or gassed combed yarns also constitute maximum prices for mercerizing, bleaching, and/or gassing of combed yarn.

The maximum prices established in this Price Schedule do not apply to unmercerized bleached plied combed yarn or to the bleaching of plied combed yarn except in conjunction with the mercerizing thereof.

ably related to the use to which they are to be put, are made with American cotton of staple lengths greater than those provided for in the specifications for base-grade yarn or of Sea Island, SXP, Pima, or Egyptian cotton: *Provided,* That such premium shall not exceed the difference in value of materials and in production costs between such yarn and the most nearly comparable yarn for which a specific maximum price is established in this Schedule.

On or before March 10, 1942, and on or before the 10th day of each month thereafter every person who during the preceding calendar month has sold 5,000 pounds or more of combed yarn of his own manufacture at a premium permissible under (*a*) or (*b*) above, shall file with the Office of Price Administration a report of such sales on Form No. 107:3.

(5) *Ceiling date.* The maximum prices established in Paragraph (d) for single, two and three-ply grey combed yarns shall be effective as of December 24, 1941, which shall constitute the ceiling date for such prices.

The maximum prices established in Paragraph (d) for grey combed yarns of four or more ply; for mercerized, bleached, and/or gassed combed yarns; and for mercerizing, bleaching, and/or gassing, shall become effective February 3, 1942, which shall constitute the ceiling date for such prices.*

This Amendment No. 7 shall become effective February 3, 1942. Issued this 2d day of February, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-980; Filed, February 2, 1942; 5:26 p. m.]

PART 1307—RAW MATERIALS FOR COTTON TEXTILES

AMENDMENT NO. 3 TO PRICE SCHEDULE NO. 33—CARDED COTTON YARN

Section 1307.51 is amended by deleting paragraph (b) thereof and redesignating paragraph (c) as paragraph (b);

Paragraph (b) of § 1307.58 is amended; § 1307.60 is amended; paragraph (e) is added to § 1307.58; and §§ 1307.61 and 1307.62 are added to the Schedule, to read as follows:

§ 1307.58 *Definitions.*

* * * * *

(b) "Carded cotton yarn" means carded cotton yarn of all qualities of the specifications for which maximum prices are established in Appendix A;

* * * * *

(e) "For export" means to a person outside the United States, its territories and possessions.

* * * * *

§ 1307.60 *Appendix A; maximum prices for carded cotton yarn*—(a) *Terms of sale*—(1) *Freight*—(i) *Sales and deliveries by producers.* As applied to sales and deliveries by the producer, the maximum prices established herein include freight up to one cent per pound to the purchaser's place of business. The producer may require the purchaser to pay any freight in excess of one cent per pound. If the producer does not pay the freight, the maximum price shall be that shown herein less freight (up to one cent per pound) at the lowest published rate. In the case of sales or deliveries for export, if export is by sea, the seaport from which the yarn is shipped, or, if export is overland, the point at which the yarn leaves the United States, shall be regarded as the purchaser's place of business.

(ii) *Sales and deliveries of stock yarn.*[1] As applied to sales and deliveries of stock yarn, the maximum prices established herein are prices f. o. b. the stock-yarn seller's shipping point.

(2) *Discounts and commissions.* The maximum prices established by this Schedule are gross prices before any discounts are deducted and they include commissions and all other charges.

The maximum prices for carded yarns established in paragraph (b) below shall be discounted by two per cent when payment is made within thirty days of delivery.

(b) *Maximum prices*—(1) *Determination of maximum price.* The maximum price for any offer to buy or sell, sale or contract of sale, delivery or transfer of carded cotton yarn shall be determined from (2) below, as qualified by (3) below, in the following manner.

(i) *Offer to buy or sell.* By the cotton spot price[2] of the business day immediately preceding that on which the offer was made except that, if the offering price is not otherwise specified, an offer to buy or sell at the maximum price applicable on the day the contract of sale is to be made shall not be a violation of the Schedule.

(ii) *Sale or contract of sale.* By the cotton spot price of the business day immediately preceding the day on which the sale or contract of sale is made, regardless of the maximum price applicable to the offer pursuant to which such sale or contract is made.

(iii) *Delivery or transfer.*[3] By the cotton spot price of the business day immediately preceding that on which the sale or contract of sale is made, regardless of any change in the cotton spot price subsequent thereto, except that, when the sale or contract of sale was made on or before July 20, 1941, the applicable maximum price shall be determined on the basis of a cotton spot price of 15.99 cents per pound.

(2) *Table of base maximum prices.* The following are base maximum prices for all carded yarns. They are subject to the premiums and discounts set forth in (3) below. For a yarn intermediate between any two appearing in this table, the maximum price shall be that price obtained from this table by interpolation in accordance with the respective yarn numbers.

---

[1] As used in this Schedule, the term "stock yarn" means carded yarn owned by a person independent of the producer thereof and stored in space (1) belonging to or leased by such person and (2) located within twenty-five miles of his principal place of business; the term "independent" means not controlling, controlled by, or under common control with.

[2] The term "cotton spot price," when used herein, means the average, published daily by the United States Department of Agriculture, Agricultural Marketing Service, of the price quotations for middling 15/16-inch cotton on ten designated spot markets.

[3] This method of determining the maximum price shall be used in connection with deliveries and transfers pursuant to sales or contracts of sale made before, as well as on or after, the applicable ceiling date.

Yarn No.	Cotton spot prices (cents per pound)												
	14.21 to 14.65	14.66 to 15.09	15.10 to 15.54	15.55 to 15.98	15.99 to 16.43	16.44 to 16.87	16.88 to 17.32	17.33 to 17.76	17.77 to 18.21	18.22 to 18.65	18.66 to 19.10	19.11 to 19.54	19.55 to 19.99
	Cents per pound												
Single:													
8s and under	33	33.5	34	34.5	35	35.5	36	36.5	37	37.5	38	38.5	39
10s	33.5	34	34.5	35	35.5	36	36.5	37	37.5	38	38.5	39	39.5
12s	34	34.5	35	35.5	36	36.5	37	37.5	38	38.5	39	39.5	40
14s	34.5	35	35.5	36	36.5	37	37.5	38	38.5	39	39.5	40	40.5
16s	35	35.5	36	36.5	37	37.5	38	38.5	39	39.5	40	40.5	41
18s	35.5	36	36.5	37	37.5	38	38.5	39	39.5	40	40.5	41	41.5
20s	36	36.5	37	37.5	38	38.5	39	39.5	40	40.5	41	41.5	42
24s	37	37.5	38	38.5	39	39.5	40	40.5	41	41.5	42	42.5	43
26s	38	38.5	39	39.5	40	40.5	41	41.5	42	42.5	43	43.5	44
30s	40	40.5	41	41.5	42	42.5	43	43.5	44	44.5	45	45.5	46
36s	43	43.5	44	44.5	45	45.5	46	46.5	47	47.5	48	48.5	49
38s	44	44.5	45	45.5	46	46.5	47	47.5	48	48.5	49	49.5	50
40s	45	45.5	46	46.5	47	47.5	48	48.5	49	49.5	50	50.5	51
50s	53	53.5	54	54.5	55	55.5	56	56.5	57	57.5	58	58.5	59
Plied:													
8s and under	37	37.5	38	38.5	39	39.5	40	40.5	41	41.5	42	42.5	43
10s	37.5	38	38.5	39	33.5	40	40.5	41	41.5	42	42.5	43	43.5
12s	38	38.5	39	39.5	40	40.5	41	41.5	42	42.5	43	43.5	44
14s	38.5	39	39.5	40	40.5	41	41.5	42	42.5	43	43.5	44	44.5
16s	39	39.5	40	40.5	41	41.5	42	42.5	43	43.5	44	44.5	45
18s	39.5	40	40.5	41	41.5	42	42.5	43	43.5	44	44.5	45	45.5
20s	40	40.5	41	41.5	42	42.5	43	43.5	44	44.5	43	45.5	46
24s	41	41.5	42	42.5	43	43.5	44	44.5	45	45.5	46	46.5	47
26s	42	42.5	43	43.5	44	44.5	45	45.5	46	46.5	47	47.5	48
30s	44	44.5	45	45.5	46	46.5	47	47.5	48	48.5	49	49.5	50
36s	48	48.5	49	49.5	50	50.5	51	51.5	52	52.5	53	53.5	54
38s	49	49.5	50	50.5	51	51.5	52	52.5	53	53.5	54	54.5	55
40s	50	50.5	51	51.5	52	52.5	53	53.5	54	54.5	55	55.5	56
50s	58	58.5	59	59.5	60	60.5	61	61.5	62	62.5	63	63.5	64

(3) *Premiums and discounts.* Where applicable, the premiums set forth below may be charged in addition to the base maximum prices set forth in (2) above.

No premiums other than those permitted herein may be charged for any carded yarn.

(i) *Export packaging.* For yarns in waterproof packaging to be exported by sea, a premium of one cent per pound may be charged.

(ii) *Export sales.* A premium of five per cent may be charged by the producer for carded yarns sold for export.[4]

Persons other than the producer, and independent[5] of him, may charge for yarns sold for export a premium which can be justified as commensurate with the difference in cost between the given export sale and a comparable domestic sale.

(iii) *Jobbers.* A jobber[6] who is independent[7] of the purchaser may:

(a) Sell broken case lots of carded yarn in quantities of 1,500 pounds or less per calendar month to a given customer at a premium of ten per cent, and in quantities in excess thereof (but not exceeding 15,000 pounds in any calendar month to all his customers) at a premium of five per cent;

(b) Sell carded yarn in lots of 1 to 3 unbroken cases at a premium of five per cent: *Provided,* That he may not avail himself of this premium in connection with sales in any calendar month in excess of (1) 3,000 pounds to the same customer or (2) 20,000 pounds to all his customers.

(iv) *Special yarns.* A premium equal to the normal trade differential may be charged in addition to the bas maximum prices set forth in (2) above for

(*a*) carded yarns of twist lower than knitting or higher than warp twist;

(*b*) carded yarns put up otherwise than on regular-sized cones or tubes or in skeins;

(*c*) carded yarns made to tensile specifications which cannot be met with American cotton of the applicable staple length set forth below;[8]

(*d*) carded yarns which, because of special inspection, have regularly sold at a premium; and

(*e*) yarns with special constructions.

[4] See § 1307.58 for definition of "for export".

[5] See footnote 1 above, for definition of independent.

[6] As used herein, "jobber" means a person at least seventy-five per cent of whose sales of carded yarn during the calendar month preceding any given transaction consisted of stock yarn sales. See footnote 1, above, for definition of "stock yarn".

[7] See footnote 1, above.

[8]

Yarn numbers:	Staple
Up to 24s, inclusive	1 1/16
25s to 30s, inclusive	1 3/32
31s to 44s, inclusive	1 1/8
45s to 55s, inclusive	1 5/32
56s to 70s, inclusive	1 3/16
71s to 80s, inclusive	1 7/32
81s to 90s, inclusive	1 1/4
91s to 100s, inclusive	1 5/16
Over 100s	1 3/8

As used herein, the term "American cotton" means all kinds of cotton grown in the United States except Sea Island, S X P, and Pima.

(v) *Tinged and part-waste yarn.* The maximum price for any tinged or part-waste carded yarn shall be the base maximum price set forth in (2) above, less the normal trade differential.

(c) *Ceiling date.* The maximum prices established herein become effective on February 3, 1942, which shall constitute the ceiling date for all carded yarns.

§ 1307.61 *Effect of amendments.* Unless the contrary is expressly provided in any amendment to this Schedule:

(a) such amendment shall not be deemed to affect the provisions of the Schedule as they stood prior to such amendment;

(b) it shall be permissible for any person to make or accept delivery of carded yarns at the price agreed upon in a contract of sale or purchase entered into prior to such amendment, if such price was subject to and in conformity with this Schedule when such contract was made;

(c) deliveries made pursuant to contracts entered into prior to the effective date of such amendment shall not be made or accepted at prices higher than the maximum price applicable under the terms of this Schedule as in effect when the contract was made.

§ 1307.62 *Effective dates of amendments.* (a) Amendment No. 1 became effective as follows:

(1) That portion thereof designated as A became effective November 27, 1941

(2) That portion thereof designated as B became effective as of October 6, 1941.

(b) Amendment No. 2 became effective as of October 6, 1941.

(c) Amendment No. 3 is effective February 2, 1942.

(E.O. Nos. 8734, 8875, 6 F.R. 1917, 4483)

This Amendment, No. 3, shall become effective February 2, 1942. Issued this 2d day of February 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-966; Filed, February 2, 1942; 5:20 p. m.]

PART 1309—COPPER AND COPPER ALLOYS

AMENDMENT NO. 3 TO PRICE SCHEDULE NO. 20—COPPER SCRAP

Paragraph (c) of § 1309.70 is hereby amended by adding the following footnote thereto:

§ 1309.70 *Appendix A; maximum prices.*

* * * * *

(c) *Special purpose copper scrap.*[1]

[1] Pursuant to this paragraph the Administrator has granted the following special premiums:

a. Metals Refining Company, Hammond, Indiana, by a letter dated December 4, 1941—Permission to purchase not in excess of 120 tons of scrap copper wire per month during the period December 1, 1941 to June 1, 1942 at a price not in excess of 11¼¢ per pound f. o. b. shipping point, such wire to be specially selected and prepared to meet that company's specifications calling for soft copper wire no larger than 6 B & S nor smaller than 18 B & S wire gauge, entirely free from solder ends, insulation, lacquer, ash or any other foreign substance, and packed in loose bales or coils.

b. The Sherwin-Williams Company, Bound Brook, New Jersey, by a letter dated December 22, 1941—Permission to purchase not in excess of 50 tons of scrap copper wire per month during the period November 1, 1941 to June 1, 1942 at a price not in excess of 11¼¢ per pound f. o. b. shipping point, such wire to be specially selected and prepared to meet that company's specifications calling for copper wire containing not less than 98% copper, reasonably free from tin and containing 80% or more of 10 gauge or smaller wire, packed in loose bales, boxes or barrels.

c. Superior Copper Products Company, Chicago, Illinois, by a letter dated December 10, 1941—Permission to purchase not in excess of 120 tons of scrap copper wire per month during the period December 1, 1941 to June 1, 1942 at a price not in excess of 11¼¢ per pound f. o. b. shipping point, such wire to be specially selected and prepared to meet that company's specifications calling for strictly No. 1 copper wire no larger than 8 B&S wire gauge and no smaller than 16 B&S wire gauge, free from all tin, lead, solder, insulation, connections, lugs, et cetera and packed in bales. Each of the foregoing exceptions was conditioned upon the use of all such copper scrap in the manufacture of copper powder, copper sulphate or other chemicals; upon compliance with all requirements of the War Production Board; and upon the furnishing of a report to the Office of Price Administration at the end of each month giving the amount of scrap purchased during the month, the dates of purchase and delivery, the name of the buyer, and the price paid.

(E.O. Nos. 8734, 8875, 6 F.R. 1917, 4483)

This Amendment No. 3 shall become effective on February 2, 1942. Issued this 2d day of February 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc 42-975; Filed, February 2, 1942; 5:24 p. m.]

PART 1316—COTTON TEXTILES

AMENDMENT NO. 9 TO PRICE SCHEDULE NO. 11—FINE COTTON GREY GOODS

Paragraph (b) of § 1316.11 is amended to read as follows:

Table I of subparagraph (4) of Paragraph (d) of § 1316.13 is amended by deleting footnote 1 thereto and by amending the premium for dobby looms to read as follows:

Table II of subparagraph (4) of paragraph (d) of § 1316.13 is amended as of December 24, 1941, by deleting that portion thereof which sets forth maximum prices for Filling Sateens;

Section 1316.14 is added to the Schedule to read as follows:

§ 1316.11 *Definitions.*

* * * * *

(b) "Fine cotton goods" means (i) cotton grey goods made wholly or in part of combed yarn but, unless otherwise specified, refers only to goods of the types and specifications for which maximum prices are established in Appendix A;

* * * * *

§ 1316.13 *Appendix A; maximum prices for fine cotton goods.*

* * * * *

(d) *Fine cotton goods not covered by contract prior to December 24, 1941*

* * * * *

(4) *Maximum price tables*

TABLE I

* * * * *	
Weaves requiring dobby loom:	
Weaves requiring 16 harnesses or less	1¼¢ per yard.[1]
Weaves requiring more than 16 harnesses	1½¢ per yard.[1]
* * * * *	

[1] If a premium is charged for dobby weave, no premium may be charged for fancy draw or for slubs.

§ 1316.14 *Effect of amendments.* Unless the contrary is expressly provided in any amendment to this Schedule:

(a) such amendment shall not be deemed to affect the provisions of the Schedule as they stood prior to such amendment;

(b) it shall be permissible for any person or make or accept delivery of fine cotton grey goods at the price agreed upon in a contract of sale or purchase entered into prior to such amendment, if such price was subject to and in conformity with this Schedule when such contract was made;

(c) deliveries made pursuant to contracts entered into prior to the effective date of such amendment shall not be made or accepted at prices higher than the maximum price applicable under the terms of this Schedule as in effect when the contract was made.

(E.O. Nos. 8734, 8875, 6 F.R. 1917, 4483)

This Amendment No. 9, except as is otherwise provided herein, shall become effective February 2, 1942. Issued this 2d day of February, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-965; Filed, February 2, 1942; 5:20 p. m.]

PART 1316—COTTON TEXTILES

AMENDMENT NO. 5 TO PRICE SCHEDULE NO. 35—CARDED GREY AND COLORED-YARN COTTON GOODS

Paragraph (a) of § 1316.55 is amended to read as follows:

Section 1316.61 is amended as follows: Table I of subparagraph (4) of paragraph (b) is amended to read as follows; the explanatory material immediately beneath the caption of Table II of subparagraph (4) of paragraph (b) is amended to read as follows; footnote 1 to Table IV of subparagraph (4) of paragraph (b) is amended as of October 21, 1941, to read as follows; the second paragraph of footnote 1 to Table V of subparagraph (4) of paragraph (b) is amended as of November 27, 1941, to read as follows; subparagraph (5) of paragraph (c) is amended, as of January 6, 1942, to read as follows; and subparagraph (6), reading as follows, is added to paragraph (c).

Section 1316.62, reading as follows, is added to the Price Schedule:

§ 1316.55 *Details required in contract of sale and invoice.* (a) Every seller of cotton goods shall, with respect to each sale thereof, deliver to the purchaser a contract of sale which shall contain, in addition to the terms thereof, (1) the date on which the sale or contract of sale was made; (2) a full description of each construction of cotton goods sold, including (i) the width; (ii) in the case of grey goods, the cloth count; (iii) the number of yards per pound; (iv) where necessary to determine the applicable maximum price, the yarn numbers used in the warp and filling, or the average yarn numbers, as the case may be; and (v) where, in conformity with the Schedule, a premium is charged or deduction made, the feature of the goods or of their manufacture for which such premium is allowed or deduction required; and (3) the discount, if any, allowed for prompt payment.

* * * * *

§ 1316.61 *Appendix A; maximum prices for cotton goods.*

* * * * *

(b)

* * * * *

(4) *Maximum price tables.*

TABLE I

In addition to the maximum prices set forth in the following tables, the following premiums for special manufacturing processes may be charged. None of the premiums allowable hereunder is applicable, however, to osnaburgs delivered against contracts entered into prior to January 23, 1942, or to print cloths of Class B or C; to any fabric excepted below; or to any fabric which, in its standard construction, is normally manufactured by means of the process on which such premium is predicated.

Name of manufacturing process	*Premium*
Feeler motion	⅛¢ per yd.[1]
Weaves requiring five or more cams:	
Weaves, other than plain, which (exclusive of selvage) require five cams.	¼¢ per yd.[2]
Weaves, other than plain, which (exclusive of selvage) require six or more cams.	½¢ per yd.[2]

[1] This premium, which is not applicable to cloths other than sheetings, osnaburgs, carded broadcloth, and Class A print cloths, is effective January 23, 1942. In connection with deliveries against contracts entered into between October 21, 1941, and January 22, 1942, inclusive, a premium of one cent per pound is allowable for feeler motion when used in the production of sheetings and Class A print cloths.

[2] Effective December 29, 1941. In connection with deliveries against contracts entered into between October 21 and December 28, 1941, inclusive, premiums are allowable (except on twills and drills of the types and classes listed in Table III-A) as follows:

Weaves which, including selvage, require five cams	¼¢ per yd.
Weaves which, including selvage, require 6 or more cams	½¢ per yd.

Name of manufacturing process—Continued	*Premium*
Weaves requiring dobby looms:	
Weaves requiring 16 harnesses or less.	1¼¢ per yd.[3]
Weaves requiring more than 16 harnesses.	1½¢ per yd.[3]
Fancy draw:	
For ply cords, bunched ends, skip dents, double draw (2 ends or more weaving as one), reverse-twist warp stripes, or any other novelty draw, or for any combination of the above.	½¢ per yd.
Each extra beam	½¢ per yd.
Hard twist:	
Warp yarn: where turns per inch equal 5¼ or more times the square root of yarn size.	½¢ per yd.
Filling yarn: where turns per inch equal 4¾ or more times the square root of yarn size.	½¢ per yd.
Clipping	1¢ per yd.
Slubs	2¢ per lb.

[3] If a premium is charged for dobby weave, no additional premium may be charged either for fancy draw or for slubs.

TABLE II—*Print Cloth Yarn Group*

Specifications for the types and classes of cloth listed herein are set forth in Table II-A.

A fabric falling within the specifications (as set forth in Table II-A) for any type of cloth listed herein shall be subject to the maximum price established herein even if made in a weave requiring 3 or 4 cams.

* * * * *

Table IV—*Denims*[1] (Prices are for all shades and colors)

* * * * *

[1] The maximum prices listed above are for all patterns made entirely or in part with white filling yarn. Premiums over the above maximum prices may be charged as follows:

For solid color and for all stripes and patterns made with 100 percent—colored filling yarn	½¢ per yd.
For herringbone weave	½¢ per yd.

The maximum prices set forth herein are for denims of 28 to 30 inches, inclusive, in width. The maximum price for a denim of any other width shall be that price which stands in the same relation to the applicable price set forth herein (i. e., for the same cloth of 28 to 30-inch width) as does its width to 29 inches.

Maximum prices for denims of weights (pro-rated to 29 inches) intermediate between those listed herein shall be determined by interpolation, according to the respective number of yards per pound, between the maximum prices set forth herein; maximum prices for denims of weights greater or less than any listed herein shall be determined, in proportion to the respective number of yards per pound, from the maximum price for, respectively, the heaviest or lightest denim listed in this table.

For seconds and short lengths of denim, the maximum prices listed in this table must be discounted as follows: Seconds ½ cent; short lengths, 25 to 40 yards, inclusive, ¾ cent; 10 to 24.99 yards, 1 cent; 2 to 9.99 yards, 15 percent.

The maximum prices set forth herein shall be discounted (1) where payment is made within 10 days of delivery, by 3 percent; and (2) where payment is made within the next 60 days, by 2 percent and by interest at 6 percent per annum for such portion of the 60-day period as the buyer, at his option or pursuant to agreement with the seller, anticipates by earlier payment.

Table V—*Colored yarn group, exclusive of denims* (prices are for all shades and colors)

Class of cloth and weight in yards per pound: [1]
* * * * *

[1] * * * Maximum prices for cloths of weights other than those listed herein (for the same type of cloth) shall be determined, in proportion to the respective number of yards per pound, from the maximum price for the cloth of that type and of the nearest weight.

(c) * * * (5) The provisions of subparagraph (1), (2), and (3) above are not applicable to the fabrics described below, for which the premiums set forth herein may be charged in addition to the otherwise applicable maximum price as set forth in paragraph (b): *Provided,* (i) That the fabrics are made for use in the manufacture of products to meet the specifications named below opposite the premium charged; and (ii) that the purchaser shall certify in writing to the seller, before any delivery is made, that the fabric is to be so used.

Grey goods made for use in products to meet—	*Premium allowable*
U. S. Army Specification No. 6-247 (July 12, 1937) and Amendment No. 1 (July 10, 1940) for cloth, drill, unbleached (fully shrunk).	1¢ per lb.
U. S. Army Specification No. 6-261 (January 7, 1939) and Amendment No. 1 (May 24, 1940) for cloth, cotton, herringbone twill [1].	1¢ per lb.
Quartermaster Corps Tentative Specification (October 31, 1940) for Raincoats, Single Texture, Rubberized, O. D.	½¢ per yd. [2]

[1] Grey goods made for use in meeting this specification are classified under this Schedule as Class A drills.

[2] Subparagraph (5), effective January 6, 1942.

(6) Permission to pay premiums has been granted under (3) above as follows:

Permission granted to	*By letter dated*
Hamilton Textile Corp., New York, N. Y.	December 5, 1941
Formica Insulation Company, Cincinnati, Ohio	December 27, 1941
Pacific Mills, Boston, Mass.	January 16, 1942
Marathon Rubber Products Co., Wassau, Wis.	January 16, 1942

§ 1316.62 *Effect of amendments.* Unless the contrary is expressly provided in any amendment to this Schedule:

(a) such amendment shall not be deemed to affect the provisions of the Schedule as they stood prior to such amendment;

(b) it shall be permissible for any person to make or accept delivery of cotton goods at the price agreed upon in a contract of sale or purchase entered into prior to such amendment, if such price was subject to and in conformity with this Schedule when such contract was made;

(c) deliveries made pursuant to contracts entered into prior to the effective date of such amendment shall not be made or accepted at prices higher than the maximum price applicable under the terms of this Schedule as in effect when the contract was made.

(E.O. Nos. 8734, 8875, 6 F.R. 1917, 4483)

This Amendment No. 5, except as otherwise provided herein, shall become effective February 2, 1942. Issued this 2 day of February, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-964; Filed, February 2, 1942; 5:19 p. m.]

PART 1316—COTTON TEXTILES

PRICE SCHEDULE NO. 89—BED LINENS

Stable operation of the cotton textile industry is essential to the production of commodities necessary for the successful prosecution of the war and to the largest possible flow of goods to civilian consumers. The past several months have seen a rapid advance in the price of bed linens. Largely responsible for this inflationary trend have been the greatly expanded demand for bed linens resulting from increased consumer income and the heavy purchases of such goods for use by the military forces. The increase has not been justified on the basis of increased costs of materials and production, save to a negligible extent. In order to remedy the effects of the inflationary trend, and to insure stability of the price structure it is necessary that maximum prices be established for bed linens.

Accordingly, under the authority vested in me by Executive Order No. 8734, it is hereby directed:

§ 1316.101 *Maximum prices for bed linens.* (a) On and after February 2, 1942, regardless of the terms of any contract of sale or purchase, or other commitment, no person shall sell, offer to sell, deliver or transfer bed linens, and no person shall buy, offer to buy, or accept delivery of bed linens at prices higher than the maximum prices set forth in Appendix A, incorporated herein as § 1316.111.

(b) The provisions of this Schedule (§§ 1316.101 to 1316.111, inclusive) are not applicable:

(1) To sales or deliveries of bed linens made by any wholesaler, jobber or retailer in the performance of a recognized distributive function: *Provided,* That except in accordance with subparagraph (2) hereof, sales and deliveries of bed linens by the manufacturer thereof or by any agent of such manufacturer, shall not be made at prices higher than the established maximum prices;

(2) To sales or deliveries of brown sheeting to a manufacturer, converter, or finisher for further processing prior to resale.*

*§§ 1316.101 to 1316.111, inclusive, issued pursuant to the authority contained in E.O. Nos. 8734, 8875, 6 F.R. 1917, 4483.

§ 1316.102 *Less than maximum prices.* Lower prices than those set forth in Appendix A may be charged, demanded, paid or offered.*

§ 1316.103 *Evasion.* (a) The price limitations set forth in this Schedule shall not be evaded whether by direct or indirect methods in connection with a purchase, sale, delivery or transfer of bed linens, alone or in conjunction with any other material, or by way of any commission, service, transportation, or other charge, or discount, premium, or other privilege, or by tying-agreement or other trade understanding, or otherwise.

(b) No price agreed upon in any contract shall be changed by amendment of such contract, by substitution therefor of a new contract, or otherwise (whether or not such change is made pursuant to the terms of the original contract) if the change so effected results in an agreed price in excess of the maximum price applicable under § 1316.111 hereof, in accordance with the date the original contract was made, to the original contract or to deliveries pursuant thereto.*

§ 1316.104 *Records and reports.* Every person making purchases or sales of bed linens after February 2, 1942, shall keep for inspection by the Office of Price Administration for a period of not less than one year complete and accurate records of (a) each such purchase or sale, showing the date thereof, the name and address of the buyer or the seller, the price pair or received, and the quantity in yards or dozens of pieces of each type of bed linens purchased or sold; (b) the quantity in yards or dozens of pieces of each type of bed linens (1) on hand, and (2) on order, as of the close of each calendar month; and (c) in the case of manufacturers, the quantity in yards or dozens of pieces of each type of bed linens manufactured during each calendar month.

No bed linens shall be sold on or after March 2, 1942, unless each piece bears a label containing:

(a) A statement of its type and size;

(b) if the piece is a second, a statement of that fact; and

(c) if the piece does not meet the minimum specifications set forth in Table I, the term "substandard."

Persons affected by this Schedule shall submit such reports to the Office of Price Administration as it may, from time to time, require.*

§ 1316.105 *Details required in contract of sale and invoice.* (a) Every seller of bed linens shall, with respect to each sale thereof, deliver to the purchaser a contract of sale which shall contain, in addition to the terms thereof, (1) the date on which the sale or contract of sale was made; (2) a full description of the bed linens sold including all details necessary to determine the applicable maximum price from this Schedule; and where, in conformity with this Schedule, a premium is charged or deduction made, the feature of the goods for which such premium is allowed or deduction required; and (3) the discount required by this Schedule for prompt payment.

(b) Every seller of bed linens shall, with respect to each delivery thereof, transmit to the purchaser an invoice or similar document which shall either contain the information required by (a)

above or make reference to the contract in which such information is set forth.*

§ 1316.106 *Affirmations of compliance.* On or before March 10, 1942, and on or before the 10th day of each month thereafter, every person, who during the preceding calendar month has purchased or sold bed linens, whether for immediate or future delivery, shall submit to the Office of Price Administration an affirmation of compliance on Form 189:1, containing a sworn statement that during such month all such purchases or sales were made at prices in compliance with this Schedule or with any exception therefrom or modification thereof. Copies of Form 189:1 can be procured from the Office of Price Administration, or provided that no change is made in the style and content of the form and that it is reproduced on 8 x 10½" paper, they may be prepared by persons required to submit affirmations of compliance hereunder.*

§ 1316.107 *Enforcement.* In the event of refusal or failure to abide by the price limitations, record and report requirements, or other provisions of this Schedule, or in the event of any evasion or attempt to evade the price limitations or other provisions of this Schedule, the Office of Price Administration will invoke all appropriate sanctions at its command, including taking action to see (a) that the Congress and the public are fully informed thereof; (b) that the powers of Government, both state and federal, are fully exerted in order to protect the public interest and the interests of those persons who comply with this Schedule; (c) that full advantage will be taken of the cooperation of the various political subdivisions of state, county, and local governments by calling to the attention of the proper authorities, failures to comply with this Schedule which may be regarded as grounds for the revocation of licenses and permits; and (d) that the procurement services of the Government are requested to refrain from selling to or purchasing from those persons who fail to comply with this Schedule. Persons who have evidence of the offer, receipt, demand or payment of prices higher than the maximum prices, or of any evasion or effort to evade the provisions hereof, or of speculation, or manipulation of prices of bed linens, or of the hoarding or accumulating of unnecessary inventories thereof, are urged to communicate with the Office of Price Administration.*

§ 1316.108 *Modification of the schedule.* Persons complaining of hardship or inequity in the operation of this Schedule may apply to the Office of Price Administration for approval of any modification thereof or exception therefrom: *Provided,* That no application under this section will be considered by the Office of Price Administration unless filed by persons complying with this Schedule.*

§ 1316.109 *Definitions.* When used in this Schedule, the term:

(a) "Person" means an individual, partnership, association, corporation, or other business entity;

(b) "Bed linens" means finished sheets, finished pillow cases, finished bolster cases and shall include both brown sheeting and bleached sheeting: *Provided,* That the term "bed linens" shall include only goods made of cotton and shall not include any goods made entirely of combed yarn.

(c) "Brown sheeting" means grey sheeting put up on boards, doubled and rolled which is sold for use by the ultimate consumer without further processing.

(d) "For export" means to a person outside the United States, its territories and possessions.*

§ 1316.110 *Effective date of the schedule.* This Schedule shall become effective February 2, 1942.*

§ 1316.111 *Appendix A; maximum prices for bed linens*—(a) *Terms of sale.* The maximum prices set forth in this Appendix are prices f. o. b. the seller's point of shipment. The prices are gross prices and include commissions and all other charges; they must be discounted as provided in subparagraph (1) of paragraph (d).

(b) *Determination of maximum price.* The maximum price (expressed in terms of a percentage discount from the base prices listed in Table II below) for any offer to buy or sell, sale or contract of sale, delivery or transfer of bed linens, shall be determined pursuant to Table III of paragraph (c), subject to the provisions of paragraph (d), in the following manner:

(i) *Offer to buy or sell.* By the spot cotton price[1] of the business day immediately preceding that on which the offer was made, except that, if the offering price is not otherwise specified, an offer to buy or sell at the maximum price applicable on the day the contract of sale is to be made shall not be a violation of the Schedule;

(ii) *Sale or contract of sale.* By the spot cotton price of the business day immediately preceding the day on which the sale or contract of sale is made, regardless of the maximum price applicable to the offer pursuant to which such sale or contract is made;

(iii) *Delivery or transfer.*[2] By the spot cotton price of the business day immediately preceding that on which the sale or contract of sale is made, regardless of any change in the spot cotton price subsequent thereto.

(c) *Maximum price tables.*

[1] The term "spot cotton price," when used herein, means the average, published daily by the United States Department of Agriculture, Agricultural Marketing Service, of the price quotations for middling 15/16-inch cotton on ten designated spot markets.

[2] This method of determining the maximum price shall be used in connection with deliveries and transfers pursuant to sales or contracts of sale made before, as well as on or after February 2, 1942.

TABLE I—*Key to types of bed linens listed in Table II*[1]

Specifications[1]	Type 180[3]	Type 140	Type 128	Type 112
Thread count per square inch (unbleached)	180	140	128	112
Weight per square yard (ounces)	3.6	4.6	4.0	3.7
Tensile strength (pounds):				
Warp	60	70	55	45
Filling	60	70	55	45
Selvage	Tape	Tape	Tape	Tape
Plain hems (total for both ends)[4 5]	4"	4"	4"	4"
Stitches per inch[4 5]	14	14	14	14
Added sizing (maximum)[4]	4%	4%	6%	10%

[1] This table states minimum specifications (except for added sizing) for each type.

[2] In any instance in which the buyer or seller is in doubt as to whether bed linens meet the stated specifications, such bed linens shall be tested by Federal test method CCC-T-191A. The unit for such testing shall be the case, or its equivalent, which shall include not more than twenty dozen sheets or fifty dozen pillow cases. Each case of the goods in respect to which such doubt exists shall be tested separately. In the event of failure to meet minimum specifications for any given type as set forth in Table I, the goods shall be deemed substandard and the applicable maximum price shall be determined pursuant to subparagraph (3) of paragraph (d).

[3] Bed linens having a finished thread count of less than 175 shall not be classified as Type 180 regardless of whether they meet all other specifications of that type.

[4] Not applicable to brown sheeting.

[5] Not applicable to bleached sheeting.

TABLE II[1]—*Base prices for bed linens*

Classes and dimensions of goods	Types 180 and 140	Type 128	Type 112
	Cents per yard		
Brown Sheeting:			
42" width	22	17	14
45" width	24	18.5	15
48" width	26	20.5	16
54" width	30	23	18
63" width	34	26.5	21
72" width	38	29.5	25
81" width	42	32.5	28
90" width	46	36	31
99" width	50	40	35
108" width	58	46.5	----------
Bleached Sheeting:			
42" width	24	18.5	15
45" width	26	20.5	16
50" width	30	23	18
54" width	34	26.5	21
63" width	38	29.5	25
72" width	42	32.5	28
81" width	46	36	31
90" width	50	40	35
99" width	58	46.5	----------
	Dollars per dozen		
Sheets:[2]			
42" x 64"	----------	5.20	----------
42" x 72"	7.01	5.69	----------
45" x 64"	6.80	5.62	----------
45" x 72"	7.49	6.17	----------
45" x 75"	7.75	6.30	----------
50" x 72"	8.42	6.77	----------
50" x 75"	8.75	7.00	----------
50" x 90"	10.50	8.40	----------
54" x 72"	9.41	----------	----------
54" x 75"	9.75	----------	----------
54" x 90"	11.70	9.45	7.80
54" x 99"	12.72	10.25	8.43
54" x 108"	13.74	11.04	9.00
54" x 113"	14.30	----------	----------
63" x 90"	12.90	10.35	9.00
63" x 99"	14.04	11.24	9.75
63" x 108"	15.18	12.12	10.50
63" x 113"	15.81	----------	----------

[1] The base price for bed linens differing in any dimension from those listed herein shall be: (a) in the case of brown or bleached sheeting, the base price provided herein for such sheeting of the nearest inferior width; and (b) in the case of sheets, pillow cases or bolster cases, the base price provided herein for such goods of the nearest inferior area.

[2] The dimensions stated herein indicate length prior to hemming.

TABLE II—*Base prices for bed linens*—Continued

Classes and dimensions of goods	Types 180 and 140	Type 128	Type 112
	Dollars per dozen		
Sheets[2]—Continued.			
72" x 90"	14.10	11.25	9.90
72" x 99"	15.36	12.23	10.74
72" x 108"	16.62	13.20	11.58
72" x 113"	17.32		
81" x 90"	15.30	12.30	10.80
81" x 99"	16.68	13.38	11.73
81" x 108"	18.06	14.46	12.66
81" x 113"	18.82		
90" x 90"	16.50	13.50	12.00
90" x 99"	18.00	14.70	13.05
90" x 108"	19.50	15.90	14.10
90" x 113"	20.33		
100" x 108"	22.38		
100" x 113"	23.34		
Pillow Cases:[2]			
25" x 21"	1.87		
36" x 36"	3.27	2.70	
42" x 36"	3.65	2.97	2.55
42" x 38½"	3.83	3.12	2.68
42" x 40½"	3.99	3.25	
45" x 36"	3.87	3.21	2.67
45" x 38½"	4.09	3.38	2.80
45" x 40½"	4.26	3.52	
50" x 36"	4.35	3.51	
50" x 38½"	4.60	3.70	
50" x 40½"	4.80	3.85	
54" x 36"	4.83	3.93	
54" x 38½"	5.11	4.15	
54" x 40½"	5.34	4.32	
Bolster Cases:[2]			
42" x 54"	5.57		
42" x 60"	6.05		
42" x 63½"	6.34		
42" x 72"	7.01	5.69	4.85
42" x 76½"	7.37	5.96	
45" x 72"	7.49	6.17	5.09
45" x 76½"	7.88	6.40	

[2] The dimensions stated herein indicate length prior to hemming.

TABLE III—*Maximum prices for manufacturers, converters or finishers*

[Percentage discounts from base prices in table II]

Spot cotton price (cents per pound)	Type 180	Type 140	Type 128	Type 112
14.34 to 14.88	17.4	20.5	18	15.5
14.89 to 15.43	16.6	19.5	17	14.5
15.44 to 15.98	15.8	18.5	16	13.5
15.99 to 16.53	15.0	17.5	15	12.5
16.54 to 17.08	14.2	16.5	14	11.5
17.09 to 17.63	13.4	15.5	13	10.5
17.64 to 18.18	12.6	14.5	12	9.5
18.19 to 18.73	11.8	13.5	11	8.5
18.74 to 19.28	11.0	12.5	10	7.5
19.29 to 19.83	10.2	11.5	9	6.5
19.84 to 20.38	9.4	10.5	8	5.5

(d) *Deductions and premiums.*[1] (1) The maximum prices set forth in paragraph (c) shall be discounted (i) where payment is made within 10 days of delivery by three per cent; and (ii) where payment is made within the next 60 days by two per cent;

(2) For seconds of all types of bed linens, the price shall be discounted by ten per cent.

(3) For bed linens which fail to meet the specifications as to weight set forth in Table I, the price of the particular type shall be discounted by five per cent for each five per cent or fraction thereof of the specified weight by which such bed linens are deficient.

For bed linens which fail to meet the specifications as to tensile strength set forth in Table I, either as to warp or filling, the price of the particular type shall be discounted by five per cent for each five per cent or fraction thereof of the specified tensile strength by which the warp and by five per cent for each five per cent or fraction thereof of the specified tensile strength by which the filling is deficient.

For bed linens which contain added sizing in excess of the applicable maximum, prescribed in Table I, the price of the particular type shall be discounted by five per cent for each five per cent or fraction thereof by which the sizing contained in such bed linens exceeds the prescribed maximum.

(4) In addition to the maximum prices set forth in paragraph (c) the following premiums may be charged or paid for pieces which are hemstitched or scalloped. For any piece which is both hemstitched and scalloped, both premiums may be charged or paid.

Piece	Hemstitched	Scalloped
	Dollars per dozen	
Bolster cases	2.50	2.50
Bed Sheets (54 x 75 or larger)	2.50	2.50
Pillow Cases	1.25	1.25
Bed Sheets (smaller than 54 x 75)	1.25	1.25

(5) Application may be made by any buyer or seller to the Office of Price Administration for permission to pay or accept, in addition to the maximum prices appearing in paragraph (c), a premium for bed linens for which, because of special construction or special physical properties involving added production costs, a premium has been charged prior to the effective date of this price schedule.

(6) In addition to the maximum prices set forth in paragraph (c), a seller may charge for bed linens sold for export[2] a premium which can be justified as commensurate with the difference in cost between the given export sale and a comparable domestic sale.*

Issued this 2d day of February 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-962; Filed, February 2, 1942; 5:18 p. m.]

[1] The percentages stated in this paragraph are percentages of the applicable maximum prices expressed in terms of dollars and cents.

[2] See § 1316.109 for definition of "for export."

PART 1325—CONSUMER'S DURABLE GOODS

AMENDMENT NO. 1 TO PRICE SCHEDULE NO. 39—UPHOLSTERY FURNITURE FABRICS

Section 1325.51 is hereby amended to read as follows:

§ 1325.51 *Maximum prices for upholstery furniture fabrics.* (a) On and after November 10, 1941, regardless of the terms of any contract of sale or purchase, or other commitment, no manufacturer shall sell, offer to sell, deliver or transfer any present pattern of upholstery furniture fabrics at a price higher than the maximum price. The maximum price for any present pattern shall be 105 per cent of the price quoted for such pattern in the manufacturer's price list in effect on September 10, 1941, to the same general class of purchasers. If no such price exists, the maximum price shall be 105 per cent of the highest price, f.o.b. seller's point of shipment, at which such pattern was sold and delivered to a purchaser of the same general class in the sixty-day period ended September 10, 1941.

(b) The following maximum prices have been established for Brooks Brothers Company Incorporated, Philadelphia, Pennsylvania: for each present pattern for which the price quoted in the September 20, 1941, price list exceeds 105 per cent of the price quoted for such pattern in the price list in effect on September 10, 1941, the maximum price shall be the price quoted for such pattern in the September 20, 1941 price list; for all other present patterns the maximum price shall be the price determined under the provisions of this Section applicable to all manufacturers. (E.O. Nos. 8734, 8875, 6 F.R. 1917, 4483)

This Amendment No. 1 shall become effective February 2, 1942. Issued this 2nd day of February, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-977; Filed, February 2, 1942; 5:24 p. m.]

PART 1335—CHEMICALS

AMENDMENT NO. 1 TO PRICE SCHEDULE NO. 80—LITHOPONE

Section 1335.659 is hereby amended to read as follows:

§ 1335.659. *Appendix A; maximum prices for lithopone.* The following maximum prices are established for lithopone:

(a) *Deliveries in Eastern Territory.*[1]

Grade	Per pound delivered in bags	
	Carload lots	Less than carload lots
Normal	$0.0425	$0.0450
High Strength Barium	.0560	.0585
High Strength Calcium	.0560	.0585
High Strength Magnesium	.0575	.0600
Titanated	.0560	.0585
Zinc Sulphide	.0825	.0850

(b) *Deliveries in Western Territory.*[1]

Grade	Per pound delivered in bags (carload lots)	Per pound f. o. b. warehouse (less than carload lots)
Normal	$.0450	$.0475
High Strength Barium	.0585	.0610
High Strength Calcium	.0585	.0610
High Strength Magnesium	.0600	.0625
Titanated	.0585	.0610
Zinc Sulphide	.0850	.0875

[1] When used in this Appendix, the term "Eastern Territory" means the States of New Mexico, Colorado, Wyoming, Montana and all states east thereof, and the term "Western Territory" means all other states of the United States.

(c) *Barrels.* The maximum prices for deliveries of lithopone in Eastern or Western Territory in barrels are the maximum prices established above in paragraphs (a) or (b), whichever the case may be, plus one quarter of a cent per pound.

(d) *Export Sales and Sales to Persons in Territories and Possessions of the United States*—(1) *Shipments by vessel from Eastern Territory.* The maximum prices for shipment by vessel from Eastern Territory are the maximum prices established above in paragraph (a) f. a. s. vessel at the port of shipment plus $.30 per hundred pounds.

(2) *Shipments by vessel from Western Territory.* The maximum prices for shipment by vessel from Western Territory are the maximum prices established above in paragraph (b) f. a. s. vessel at the port of shipment plus $.30 per hundred pounds.

(3) *Overland shipments.* The maximum prices for overland shipment are the maximum prices established in paragraph (a) or (b) above, whichever the case may be, delivered to that station in the United States which is at or nearest to that point on the boundary at which the shipment crosses from the United States into Canada or Mexico plus $.20 per hundred pounds except that for less than carload quantities shipped from warehouses in Western Territory the maximum prices are f. o. b. warehouse plus $.20 per hundred pounds.

(4) *Expenses.* No expenses, commissions, or charges for service may be added to the maximum prices established by subparagraphs (1), (2) and (3) of this paragraph (d), except (i) ocean freight, (ii) marine and war risk insurance, and (iii) foreign agents' commission unless such foreign agents' commission or any part thereof is received by the exporter directly or indirectly for his own use. (E.O. Nos. 8734, 8875, 6 F.R. 1917, 4483)

This amendment shall become effective February 2, 1942. Issued this 2d day of February 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-974; Filed, February 2, 1942; 5:24 p. m.]

PART 1340—FUEL

PRICE SCHEDULE NO. 88—PETROLEUM AND PETROLEUM PRODUCTS

The production, refining and distribution of petroleum and petroleum products constitute one of the largest industries in the United States. Ample supplies of petroleum products are of prime importance to the armed forces and are equally essential to the industrial activity required by the war effort and to the civilian life of the nation. Inflationary increases in the prices of petroleum and its products will not only be multiplied in the whole structure of costs and prices; they will directly increase the cost of living and the burden of supplying the armed forces.

Price stabilization in the petroleum industry was initiated on the basis of informal agreements between the Office of Price Administration and members of the industry. The increasing scope of control and the growing multiplicity of informal agreements and understandings has made it necessary to embody these agreements and understandings in a Price Schedule. Such action will serve to clarify the price policies of this Office as they affect the petroleum industry and to protect the industry and the public from the inflationary effects of unwarranted price increases.

Accordingly, under the authority vested in me by Executive Order No. 8734, it is hereby directed that:

§ 1340.151 *Maximum prices for petroleum and petroleum products.* On and after February 2, 1942, regardless of the terms of any contract of sale or purchase, or other commitment, except as provided in § 1340.159 (a) (1), no person shall sell, offer to sell, deliver or transfer petroleum or petroleum products, and no person shall buy, offer to buy, or accept delivery of crude petroleum at prices higher than the maximum prices set forth in Appendix A hereof, incorporated herein as § 1340.159.*

*§§ 1340.151 to 1340.159, inclusive, issued pursuant to authority contained in E.O. Nos. 8734, 8875, 6 F.R. 1917, 4483.

§ 1340.152 *Less than maximum prices.* Lower prices than those set forth in Appendix A may be charged, demanded, paid or offered.*

§ 1340.153 *Evasion.* The price limitations set forth in this Schedule shall not be evaded whether by direct or indirect methods in connection with a sale, delivery or transfer of petroleum products, or a purchase, sale, delivery or transfer of crude petroleum, alone or in conjunction with any other materials, or by way of any commission, service, transportation, or other charge, or discount, premium, or other privilege, or by tying-agreement or other trade understanding or by a change in the quality of a product, or otherwise.*

§ 1340.154 *Records and reports.* All purchase prices for crude petroleum as of October 1, 1941, whether or not such purchase prices were posted, shall be filed with this Office within thirty days after the effective date of this Schedule (§§ 1340.151 to 1340.159, inclusive). Purchase prices for crude petroleum described above may be submitted in the form of such price schedules or price lists as were in use on the dates specified, provided such price schedules or price lists are corrected to indicate any variance between the schedule or list price and the purchase price.

Where a contract was in effect as of October 1, 1941 for the sale of crude petroleum at the well in excess of the posted purchase price for the pool involved, duly authenticated copies of such contracts shall be filed with this Office within thirty days after the effective date of this Schedule.

Where maximum prices for any sale or purchase of crude petroleum or sale of petroleum products are not provided for in Section 1340.159, purchasers and sellers of crude petroleum and sellers of petroleum products shall, within ten days after the purchase or sale in question, submit to this Office the price and description of the crude petroleum or petroleum product in question.

Persons affected by this Schedule shall submit such other reports to the Office of Price Administration and keep such records as it may, from time to time require.*

§ 1340.155 *Enforcement.* In the event of refusal or failure to abide by the price limitations, record and report requirements, or other provisions of this Schedule (§§ 1340.151 to 1340.159, inclusive), or in the event of any evasion or attempt to evade the price limitations or other provisions of this Schedule, the Office of Price Administration will invoke all appropriate sanctions at its command, including taking action to see (a) that the Congress and the public are fully informed thereof; (b) that the powers of Government, both state and federal, are fully exerted in order to protect the public interest and the interests of those persons who comply with this Schedule; (c) that full advantage will be taken of the cooperation of the various political subdivisions of state, county, and local governments by calling to the attention of the proper authorities failures to comply with this Schedule which may be regarded as grounds for the revocation of licenses and permits; and (d) that the procurement services of the Government are requested to refrain from selling to or purchasing from those persons who fail to comply with this Schedule.

Persons who have evidence of the offer, receipt, demand or payment of prices higher than the maximum prices, or of speculation, or manipulation of prices of petroleum or petroleum products, or of the hoarding or accumulating of unnecessary inventories thereof, are urged to communicate with the Office of Price Administration.*

§ 1340.156 *Modification of the Schedule.* Persons complaining of hardship or inequity in the operation of this Schedule may apply to the Office of Price Administration for approval of any modification thereof or exception therefrom: *Provided,* That no application under this section will be considered unless filed by persons complying with this Schedule.*

§ 1340.157 *Definitions.* When used in this Schedule (§§ 1340.151 to 1340.159, inclusive), the term:

(a) "Person" means an individual, partnership, association, corporation or other business entity, including all producers, refiners, marketers and others who buy, sell or exchange petroleum and who sell or exchange petroleum products, including specifically but not exclusively the following classes of persons:

Crude oil producers
Crude oil purchasers
Refiners
Pipe line companies
Crude oil purchasing companies

Marketers
Integrated companies
Non-integrated companies
Terminal operators
Distributors
Jobbers
Peddlers

(b) "Petroleum products" means:

All grades of gasoline, including natural gasoline and blending naphthas; also special hydrocarbon fractions utilized in the manufacture of gasoline or the components thereof
Liquefied petroleum gases
Tractor distillates and similar distillate type motor fuels other than gasoline
Kerosene, including range oil or stove oil
Distillate burning, heating or fuel oils
Diesel fuel oils
Residual burning, heating or fuel oils
Lubricating oils, including motor, aviation and stock oils (neutrals, bright stocks, steam refined stock and other stock oils)

For the time being industrial lubricating oils, industrial naphthas and solvents, greases, and specialty products (such as household oils and spot removers) are excluded from the list of petroleum products subject to this Schedule.

(c) "Pool" means any underground accumulation of crude petroleum or associated hydrocarbon substances, including but not limited to natural gas, constituting a single and separate reservoir or source of supply within a field, area, or horizon whether or not presently discovered or developed.

(d) "Consumer or commercial tank wagon prices" means the prices at which petroleum products are sold for delivery by tank wagon or tank truck to the ultimate consumer of such products or to persons not primarily resellers of such products.

(e) "Contract" means an agreement, the existence of which is established by written evidence.

(f) "Dealer tank wagon prices" means the prices at which petroleum products are sold for delivery by tank wagon or tank truck to resellers of such products.

(g) "Producers" means royalty owners or other sellers of crude petroleum at the well.

(h) "Producing well" means any well that has produced any crude petroleum during a period of ninety days prior to and including October 1, 1941.

(i) "Shut-in well" means any well that has not produced any crude petroleum during a period of ninety days prior to and including October 1, 1941.

(j) "Tank wagon area" means the area in which petroleum products are distributed by tank wagon or tank truck from the given shipping point.*

§ 1340.158 *Effective date of the Schedule.* This Schedule shall become effective February 2, 1942.*

§ 1340.159 *Appendix A; maximum prices for petroleum and petroleum products.* The maximum prices established by this Schedule (§§ 1340.151 to 1340.159, inclusive) shall include the prices on all domestic, export and import transactions, sales, transfers, exchanges or purchases of crude petroleum and on all domestic, export and import transactions, sales, transfers or exchanges of petroleum products, involving contract, bid or spot sales of crude petroleum at the well, the gathering point, tank farm or terminal, and of petroleum products for cargo or barge shipment, harbor delivery, f. o. b. refinery and terminal, and tank car and tank wagon delivery. Prices for petroleum products sold at retail at service stations, garages and stores are not governed by this Schedule.

The prices on which this Schedule is based are the prices after all usual discounts, such as those for quantity, prompt payment or ease of handling.

Except as specifically provided hereinafter, and pending the preparation of a comprehensive schedule or schedules of specific prices, the maximum prices for petroleum and petroleum products shall be the prices determined according to Paragraphs (a) and (b) below.

(a) *Crude petroleum.* (1) The maximum price at the well for crude petroleum shall be the posted purchase price as of October 1, 1941 for the pool in which any given well is located: *Provided,* That where a contract was in effect on October 1, 1941 for the purchase of crude petroleum at the well in excess of the posted purchase price for the given pool, such contract price shall be the maximum price at the well for any given well for the production covered by the contract, or any renewal of such contract, or a new contract between the same buyer and seller concerning the production from the same well.

(2) Where, on October 1, 1941, there was in any given pool more than one posted purchase price or no posted purchase price, the maximum price at the well for crude petroleum shall not be, for any given well, in excess of the price paid for crude petroleum from that given well as of October 1, 1941, unless this price is below the lower or lowest of the posted purchase prices, if any, and in that case the maximum price shall not be in excess of such lower or lowest posted purchase price: *Provided,* That where a contract was in effect on October 1, 1941 for the purchase of crude petroleum at the well in excess of the posted purchase price for the given pool, such contract price shall be the maximum price at the well for any given well for the production covered by the contract, or any renewal of such contract, or a new contract between the same buyer and seller concerning the production from the same well.

(3) Where a well was a producing well on October 1, 1941, but did not actually produce any crude petroleum on that date, the maximum price for crude petroleum at such well shall be subject to paragraph (4) (ii) (a) below, provided, that, however, where the price cannot be determined by this paragraph then the price shall be governed by paragraph (1) and (3) above.

(4) Where a well was a shut-in well on October 1, 1941, and is subsequently reopened, or where a new well is completed subsequent to October 1, 1941, the maximum price at the well for crude petroleum produced from such well shall be determined as follows:

(i) Where there was only one purchase price posted as of October 1, 1941 for the pool in which the well is located, such posted price shall be the maximum price at the well for crude petroleum produced from the well in question.

(ii) Where there was more than one purchase price posted as of October 1, 1941 for the pool in which the well is located, and

(*a*) Where the location of the new or reopened well was included in the same lease with one or more producing wells on October 1, 1941, the posted price applicable to those producing wells on October 1, 1941 shall be the maximum price at the well for crude from the new or reopened well.

(*b*) Where the above provision does not apply, the highest price posted as of October 1, 1941 for the pool in which the well is located shall be the maximum price at the well for crude from the new or reopened well.

(iii) Where there was no purchase price posted as of October 1, 1941, for the pool in which the well is located, a purchaser may set a temporary price for crude petroleum produced from the new or reopened well, subject to the provisions of § 1340.154 above. This provision covers wells representing discovery and development of new pools subsequent to October 1, 1941.

(5) The maximum prices for crude petroleum purchased at points other than at the well shall be at no greater differentials at such points over the maximum price for such crude at the well than existed on October 1, 1941.

(b) *Petroleum products.* (1) The maximum price on each product sold, contracted to be sold, delivered, or transferred by a seller shall be the lowest quoted price published in the first issue on or after October 1, 1941, of the *National Petroleum News, Platt's Oilgram,* or the *Chicago Journal of Commerce,* or other publications designated by this Office, for a product of the same class, kind, type, condition and grade. Where such products are sold and prices are quoted on a delivered basis, then the maximum delivered price shall be the lowest quoted delivered price so published. Where products are sold and prices are quoted on an f. o. b. shipping point basis, then the maximum f. o. b. price shall be the lowest quoted f. o. b. price so published.

(2) Where the maximum price for a petroleum product at a given shipping or

delivery point cannot be determined under (1) above, the maximum price for each seller at such shipping or delivery point shall not exceed the price charged at that point by him on the last sale of a substantial quantity of the same product with sixty days prior to October 15, 1941. Where the product is sold on a delivered basis at a given point the maximum price shall be the price charged on the last sale of a substantial quantity of the same product made on a delivered basis at that point in the period specified. Where the product is sold at a given point on an f. o. b. shipping point basis, the maximum price shall be the price charged on the last f. o. b. shipping point sale at that point of a substantial quality of the same product in the period specified.

(3) Where the maximum price for products at a given shipping or delivery point cannot be determined under (1) or (2) above, sellers may sell such products at the market price prevailing at that point on October 1, 1941.

(c) *Specific prices.* The following specific prices shall be the maximum prices for the items named at the points enumerated, notwithstanding Paragraphs (a) and (b) above:

(1) *Crude petroleum:*

Pennsylvania grade. The maximum prices at the well for Pennsylvania grade crude petroleum shall be those established in Price Schedule No. 22[1]—Pennsylvania Grade Crude Oil (§§ 1340.21 to 1340.29 of this chapter).

North and North Central Texas and Oklahoma. The maximum price at the well for crude petroleum of 40° gravity and above, determined by the American Petroleum Institute method, produced in Archer, Baylor, Brown, Callahan, Clay, Coleman, Comanche, Cooke, Eastland, Fisher, Foard, Haskell, Jack, Jones, Montague, Palo Pinto, Shackelford, Stephens, Taylor, Throckmorton, Wichita, Wilbarger, and Young Counties, Texas, and in the bed of the Red River in Tillman County, Oklahoma, shall be $1.21 per barrel with the customary differentials for lower gravity crudes.

Louisiana. The maximum price at the well for crude petroleum of 40° gravity and above, determined by the American Petroleum Institute method, produced in the Caddo Pool in Louisiana shall be $1.20 per barrel with the customary differentials for lower gravity crudes.

Oklahoma. The maximum price at the well for crude petroleum of 40° gravity and above, determined by the American Petroleum Institute method, produced in Carter County and in the Healdton and Oscar Pools in Oklahoma shall be $1.25 per barrel with the customary differentials for lower gravity crudes.

(2) *Gasoline; maximum prices for cargo transactions on the Gulf coast market.* The maximum price on sales by the refiners listed below and their subsidiaries for cargo transactions on the Gulf Coast market shall be as follows:

Motor gasoline	*Cents per gallon*
Minimum 80 octane 1939 Research Method (as determined by Cooperative Fuel Research Committee) with a maximum of 2 cubic centimeters of lead	6.00
60–62 gravity, maximum 400 end point:	
72–74 octane leaded	5.75
70 octane unleaded	5.75
68 octane unleaded	5.75
65 octane unleaded	5.25
60 octane unleaded	5.00

(octane ratings as defined by American Society for Testing Materials)

Atlantic Refining Company, The.
Cities Service Company.
Consolidated Oil Corporation.
Continental Oil Company.
Gulf Oil Corporation.
Humble Oil and Refining Company.
Mid-Continent Petroleum Corporation.
National Refining Company.
Ohio Oil Company, The.
Pan American Petroleum and Transport Company.
Phillips Petroleum Company.
Pure Oil Company, The.
Shell Union Oil Corporation.
Skelly Oil Company.
Socony-Vacuum Oil Company, Inc.
Standard Oil Company of California.
Standard Oil Company (Indiana).
Standard Oil Company (New Jersey).
Sun Oil Company.
Texas Company, The.
Tidewater Associated Oil Company.

Maximum prices to be charged by other petroleum refiners for cargo transactions on the Gulf Coast market shall be as follows:

Motor gasoline	*Cents per gallon*
Minimum 80 octane 1939 Research Method (as determined by Cooperative Fuel Research Committee) with a maximum of 2 cubic centimeters of lead	6.5
60–62 gravity, maximum 400 end point:	
72–74 octane leaded	6.25
70 octane unleaded	6.25
68 octane unleaded	6.25
65 octane unleaded	5.75
60 octane unleaded	5.5

(octane ratings as defined by American Society for Testing Materials)

Maximum prices for gasoline on the Eastern Seaboard.

Eastern Seaboard. (Connecticut, Delaware, District of Columbia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia, West Virginia). The maximum prices for all sales of all motor gasoline sold in Connecticut, Delaware, District of Columbia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia and West Virginia, shall not be in excess of .3 cent per gallon above the prices in the above states and the District of Columbia on November 7, 1941. Such maximum increase of .3 cent per gallon shall apply to the communities in Maryland and Virginia adjacent to the District of Columbia in addition to the increase provided for those communities below.

Maximum tank wagon prices, excluding taxes

[In cents per gallon]

Tank wagon area	Third grade		Regular grade		Premium grade	
	Dealer	Consumer or commercial	Dealer	Consumer or commercial	Dealer	Consumer or commercial
IOWA						
Des Moines	9.4	10.4	9.9	11.4	11.4	13.4
OHIO						
Geneva	9.5	12	9.5	12	11	14
WISCONSIN						
Lodi	10.1	11.1	10.6	12.1	12.1	14.1
Madison	9.9	10.9	10.4	11.9	11.9	13.9
Mazomanie	9.9	10.9	10.4	11.9	11.9	13.9
Sauk City	10.1	11.1	10.6	12.1	12.1	14.1
Stoughton	9.9	10.9	10.4	11.9	11.9	13.9
Sun Prairie	10.1	11.1	10.6	12.1	12.1	14.1

Maryland and Virginia. The maximum tank wagon prices for those communities in Maryland and Virginia adjacent to the District of Columbia shall be not more than .5 cents per gallon in excess of the highest price between December 15, 1941 and December 31, 1941, where suppliers had been making allowances of .5 cents per gallon or more between December 15, 1941 and December 31, 1941.

(3) *Fuel oil: Maximum tank wagon prices for No. 2 fuel oil.*

Tank wagon area:	*Cents per gallon*
Washington, D. C.	7.6

Maximum prices for bunker C and No. 6 grade fuel oil—Gulf and East Coasts. The maximum prices for Bunker C and No. 6 grade fuel oils on the Gulf and East Coasts shall be those established in Price Schedule No. 72[2]—Bunker C and No. 6 Grade Fuel Oils, East and Gulf Coasts (§§ 1340.101 to 1340.109 of this chapter).

(4) *Lubricants: Maximum prices f. o. b. refinery for Pennsylvania Grade Neutral.*

Stocks

[In cents per gallon]

Viscous Neutrals—No. 3 Color Viscosity at 70° Fahrenheit:	
200 Viscosity (180 at 100°) 420–425 Flash Point:	
0 pour test	40.5
10 pour test	39.5
15 pour test	38.5
25 pour test	33.0
150 Viscosity (143 at 100°) 400–405 Flash Point:	
0 pour test	38.5
10 pour test	37.5
15 pour test	36.5
25 pour test	31.0

Issued this 2d day of February 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-982; Filed, February 2, 1942; 5:27 p. m.]

[1] 6 F.R. 4324.

[2] 7 F.R. 393.

PART 1345—COKE

AMENDMENT NO. 1 TO PRICE SCHEDULE NO. 29—BY-PRODUCT FOUNDRY AND BY-PRODUCT BLAST FURNACE COKE

Sections 1345.9 and 1345.10 are hereby amended and one new § 1345.11 is added as set forth below:

§ 1345.9 *Appendix A; maximum prices for by-product foundry coke per net ton (2,000 lbs.)*—(a) *General provisions.* The maximum delivered price for by-product foundry coke shall be the price f. o. b. car at the governing oven plant, plus the lowest established rail transportation charges, from that oven plant, to the place of delivery. The term "governing oven plant" means that oven plant, the price at which, together with the lowest established rail transportation charge, results in the lowest price at the place of delivery.

Location of oven plant:	*F. o. b. oven plant in cars (per net ton)*
Alabama	$8.50
Chicago, Ill	11.50
Ashland, Ky	10.00
Detroit, Mich	11.75
Kearny, N. J	12.15
Buffalo, N. Y	11.75
Ironton, Ohio	10.00
Painesville, Ohio	11.25
Portsmouth, Ohio	10.00
Erie, Pa	11.75
Philadelphia, Pa	11.75
Chattanooga, Tenn	9.00
Fairmont, W. Va	10.00
Milwaukee, Wis	12.25

(b) *Exceptions*—(1) *Place of delivery within New England and part of New York.* The maximum delivered price in the States of Connecticut, Rhode Island, Massachusetts and New Hampshire and in that portion of the States of New York, Maine and Vermont wherein the lowest established rail transportation charge for by-product foundry coke from Everett, Mass. is $3.10 per net ton or less, shall be $13.75 per net ton less $0.15 per net ton discount for cash with ten days from date of delivery.

The maximum delivered price within that portion of the States of Maine and Vermont wherein the lowest established rail transportation charge for by-product foundry coke from Everett, Mass. exceeds $3.10 per net ton shall be $10.65 plus the lowest established rail transportation charge from Everett, Mass. to the place of delivery.

(2) *Place of delivery within certain switching districts.* Except as set forth in (b) (3) below, the maximum delivered prices within the following switching districts are:

District	*Delivered price per net ton*
Chicago, Illinois	$12.25
Birmingham & Tarrant, Ala	9.40 (i)
St. Louis, Mo. & E. St. Louis, Ill	12.25 (ii)
Indianapolis, Indiana	12.00
Terre Haute, Indiana	12.00
Detroit, Michigan	12.25
Buffalo, New York	12.50
Cincinnati, Ohio	11.75
Cleveland, Ohio	12.30
Erie, Pennsylvania	12.25
Philadelphia, Pa	12.38
St. Paul & Minneapolis, Minn	14.00

(i) Except that the maximum delivered price to consumers qualifying under the provisions of the Louisville and Nashville Railroad Company Tariff O. F. O. No. 220-C establishing a furnace raw material freight rate of $0.60 per ton shall be $9.10.

(ii) Except that producers situated in states other than Missouri, Alabama or Tennessee may charge a maximum delivered price of $12.75.

(iii) *Place of delivery within certain switching districts when shipments thereto are from Alabama ovens.* The maximum delivered prices within the following switching districts for by-product foundry coke shipped from the State of Alabama are:

District	*Delivered price*
Chicago, Illinois	$12.85
Detroit, Michigan	12.45
Indianapolis, Indiana	12.45
Cleveland, Ohio	12.40
Chattanooga, Tenn	9.92
Bayonne, New Jersey	16.96
Williamsburg, Ohio	11.95

(4) *Place of delivery within Ohio or certain parts of New York.* Whenever the place of delivery is located within the States of Ohio or New York, other than that part of New York for which a maximum delivered price was established in (b) (1) above, the Fairmont, West Virginia, oven plant shall not be considered in determining the "governing oven plant," except whenever the shipment is made from the Fairmont, West Virginia, oven plant.

(5) *Place of delivery within Kentucky, Indiana, Michigan, Illinois, Iowa, Missouri, Kansas, Nebraska, Minnesota, South Dakota, Montana, Colorado, Utah or Virginia.* Whenever the place of delivery is located (excepting the switching districts set forth in (b) (2) above) within the States of Kentucky, Indiana, Michigan, Illinois, Iowa, Missouri, Kansas, Nebraska, Minnesota, South Dakota, Montana, Colorado, Utah, or Virginia, the Alabama and Chattanooga, Tennessee oven plants shall not be considered in determining the "governing oven plant," except whenever the shipment is made from the oven plants at Alabama, Chattanooga, Tennessee, or St. Louis, Missouri: *Provided, however,* That the maximum delivered price in those areas shall not exceed the Alabama f. o. b. oven plant price plus the lowest established rail transportation charge from the Alabama oven to the place of delivery, plus $0.75 per net ton.

(6) *Place of delivery within Oklahoma, Nevada, Texas, Arizona, New Mexico or Idaho.* Whenever the place of delivery is located within the States of Oklahoma, Texas Nevada, Arizona, New Mexico or Idaho, the Alabama and Chattanooga, Tennessee, oven plants shall not be considered in determining the "governing oven plant" except when the shipment is made from such oven plants: *Provided, however,* That when the shipment is made from any other oven plant, the maximum price at such oven plant may not exceed $10.00 per net ton.

(7) *Place of delivery within Eastern Pennsylvania, Southern New Jersey, Delaware and Maryland.* Whenever the place of delivery is located within eastern Pennsylvania,[1] southern New Jersey,[2] Delaware or Maryland,[3] the maximum delivered price shall be as follows:

When the lowest established rail transportation charge for by-product foundry coke from Swedeland, Pa. to the place of delivery, is:

Freight rate per net ton:	*The maximum price per net ton shall be*
$0.68 and less	[4] $12.33
$0.69 to $0.96, inclusive	12.40
$0.97 to $1.66, inclusive	12.45
$1.67 to $2.24, inclusive	12.70
$2.25 to $2.50, inclusive	12.80
$2.51 to $2.85, inclusive	12.95
$2.86 and over	[5] 10.35

(8) *Place of delivery with Western Pennsylvania or Washington County, Maryland.* Whenever the place of delivery is located in the counties of Erie (excepting City of Erie switching district), Crawford, Warren, McKean, Elk, Forest, Venange, and Mercer, the Fairmont, W. Va., oven plant shall not be considered in determining the "governing oven plant," except when the shipment is made from such oven plant: *Provided, however,* That the maximum delivered price shall not exceed the Fairmont, W. Va., oven plant price plus the lowest established rail transportation charge for by-product foundry coke from Fairmont, West Virginia, to the place of delivery, plus 25¢ per net ton.

Whenever the place of delivery is located in the remaining counties of Western Pennsylvania[6] or Washington County, Maryland, the Fairmont, W. Va., oven plant shall not be considered in determining the "governing oven plant," except when the shipment is made from such oven plant: *Provided, however,* (i) That the maximum delivered price shall not exceed the Fairmont, W. Va., oven plant price plus the lowest established rail transportation charge for by-product foundry coke to the place of delivery, plus 75¢ per net ton and (ii) when shipment is from the ovens at Painesville, Ohio, or Swedeland, Pennsylvania, the maximum delivered price shall not exceed $10.00 per net ton ovens, plus the lowest established rail transportation charge for by-product foundry coke from such oven to the place of delivery.

[1] That portion of the state east of a line running approximately north and south through Lawrenceville, Pa (Tioga County) and Kingsdale, Pa. (Adams County).

[2] That portion of the state south of a line running from a point immediately north of Phillipsburg, N. J., to a point immediately north of Asbury Park, N J.

[3] Excluding Washington County.

[4] Delivered.

[5] F. o. b. oven plant.

[6] That portion of the state west of a line running approximately north and south through Lawrenceville, Pa. (Tioga County) and Kingsdale, Pa. (Adams County).

(9) *Place of delivery within California, Oregon, and Washington.* On shipments to the States of California, Oregon, and Washington, the governing oven plant may be Chicago, Ill.: *Provided,* That when shipment is from the oven plants listed in paragraph (a) of this Appendix, the maximum delivered price may not exceed the f. o. b. oven plant price at such oven plants, plus the lowest established rail transportation charge for by-product foundry coke.

(10) *Delivery other than by railroad.* When delivery is by means other than railroad, the maximum delivered price shall be the price as computed in this Appendix but adjusted to provide the customary differential or charge in effect on September 18, 1941, for such means of delivery.

§ 1345.10 *Appendix B; maximum prices for by-product blast furnace coke per net ton (2,000 pounds).* The maximum price f. o. b. oven plant on by-product blast furnace coke which may be charged by any person at each oven plant, shall be $0.75 per net ton above the weighted average price f. o. b. oven plant of such coke deliverey by such person from each oven plant during the first quarter of 1941: *Provided,* That this Appendix B shall not apply to sales or shipments made after the issuance of this Schedule at less than $6 per net ton f. o. b. oven plant. The weighted average price means the average of the prices for which such coke was sold during such period weighted by the tons of such coke sold at each price.

Every person who produces and sells by-product furnace coke shall file prices at which such coke was delivered, and the quantity delivered at each price during the first quarter of 1941. Such information shall be filed with the Office of Price Administration, Washington, D. C., on or before September 27, 1941.

Persons who become producers and sellers of by-product blast furnace coke after the first quarter of 1941 shall apply to the Office of Price Administration for a maximum price. Such application shall be made on Form 129: , supplied by the Office of Price Administration.

§ 1345.11 *Geographical application.* The provisions of this Schedule shall apply only to sales, offers to sell or delivery of by-product blast furnace coke within, into, or out of one of the forty-eight States of the United States or the District of Columbia.

(E.O. Nos. 8734, 8875, 6 F.R. 1917, 4483)

This amendment No. 1 shall become effective February 7, 1942. Issued this 2d day of February 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-978; Filed, February 2, 1942; 5:25 p. m.]

PART 1350—EMERGENCY CIVILIAN DEFENSE MATERIALS AND EQUIPMENT

PRICE SCHEDULE NO. 48 AND SUPPLEMENTAL SCHEDULE NO. 1 THEREUNDER

Order of Revocation

On December 10, 1941, the Administrator issued Price Schedule No. 48 ("Emergency Civilian Defense Materials and Equipment") and Supplemental Schedule No. 1 thereunder fixing ceiling prices on flashlights, flashlight batteries and flashlight bulbs. The purpose of such schedule and supplemental schedule was to prevent profiteering as the result of demand created by the threat of extensive blackouts. Prices of flashlights have been generally stable since December 10, 1941, and, the specific emergency having abated, it is deemed appropriate to revoke the aforementioned schedule and supplemental schedule.

Accordingly, under the authority vested in me by Executive Order No. 8734, it is hereby directed that:

Price Schedule No. 48 (§§ 1350.1 to 1350.7, inclusive) and Supplemental Schedule No. 1, (§§ 1350.11 to 1350.13, inclusive) to Price Schedule No. 48 are hereby revoked.*

Issued this 2d day of February 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-973; Filed, February 2, 1942; 5:23 p. m.]

PART 1351—FOODS AND FOOD PRODUCTS

AMENDMENT NO. 2 TO PRICE SCHEDULE NO. 51—COCOA BEANS AND COCOA BUTTER

The preamble and §§ 1351.51 to 1351.58, inclusive, are hereby amended and renumbered, so that Price Schedule No. 51 shall read as follows:

During the past few months, the prices of cocoa beans, a wholly imported commodity, and cocoa butter have increased sharply as the result of uncertainties in the shipping situation and increases in transportation and insurance costs. This has occurred despite the fact that stocks of cocoa beans are now the largest ever accumulated in this country. Since the high nutritive value of the foods processed from cocoa beans makes them of material importance to both our armed forces and our civilian population, it is essential that any inflationary price rises in this commodity be curbed. The outbreak of hostilities in the Far East on December 7, 1941, gave rise to a sharp increase in speculative activity which caused this Office to issue a temporary freezing order on December 11, 1941, limiting prices to those prevailing on December 8, 1941.

In the intervening weeks, this Office has been engaged in a thorough study of the economic and trade position of cocoa beans and cocoa butter. Due consideration has been given to prices prevailing during the period October 1 to October 15, 1941, and adjustments made for relevant factors.

Therefore, to prevent any future price spiraling and to maintain the stability recently achieved by the trade, the Office of Price Administration hereby issues a permanent Schedule for cocoa beans and cocoa butter.

Accordingly, under the authority vested in me by Executive Order No. 8734, it is hereby directed that:

§ 1351.51 *Maximum prices for cocoa beans and cocoa butter.* On and after December 11, 1941, no person shall sell, offer to sell, deliver, or transfer cocoa beans or cocoa butter, and no person shall buy, offer to buy, or accept delivery of cocoa beans or cocoa butter at prices higher than the maximum prices set forth in Appendices A and B hereof, incorporated herein as §§ 1351.61 and 1351.62, except that contracts entered into prior to February 3, 1942, but subsequent to December 11, 1941, may be carried out at prices not higher than the maximum prices contained in Price Schedule No. 51 as effective prior to this Amendment Number 2, and that contracts entered into prior to December 11, 1941, may be carried out at the contract prices.*

*§§ 1351.51 to 1351.62, inclusive, issued pursuant to the authority contained in E.O. Nos. 8734, 8875, 6 F.R. 1917, 4483.

§ 1351.52 *Export sales.* The maximum prices for cocoa beans or cocoa butter sold for export may exceed the prices set forth in §§ 1351.61 and 1351.62 by no more than ten percent.*

§ 1351.53 *Exempt sales.* Sales of less than one bag of cocoa beans and of less than one bale of cocoa butter, and sales of cocoa butter deodorized or specially treated for pharmaceutical or cosmetic uses, shall be excepted from the operation of this Schedule.*

§ 1351.54 *Less than maximum prices.* Lower prices than the maximum prices established by this Schedule may be charged, demanded, paid, or offered.*

§ 1351.55 *Evasion.* The price limitations set forth in this Schedule shall not be evaded whether by direct or indirect methods in connection with a purchase, sale, delivery, or transfer of cocoa beans or cocoa butter, or by way of premium, commission, service, transportation, or other charge, or by any other trade understanding, or by making the discounts given or other terms and conditions of sale more onerous to the purchaser than those available or in effect on December 11, 1941, or by any other means.*

§ 1351.56 *Records and reports.* (a) All sellers and all buyers who have en-

*Issued pursuant to authority contained in Executive Orders Nos. 8734, 8875, 6 F.R. 1917, 4483.

tered into contracts prior to February 3, 1942, for the sale or delivery of cocoa beans or cocoa butter, on or after February 3, 1942, at prices higher than the maximum prices established by this Schedule, shall report all such contracts to the Office of Price Administration on or before February 25, 1942, stating (1) the name and address of the buyer and seller; (2) the actual date of the contract; (3) each and every delivery date provided for in the contract; and (4) the price, quantity, and description of the product sold.

After the buyer has received the final shipment called for by the contract he shall then report such receipt to the Office of Price Administration within two weeks thereof, certifying that the total amount received did not exceed the quantity specified in such contract.

(b) Every person making purchases or sales of cocoa beans or cocoa butter on and after February 3, 1942 shall keep for inspection by the Office of Price Administration for a period of not less than one year complete and accurate records thereof, including the name of the purchaser, the date of the contract, the price paid or received, and the type, grade, quality, and amount sold.

(c) Every person affected by this Schedule shall submit such report to the Office of Price Administration as it may from time to time require.*

§ 1351.57 *Modification of the schedule.* Persons complaining of hardship or inequity in the operation of this Schedule may apply to the Office of Price Administration for approval of any modification thereof, or exception therefrom; *Provided,* That no applications under this Section will be considered unless filed by persons complying with this Schedule.*

§ 1351.58 *Enforcement.* In the event of refusal or failure to abide by the price limitations, record and report requirements, or other provisions of this Schedule, or in the event of any evasion or attempt to evade the price limitations or other provisions of this Schedule, the Office of Price Administration will invoke all appropriate sanctions at its command, including taking action to see (a) that the Congress and the public are fully informed thereof; (b) that the powers of Government, both State and Federal, are fully exerted in order to protect the public interest and the interest of those persons who comply with this Schedule; (c) that full advantage will be taken of the cooperation of the various political subdivisions of State, county, and local Governments by calling to the attention of the proper authorities failures to comply with this Schedule which may be regarded as grounds for the revocation of licenses and permits; and (d) that the procurement services of the Government are requested to refrain from selling to or purchasing from, those persons who fail to comply with this Schedule. Persons who have evidence of the offer, receipt, demand, or payment of prices higher than the maximum prices, or of any evasion or effort to evade the provisions hereof, or of speculation, or manipulation of prices of cocoabeans or cocoa butter, or of the hoarding or accumulating of unnecessary inventories thereof, are urged to communicate with the Office of Price Administration.*

§ 1351.59 *Definitions.* When used in this Schedule the term:

(a) "Person" means an individual, partnership, association, corporation, or other business entity.

(b) "Cost of putting cocoa beans into the warehouse" includes (1) "labor in and out" and (2) warehouse storage charges for not more than thirty days.

(c) "Cocoa beans and cocoa butter sold for export" means sales by a domestic seller directly to a foreign buyer or foreign broker.*

§ 1351.60 *Effective date of the Schedule.* This Schedule shall become effective on December 11, 1941.*

§ 1351.61 *Appendix A; maximum prices for cocoa beans.* (a) The maximum prices shall include all import commissions. The maximum prices shall also include all other charges, except that:

(1) Increases in the charges prevailing prior to the opening of business on December 8, 1941 for ocean freight, war risk insurance, and marine insurance may be added to the maximum prices only if such charges have been actually incurred by the seller on such sale. Decreases in said charges prevailing prior to the opening of business on December 8, 1941 must be subtracted from the maximum prices.

(2) If the services of a broker or brokers are required, a commission or commissions which in the aggregate shall not exceed one percent of the selling price may be added to the maximum prices, provided such commissions have been actually paid.

(b) The maximum prices for cocoa beans shall be as follows:

	Cents per pound ex dock New York City
F. F. Accra (main crop)	8.90
F. A. Q. Lagos	8.75
Ivory Coast (main crop)	8.90
F. A. Q. Cameroons	8.70
Fine St. Thome	9.25
Superior Bahia	8.70
Sanchez	8.55
Superior Red Summer Arriba	11.50
Superior Seasons Arriba	10.75
La Guayra Caracas	11.25
Trinidad Caracas	12.25
Trinidad Estates	13.90
Grenada Estates	13.65
Fermented Panama	9.35
Fermented Costa Rican	9.35
Haiti	8.45
Java Estates #1	20.25
Ceylon Estates	16.75
Samoan	16.25

The maximum prices for cocoa beans imported from any other country, or for grades of better or inferior quality not named, shall be detemined by applying the customary trade differentials to the maximum price for the grade listed above which is most closely related in quality.

(c) The maximum prices quoted above are ex dock New York City. The maximum prices ex dock any other port of entry shall be determined by adding to or subtracting from the New York City price the difference between the actual cost of ocean freight, war risk insurance, and marine insurance from the port of origin to New York City and the actual cost of ocean freight, war risk insurance, and marine insurance from the port of origin to such other port of entry.

(d) For any cocoa beans sold ex warehouse, rather than ex dock New York City or any other port of entry, the cost of actually "putting the cocoa beans into the warehouse" as defined in § 1351.59 may be added by the seller who incurred the cost.

(e) The delivered price for cocoa beans shall in no case exceed the maximum prices specified above plus actual transportation charges incurred from the dock or warehouse at New York City or other port of entry to the place of destination or to the place of ship loading, if the cocoa beans are intended for export.

(f) Any person making sales of cocoa beans in lots of twenty-five bags or less may add to the maximum prices specified above an amount which shall not exceed 7½ percent of his comparable selling price for lots of more than twenty-five bags.

(g) The above prices shall be the maximum prices for all transactions except for futures contracts traded on the New York Cocoa Exchange. In such contracts the maximum prices shall be the prices listed below. The maximum prices for futures contracts for months, if any, after December, 1942, shall not exceed 8.86 cents per pound. The maximum prices for futures contracts, if any, traded in months currently inactive shall not exceed the maximum prices for the last active preceding month.

	Cents per pound
March	8.60
May	8.66
July	8.71
September	8.76
December	8.86

§ 1351.62 *Appendix B; maximum prices for cocoa butter.* (a) The maximum prices for cocoa butter in bales sold in carload lots shall be twenty-five cents per pound f. o. b. factory shipping point.

(b) The delivered price shall in no case exceed the maximum price plus actual transportation charges incurred from the factory shipping point to the place of destination or to the place of shiploading, if the cocoa butter is intended for export.

(c) The following amounts may be added to the maximum price for cocoa butter when packed in:

(1) Cartons—20 cents per one hundred pounds;

(2) Wood cases—$1.00 per one hundred pounds; and

(3) Tin lined wood cases—$1.25 per one hundred pounds.

(4) To the maximum price for cocoa butter sold in less than carload lots an amount may be added which shall not exceed the following:

(i) 11,000 pounds to carload lots—0.15 cents per pound;

(ii) 2,000 pounds to 10,999 pounds—0.25 cents per pound;

(iii) 1,000 pounds to 1,999 pounds—0.40 cents per pound; and

(iv) 200 pounds to 999 pounds—1 cent per pound.*

This amendment No. 2, amending and renumbering the Preamble and §§ 1351.51 to 1351.58, inclusive, shall become effective the 3d day of February 1942. Issued this 2nd day of February 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-972; Filed, February 2, 1942; 5:22 p. m.]

PART 1351—FOODS AND FOOD PRODUCTS

AMENDMENT NO. 1 TO PRICE SCHEDULE NO. 52—PEPPER

The preamble and §§ 1351.101 to 1351.108, inclusive, are hereby amended and renumbered, so that Price Schedule No. 52 shall read as follows:

Pepper is one of the imported commodities which in the past have often been sharply influenced by speculative price manipulations. It is the most important and widely distributed spice used by the American housewife and by packing industries. The outbreak of hostilities in the Far East on December 7, 1941, gave rise to a sharp increase in speculative activity which caused this Office on December 11, 1941, to issue a temporary price freezing order, limiting prices to those prevailing on December 8, 1941.

In the intervening weeks, this Office has engaged in a thorough study of the economic and trade position of pepper. Due consideration has been given to the prices prevailing during the period October 1 to October 15, 1941, with adjustments for relevant factors. To prevent further price increases and to maintain the stability recently achieved, the Office of Price Administration hereby issues a permanent price schedule for black and white pepper.

Accordingly, under the authority vested in me by Executive Order No. 8734, it is hereby directed that:

§ 1351.101 *Maximum prices for pepper.* On and after December 11, 1941, no person shall sell, offer to sell, deliver, or transfer pepper, and no person shall buy, offer to buy, or accept delivery of pepper at prices higher than the maximum prices set forth in Appendix A hereof, incorporated herein as § 1351.111, except that contracts entered into prior to February 3, 1942, but subsequent to December 11, 1941, may be carried out at prices not higher than the maximum prices contained in Price Schedule No. 52 as effective prior to this amendment No. 1, and that contracts entered into prior to December 11, 1941, may be carried out at the contract prices.*

*§§ 1351.101 to 1351.111, inclusive, issued pursuant to the authority contained in E.O. Nos. 8734, 8875, 6 F.R. 1917, 4483.

§ 1351.102 *Export sales.* The maximum prices for pepper sold for export may exceed the prices set forth in § 1351.111 by no more than ten per cent.*

§ 1351.103 *Exempt sales.* Sales of pepper at retail and sales of less than one bag of pepper shall be excepted from the operation of this Schedule.*

§ 1351.104 *Less than maximum prices.* Lower prices than the maximum prices established by this Schedule may be charged, demanded, paid, or offered.*

§ 1351.105 *Evasion.* The price limitations set forth in this Schedule shall not be evaded whether by direct or indirect methods in connection with a purchase, sale, delivery, or transfer of pepper, or by way of premium, commission, service, transportation or other charge, or by any other trade understanding, or by making the discounts given or other terms and conditions of sale more onerous to the purchaser than those available or in effect on December 11, 1941, or by any other means.*

§ 1351.106 *Records and reports.* All sellers and all buyers who have entered into contracts prior to February 3, 1942, for the sale or delivery of pepper, on or after February 3, 1942, at prices higher than the maximum prices established by this Schedule, shall report all such contracts to the Office of Price Administration on or before February 25, 1942, stating (1) the name ad address of the buyer and seller; (2) the actual date of the contract; (3) each and every delivery date provided for in the contract; and (4) the price, quantity, and description of the product sold.

After the buyer has received the final shipment called for by the contract he shall then report such receipt to the Office of Price Administration within two weeks thereof, certifying that the total amount received did not exceed the quantity specified in the contract.

(b) Every person making purchases or sales of pepper on and after February 3, 1942 shall keep for inspection by the Office of Price Administration for a period of not less than one year complete and accurate records thereof, including the name of the purchaser, the date of the contract, the price paid or received, and the type, grade, quality, and amount sold.

(c) Every person affected by this Schedule shall submit such reports to the Office of Price Administration as it may from time to time require.*

§ 1351.107 *Modification of the schedule.* Persons complaining of hardship or inequity in the operation of this Schedule may apply to the Office of Price Administration for approval of any modification thereof, or exception therefrom: *Provided,* That no applications under this section will be considered unless filed by persons complying with this Schedule.*

§ 1351.108 *Enforcement.* In the event of refusal or failure to abide by the price limitations, record and report requirements, or other provisions of this Schedule, or in the event of any evasion or attempt to evade the price limitations or other provisions of this Schedule, the Office of Price Administration will invoke all appropriate sanctions at its command, including taking action to see that (a) the Congress and the public are fully informed thereof; (b) the powers of Government, both State and Federal, are fully exerted in order to protect the public interest and the interest of those persons who comply with this Schedule; (c) full advantage will be taken of the cooperation of the various political subdivisions of State, county, and local governments by calling to the attention of the proper authorities failures to comply with this Schedule which may be regarded as grounds for the revocation of licenses and permits; and (d) the procurement services of the Government are requested to refrain from selling to, or purchasing from, those persons who fail to comply with this Schedule. Persons who have evidence of the offer, receipt, demand, or payment of prices higher than the maximum prices, or of any evasion or effort to evade the provisions hereof, or of speculation, or manipulation of prices of pepper, or of the hoarding or accumulating of unnecessary inventories thereof, are urged to communicate with the Office of Price Administration.*

§ 1351.109 *Definitions.* When used in this Schedule the term:

(a) "Person" means an individual, partnership, association, corporation, or other business entity.

(b) "Sales at retail" means sales to the ultimate consumer; *Provided,* That no grinder, processor, purchaser for resale, or commercial user shall be deemed to be an ultimate consumer.

(c) "Cost of putting pepper into the warehouse" includes (1) "Labor in and out" and (2) warehouse storage charges for not more than thirty days.

(d) "Pepper sold for export" means sales by a domestic seller directly to a foreign buyer and/or foreign broker.*

§ 1351.110 *Effective date of the schedule.* This Schedule shall become effective on December 11, 1941.*

§ 1351.111 *Appendix A, maximum prices for pepper.* (a) The maximum prices shall include all import commissions. The maximum prices shall also include all other charges, except that:

(1) Increases in the charges prevailing prior to the opening of business on December 8, 1941 for ocean freight, war risk insurance, and marine insurance may be added to the maximum prices only if such charges have been actually incurred by the seller on such sale. Decreases in said charges prevailing prior to the opening of business on December 8, 1941 must be subtracted from the maximum prices.

(2) If the services of a broker or brokers are required, a commission or commissions which in the aggregate shall not exceed one percent of the selling price may be added to the maximum price, provided such commissions have been actually paid.

(b) The maximum prices for pepper shall be as follows:

	Cents per pound ex dock New York City
Lampong Black Pepper	6.50
Aleppy Black Pepper	8.50
Muntok White Pepper	11.50
White Small Berries	10.50

The maximum prices for pepper imported from any other country or for grades of inferior quality not named shall be determined by applying the customary trade differentials to the above prices.

(c) The maximum prices quoted above are ex dock New York City. The maximum prices ex dock any other port of entry shall be determined by adding to or subtracting from the New York City Price the difference between the actual cost of ocean freight, war risk insurance, and marine insurance from the port of origin to New York City and the actual cost of ocean freight, war risk insurance, and marine insurance from the port of origin to such other port of entry.

(d) For any pepper sold ex warehouse, rather than ex dock New York City or any other port of entry, the cost of actually "putting the pepper into the warehouse" as defined in § 1351.109 may be added by the seller who incurred the cost.

(e) The delivered price for pepper shall in no case exceed the maximum prices specified above plus actual transportation charges incurred from the dock or warehouse at New York City or other port of entry to the place of destination or to the place of ship loading, if the pepper is intended for export.

(f) Any person making sales of pepper in lots of 100 bags or less may add to the maximum prices specified above an amount which shall not exceed:

5% on sales of 50 to 100 bags
7½% on sales of 25 to 49 bags
10% on sales of 5 to 24 bags
one cent on sales of 1 to 4 bags

(g) The above prices shall be the maximum prices for all transactions except for futures contracts traded on the New York Produce Exchange. In such contracts the maximum prices shall be the prices listed below. The maximum prices for futures contracts for months, if any, after October, 1942 shall not exceed 6.63 cents per pound. The maximum prices for futures contracts, if any, traded in months currently inactive shall not exceed the maximum prices for the last active preceding month.

	Cents per pound
March	6.35
May	6.43
July	6.50
September	6.60
October	6.63

This amendment No. 1, amending and renumbering the Preamble and §§ 1351.101 to 1351.108, inclusive, shall become effective the 3d day of February 1942.

Issued this 2d day of February 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-971; Filed, February 2, 1942; 5:22 p. m.]

PART 1353—VEGETABLE FIBERS

AMENDMENT NO. 2 TO PRICE SCHEDULE NO. 59—KAPOK[1]

Section 1353.1 is hereby amended, and a new Section 1353.11 is hereby added, to read as follows:

§ 1353.1 *Maximum prices for kapok.* On and after February 2, 1942, regardless of the terms of any contract of sale or purchase, or other commitment, no person shall sell, offer to sell, deliver, or transfer kapok, and no person shall buy, offer to buy, or accept delivery of kapok, at prices higher than the maximum prices set forth in Appendix A hereof, incorporated herein as § 1353.11: *Provided,* That contracts entered into prior to February 2, 1942, at prices in compliance with this Schedule[1] (§§ 1353.1 to 1353.10, inclusive) as amended prior to that date, may be carried out at the contract price.

* * * * *

§ 1353.11 *Appendix A; maximum prices for kapok.* The maximum prices established by this Schedule (§§ 1353.1 to 1353.11, inclusive) do not apply to kapok sold in quantities of less than one bale or to blown or processed kapok.

The maximum prices established herein are gross prices, before discounts of any nature are deducted, and they include commissions and all other charges not specifically permitted herein.

There are two maximum prices for kapok, depending upon the port at which it is unloaded in the United States. The prices set forth in Paragraph (a) below, in Column I, are for kapok actually unloaded at any port on the Atlantic or Gulf Coast. The prices set forth in Column II are for kapok actually unloaded at any port on the Pacific Coast.

(a) *Maximum prices for carload lots.*

Grade	Prices per pound, ex dock port of discharge	
	I. Atlantic or Gulf coast	II. Pacific coast
Estate Kapok	20¾¢	18¾¢
Prime Japara	18¾¢	16¾¢
Average Java	17¾¢	15¾¢
All other Kapok	15¾¢	13¾¢

(b) *Maximum prices for less than carload lots.* For kapok sold in less than carload lots, the following premiums above the prices set forth in paragraph (a) may be charged:

Sales of 51–100 bales, inclusive.	¼¢ per pound.
Sales of 11–50 bales, inclusive.	½¢ per pound.
Sales of 6–10 bales, inclusive.	¾¢ per pound.
Sales of 1–5 bales, inclusive.	1¾¢ per pound.

(c) *Transportation charges.* Transportation charges may be added to the maximum prices set forth in paragraphs (a) and (b) above, as follows:

[1] 6 F.R. 6616, 7 F.R. 446.

(1) *For sales on a delivered basis.* The transportation charges from actual port of discharge to destination: *Provided,* That if delivery is made in the seller's conveyance, the transportation charge shall not exceed the charge which would be applicable in an identical shipment from the same point of shipment to the same receiving point at the lowest available commercial transportation rate.

(2) *For sales on an f. o. b. shipping point basis.* The actual transportation charges from actual port of discharge to actual shipping point: *Provided,* That if the kapok was transported from port of discharge to actual shipping point in a conveyance other than a commercial carrier, the transportation charge shall not exceed the charge which would be applicable in an identical shipment from the same point of shipment to the same receiving point at the lowest available commercial transportation rate.

Provided, That if the maximum prices are so increased, the invoice or similar document delivered to the purchaser shall show the amount of such transportation charges.

(d) *War risk insurance.* Charges for war risk insurance in excess of 2½ percent, actually paid with respect to the kapok sold, may be added to the maximum prices set forth in paragraphs (a) and (b) above: *Provided,* That if any such excess war risk insurance charges are added to the applicable maximum price, the invoice or similar document delivered to the purchaser shall show the amount of such charges.

(E.O. Nos. 8734, 8875, 6 F.R. 1917, 4483)

This amendment No. 2 shall become effective February 2, 1942. Issued this 2d day of February 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-976; Filed, February 2, 1942; 5:24 p. m.]

PART 1354—WOOL AND WOOL PRODUCTS

AMENDMENT NO. 6 TO PRICE SCHEDULE NO. 58—WOOL AND WOOL TOPS AND YARNS

Sections 1354.4 and 1354.4 and Paragraph (d) of § 1354.8 are hereby amended and § 1354.9a is hereby added to read as follows:

§ 1354.1 *Maximum prices for wool and wool tops and yarns.* (a) On and after February 2, 1942, no person shall sell, offer to sell, deliver or transfer wool or wool tops or yarns at prices higher than the maximum prices established herein: *Provided,* That contracts entered into prior to December 18, 1941, calling for a price higher than the maximum prices may be carried out at the contract price.

(b) (1) The maximum price for domestic shorn wool shall be the market price prevailing on October 1, 1941, or on December 15, 1941, for the same class, kind, type, condition and grade of domestic shorn wool: *Provided,* That, if there were no such market price, the maximum price shall be the highest price contracted for or received by the seller

for the sale or delivery during the period between October 1, 1941 and December 15, 1941, inclusive, of domestic shorn wool of the same class, kind, type, condition and grade, to a purchaser of the same general class. If during said period no such sale or delivery were made, the maximum price shall be a price in line with the maximum prices for related kinds, types, conditions and grades, determined in accordance with this subparagraph (b) (1), to a purchaser of the same general class.

(2) The maximum price for wool, other than domestic shorn wool, and wool tops and yarns shall be the highest price contracted for or received by the seller for the sale or delivery during the period between October 1, 1941 and December 15, 1941, inclusive, of such wool or wool tops or yarns of the same class, kind, type, condition and grade to a purchaser of the same general class: *Provided,* That if during said period no such sale or delivery were made, the maximum price shall be a price in line with the maximum prices for related kinds, types, conditions, and grades of such wool or wool tops or yarns, determined in accordance with this subparagraph (b) (2), to a purchaser of the same general class.

(3) The maximum price for wool sold by the importer thereof shall be increased or decreased by an amount equal to the actual increase or decrease in war risk insurance rates and freight rates over those prevailing for wool of the same class, kind, type, condition and grade during said period: *Provided,* That in all cases where the price is so increased, the invoice or similar document delivered to the purchaser shall show the amount of such increase.

(c) The maximum prices determined in accordance with paragraph (b) above shall be the maximum prices for all transactions except for grease wool and wool tops futures contracts traded on the Wool Associates of the New York Cotton Exchange, Inc. For such contracts, the maximum prices shall be the highest prices on said Exchange during the period between October 1, 1941 and December 15, 1941, inclusive: *Provided,* That contracts entered into on said Exchange prior to December 18, 1941, calling for a price higher than the maximum prices may be carried out at the contract price. Such maximum prices are as follows:

	Cents
Wool Top Futures	132.7
Grease Wool Futures	103.5

(d) Sales at retail are excepted from the operation of this Schedule.

(e) On and after January 17, 1942, notwithstanding the provisions of paragraphs (a) and (b) above, no person shall sell, offer to sell, deliver or transfer wools or wool tops or yarns of the types and grades enumerated in Appendices A, B, C and D hereof, incorporated herein as §§ 1354.10 to 1354.13, inclusive, and no person shall buy, offer to buy, or accept delivery or transfer of such wools or wool tops or yarns at prices higher than the maximum prices set forth in Appendices A, B, C, and D: *Provided,* That contracts entered into prior to December 18, 1941 calling for a price higher than the maximum prices may be carried out at the contract price.

* * * * *

§ 1354.4 *Records and reports.* Every person making sales of wool or wool tops or yarns after December 17, 1941, shall keep for inspection by the Office of Price Administration, for a period of not less than one year, complete and accurate records of each such sale, showing the date thereof, the name and address of the buyer, the price contracted for or received, and the quantity of each class, kind, type, condition and grade of wool or wool tops or yarns sold. Every such person shall also on or before February 10, 1942, have available for the Office of Price Administration a record of his prices for all sales and deliveries of wool and wool tops and yarns during the period from October 1, 1941, to December 15, 1941.

Persons affected by this Schedule shall submit such reports to the Office of Price Administration as it may, from time to time, require.

* * * * *

§ 1354.8 *Definitions.* When used in this Schedule, the term:

* * * * *

(d) "Yarns" means yarns containing 10% or more wool by fiber weight, except yarns dyed and converted for the hand knitting trade.

* * * * *

§ 1354.9a *Effective dates of amendments.* (a) Amendment No. 1 adding a new subparagraph (4) to paragraph (b) of § 1354.1 shall become effective January 10, 1942: *Provided,* That firm commitments entered into prior to January 10, 1942 for the sale of wool or wool tops or yarns at prices not exceeding the maximum prices established by this Schedule prior to the effective date of Amendment No. 1 may be completed at contract prices.

(b) Amendment No. 2 adding a new paragraph (e) to section 1354.1 and adding § 1354.10 shall become effective January 16, 1942: *Provided,* That firm commitments entered into prior to January 16, 1942 for the sale of wool or wool tops or yarns at prices not exceeding the maximum prices established by this Schedule prior to the effective date of Amendment No. 2 may be completed at contract prices.

(c) Amendment No. 3 amending paragraph (e) of § 1354.1 and adding §§ 1354.11 and 1354.12 shall become effective January 17, 1942: *Provided,* That firm commitments entered into prior to January 17, 1942 for the sale of wool or wool tops or yarns at prices not exceeding the maximum prices established by this Schedule prior to the effective date of Amendment No. 3 may be completed at contract prices.

(d) Amendment No. 4 amending paragraphs (a) and (c) of § 1354.12 shall become effective January 20, 1942: *Provided,* That firm commitments entered into prior to January 20, 1942 for the sale of wool or wool tops or yarns at prices not exceeding the maximum prices established by this Schedule prior to the effective date of Amendment No. 4 may be completed at contract prices.

(e) Amendment No. 5 amending paragraph (e) of § 1354.1 and adding § 1354.13 shall become effective January 29, 1942: *Provided,* That firm commitments entered into prior to January 29, 1942 for the sale of wool or wool tops or yarns at prices not exceeding the maximum prices established by this Schedule prior to the effective date of Amendment No. 5 may be completed at contract prices.

(f) Amendment No. 6 amending §§ 1354.1, 1354.4 and paragraph (d) of § 1354.8 and adding § 1354.9a shall become effective February 2, 1942: *Provided,* That firm commitments entered into prior to February 2, 1942, for the sale of wool or wool tops or yarns at prices not exceeding the maximum prices established by this Schedule prior to the effective date of Amendment No. 6 may be completed at contract prices.

(E.O. Nos. 8734, 8875, 6 F.R. 1917, 4483)

This amendment No. 6 shall become effective February 2, 1942. Issued this 2d day of February 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-963; Filed, February 2, 1942; 5:19 p. m.]

PART 1355—LEAD

AMENDMENT NO. 1 TO PRICE SCHEDULE NO. 69—PRIMARY LEAD

Section 1355.7 is hereby amended to read as set forth below and the statement preceding the table in § 1355.9 paragraph (b) (1) is hereby amended to read as set forth below:

§ 1355.7 *Definitions.* When used in this Schedule, the term

(a) "Person" means an individual, partnership, association, corporation, or other business entity;

(b) "Point of shipment" means the point from which the seller ships to the buyer. This is usually the seller's plant, warehouse, or yard, but, where the material is shipped directly to the buyer from some point other than the seller's plant, warehouse, or yard, such other point is the point of shipment;

(c) "Primary lead" means (1) lead in the form of pigs, ingots, and other special shapes made from ores, concentrates, or bullion, even though other material is mixed therewith, provided such other material accounts for 50% or less of the lead content thereof, and (2) lead in the form of pigs, ingots, and other special shapes produced from lead made from ores, concentrates, or bullion even though other material is mixed therewith, provided such other material accounts for 50% or less of the lead content thereof;

(d) "Producer" means any person who makes pigs, ingots, or other special shapes of lead.

* * * * *

1355.9 *Appendix A; maximum prices for primary lead:*

* * * * *

(b) *Sold and shipped, delivered, or carried away in less than carload lots.*

* * * * *

(1) *Sales of primary lead by the producer of the lead sold.*

(E.O. Nos. 8734, 8875, 6 F.R. 1917, 4483)

This amendment No. 1 shall become effective February 2, 1942. Issued this 2d day of February 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-969; Filed, February 2, 1942; 5:22 p. m.]

PART 1355—LEAD

AMENDMENT NO. 1 TO PRICE SCHEDULE NO. 70—LEAD SCRAP MATERIALS; SECONDARY LEAD, INCLUDING CALKING LEAD; BATTERY LEAD SCRAP; AND PRIMARY AND SECONDARY ANTIMONIAL LEAD

Section 1355.62 is hereby amended by rewriting paragraph (n) and by adding thereto the new paragraph (q) as set forth below; the statement preceding the table in § 1355.65, paragraph (a) (2) (i), is hereby amended to read as set forth below; § 1355.66 is hereby amended by adding thereto the new paragraph (a) (5) as set forth below; and § 1355.67 is hereby amended by adding thereto the new paragraph (a) (4) as set forth below:

§ 1355.62 *Definitions.*

* * * * *

(n) "Secondary lead" includes secondary calking lead, and means lead more than 50% of the lead content of which shall be obtained from scrap material;

* * * * *

(q) "Producer" means any person who makes pigs, ingots, or other special shapes of lead.

* * * * *

§ 1355.65 *Appendix B; maximum prices for secondary lead including calking lead*—(a) *Maximum prices.*

* * * * *

(2) *Sold and shipped, delivered, or carried away in less than carload lots.*

(i) *Sales of secondary lead by the producer of the lead sold.*

* * * * *

§ 1355.66 *Appendix C; maximum prices for battery lead plates purchased and sold by brokers*—(a) *Maximum prices for brokerage sales.*

* * * * *

(5) *Weight of shipment.* The weight of the battery lead plates at the time the assay sample is taken and the assay made shall be used to determine the maximum price in accordance with this section.

§ 1355.67 *Appendix D; maximum prices for battery lead scrap purchased by smelters or battery manufacturers*—(a) *Battery lead plates, with or without lugs attached.*

* * * * *

(4) *Weight of shipment.* The weight of the battery lead plates at the time the assay sample is taken and the assay made shall be used to determine the maximum price in accordance with this section.

(E.O. Nos. 8734, 8875, 6 F.R. 1917, 4483)

This amendment No. 1 shall become effective February 2, 1942. Issued this 2d day of February 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-967; Filed, February 2, 1942; 5:20 p. m.]

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

AMENDMENT NO. 1 TO PRICE SCHEDULE NO. 66—RETREADED AND RECAPPED RUBBER TIRES, THE RETREADING AND RECAPPING OF RUBBER TIRES, AND BASIC TIRE CARCASSES

Section 1315.1210 is amended by adding a new paragraph (d) to read as follows:

§ 1315.1210 *Appendix A; maximum prices for retreaded and recapped rubber tires, the retreading and recapping of rubber tires, and basic tire carcasses.*

* * *

(d) A special and limited exception from the maximum prices set forth in this Appendix has been granted to:

(1) The Texas Tire Treading Company, 1619 Congress Avenue, Houston, Texas by a letter of January 24, 1942 from the Office of Price Administration.

(E.O. Nos. 8734, 8875, 6 F.R. 1917, 4483)

This amendment No. 1 shall become effective February 3, 1942. Issued this 3d day of February 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-1015; Filed, February 3, 1942; 12:01 p. m.]

PART 1346—BUILDING MATERIALS

AMENDMENT NO. 2 TO PRICE SCHEDULE NO. 40—BUILDERS' HARDWARE AND INSECT SCREEN CLOTH

The preamble and §§ 1346.1, 1346.3, and 1346.4 are hereby amended to read as follows:

Builders' hardware, which includes such items as knobs, handles, locks, hinges, and window bolts, and insect screen cloth are important elements in building construction, and as such have considerable significance both in the defense program and in the civilian economy. Shortages of their basic raw materials, chiefly copper, and to a lesser extent such metals as zinc and tin, have produced inflationary pressure upon builders' hardware and screen cloth, most noticeably in the case of existing inventories. The issuance by the Office of Production Management of Conservation Order No. M-9-c on October 21, as amended November 3, severely curtailing at once the use of copper in builders' hardware and screening (among other things), and prohibiting its use therein altogether after January 1, 1942, will tend to cause an accentuation of this pressure on inventories.

The present schedule, instead of specifying the ceiling price for each item of builders' hardware and screen cloth, fixes as maximum prices on a group of named items the highest prices prevailing during the fifteen-day period ending October 15, 1941. This action is taken because of the difficulty of classifying these products, and because of the danger of inflationary price action during the time that would be required for the preparation of individual schedules covering each product.

Accordingly, under the authority vested in me under Executive Order No. 8734, it is hereby directed that:

§ 1346.1 *Maximum prices for builders' hardware and insect screen cloth.* (a) On and after February 3, 1942, regardless of the terms of any contract of sale or purchase or other commitment, no person, except a retailer as defined in § 1346.7 (b), shall sell, offer to sell, deliver, or transfer any of the builders' hardware or screen cloth products set forth in Appendix A, incorporated herein as § 1346.9, at prices higher than the maximum price.

(b) (1) The maximum price shall be the highest price received by the seller for the delivery during the period between October 1, 1941 and October 15, 1941, of builders' hardware or screen cloth products of approximately the same grade, quality, and amount, to the same purchaser.

(2) If no such delivery to the same purchaser was made, the maximum price shall be the highest price received by the seller for a delivery during such period of builders' hardware or screen cloth products of approximately the same grade, quality, and amount, to a purchaser recognized by the trade as entitled to similar treatment.

(3) If no delivery of products of approximately the same grade, quality, and amount was made, the maximum price shall be determined from the price of a related builders' hardware or screen cloth product, delivered during such period, by making an appropriate adjustment for differences in type of product, grade, quality, amount, and type of purchaser. A "related builders' hardware or screen cloth product" means one bearing a recognized or determinable price relationship to the product being sold.

(4) In all other cases, the maximum price shall be the market price during such period for the same type of product, grade, quality, amount, and type of purchaser.

* * * * *

§ 1346.3 *Evasion.* The price limitations set forth in this Schedule shall not be evaded whether by direct or indirect methods in connection with a purchase, sale, delivery or transfer of builders' hardware or screen cloth products, alone or in conjunction with any other material, or by way of premium, commission, service, transportation, or other charge, or by a tying-agreement or other trade understanding, by making discounts or

other terms and conditions of sale more onerous to the purchaser than those available or in effect on October 15, 1941, or by any other means.

§ 1346.4 *Records and reports.* Every person, other than a retailer, whose total sales of builders' hardware and/or screen cloth products during any calendar month beginning with November 1941, shall exceed One Thousand Dollars shall have available for inspection by the Office of Price Administration for a period of not less than one year a complete and accurate record of every such sale, except retail sales, of such products, including the date of sale, the name of the purchaser, the price, and the grade, quality, and amount sold.

Every such person shall also, within thirty days of the effective date of this Schedule, have available a record of his selling prices, except retail prices, for such products during the period from October 1, 1941, to October 15, 1941.

Every person affected by this Schedule shall submit such reports to the Office of Price Administration as it may from time to time require.

(E.O. Nos. 8734, 8875, 6 F.R. 1917, 4483)

This amendment No. 2 shall become effective February 3, 1942. Issued this 2d day of February 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-1016; Filed, February 3, 1942; 12:01 p. m.]

PART 1401—SYNTHETIC TEXTILE PRODUCTS

PRICE SCHEDULE NO. 90—RAYON WASTE

The state of war existing between this country and the Axis nations makes it imperative that steps be taken to protect the civilian population against increases in the cost of clothing and other primary requirements. Hostilities in the Pacific have raised the possibility of interference with the free flow of wool from foreign countries. At the same time the wool requirements of the armed forces will be considerably increased. This combination of circumstances would, unless forestalled, result in a bidding up of the prices of raw wool substitutes such as rayon waste. As a measure of public interest it becomes necessary to establish maximum prices for such materials.

Accordingly, under the authority vested in me by Executive Order No. 8734, it is hereby directed that:

§ 1401.51 *Maximum prices for rayon waste.* On and after February 3, 1942, regardless of the terms of any contract of sale or purchase, or other commitment, no person shall sell, offer to sell, deliver or transfer rayon waste, and no person shall buy, offer to buy, or accept delivery of rayon waste at prices higher than the maximum prices set forth in Appendices A and B hereof, incorporated herein as §§ 1401.59 and 1401.60.*

*§§ 1401.51 to 1401.60 inclusive, issued pursuant to authority contained in E.O. Nos. 8734, 8875, 6 F.R. 1917, 4483.

§ 1401.52 *Less than maximum prices.* Lower prices than those set forth in Appendices A and B may be charged, demanded, paid or offered.*

§ 1401.53 *Evasion.* The price limitations set forth in this Schedule shall not be evaded whether by direct or indirect methods in connection with a purchase, sale, delivery or transfer of rayon waste, alone or in conjunction with any other material, or by way of any commission, service, transportation or other charge, or discount, premium or other privilege, or by tying-agreement, or other trade understanding, or by upgrading or otherwise.*

§ 1401.54 *Records and reports.* Every person making purchases or sales of rayon waste after February 3, 1942, aggregating 20,000 pounds or more in any calendar month shall keep for inspection by the Office of Price Administration for a period of not less than one year, complete and accurate records of each such purchase or sale, showing the date thereof, the name and address of the buyer and the seller, the price paid or received, and the quantity of each kind or grade purchased or sold.

Persons affected by this Schedule shall submit such reports to the Office of Price Administration as it may, from time to time, require.*

§ 1401.55 *Enforcement.* In the event of refusal or failure to abide by the price limitations, record and report requirements, or other provisions of this Schedule, or in the event of any evasion or attempt to evade the price limitations or other provisions of this Schedule, the Office of Price Administration will invoke all appropriate sanctions at its command including taking action to see (a) that the Congress and the public are fully informed thereof, (b) that the powers of Government, both state and federal, are fully exerted in order to protect the public interest and the interests of those persons who comply with this Schedule, (c) that full advantage will be taken of the cooperation of the various political subdivision of state, county and local governments through calling to the attention of the proper authorities failures to comply with this Schedule which may be regarded as grounds for the revocation of licenses and permits; and (d) that the procurement services of the Government are requested to refrain from selling to or purchasing from those persons who fail to comply with this Schedule.

Persons who have evidence of the offer, receipt, demand, or payment of prices higher than the maximum prices, or of any evasion or effort to evade the provisions thereof, or of speculation or manipulation of prices of rayon waste or of the hoarding or accumulation of unnecessary inventories thereof, are urged to communicate with the Office of Price Administration.*

§ 1401.56 *Modification of the Schedule.* Persons complaining of hardship or inequity in the operation of this Schedule may apply to the Office of Price Administration for approval of any modification thereof or exception therefrom: *Provided,* That no application under this section will be considered unless filed by persons complying with this Schedule.*

§ 1401.57 *Definitions.* When used in this Schedule, the term:

(a) "Person" means an individual, partnership, association, corporation, or other business entity;

(b) "Rayon waste" means the kinds and grades of rayon waste enumerated in Appendices A and B hereof (§§ 1401.59 and 1401.60);

(c) "Producer" means a manufacturer of continuous filament rayon yarns or staple fiber.*

§ 1401.58 *Effective date.* This Schedule shall become effective on February 3, 1942.*

§ 1401.59 *Appendix A; maximum prices for producers of rayon waste.* The prices set forth below are maximum prices for rayon waste produced by manufacturers of continuous filament rayon yarns or staple fiber, net weight basis.

The maximum prices shall include all commissions and other charges except as provided below.

Grades	*Price per lb. f. o. b. shipping point*
Bleached lustrous open waste, extra coarse [1]	$.24
Bleached lustrous open waste, coarse [2]	.22
Bleached lustrous open waste, semi-coarse [3]	.20
Bleached dull open waste, semi-coarse	.20
Bleached semi-dull open waste, semi-coarse	.20
Bleached lustrous open waste, fine [4]	.18
Bleached dull open waste, fine	.18
Bleached semi-dull open waste, fine	.18
Undesulphured open waste	.19
Unbleached [5] open waste, extra coarse and coarse	.2250
Unbleached open waste, semi-coarse	.2250
Unbleached open waste, fine	.18
Unbleached open waste, mixed fine and coarse	.19
Bleached lustrous coarse threads	.20
Bleached lustrous semi-coarse threads	.1750
Bleached dull semi-coarse threads	.1750
Bleached semi-dull and semi-coarse threads	.1750
Bleached lustrous fine threads	.1650
Bleached dull fine threads	.1650
Bleached semi-dull fine threads	.1650
Bleached mixed fine and coarse threads, lustrous or dull	.1650
Unbleached threads, mixed fine and coarse	.1775
Unbleached threads, semi-coarse	.1750
Undesulphured threads	.19

[1] "Extra Coarse" when used in this Appendix means rayon filaments over eight denier.

[2] "Coarse" when used in this Appendix means rayon filaments five denier and over, but not more than eight denier.

[3] "Semi-coarse" when used in this Appendix means rayon filaments two and a half denier and over, but less than five denier.

[4] "Fine" when used in this Appendix means rayon filaments less than two and a half denier.

[5] "Unbleached" when used in this Appendix means washed or desulphured whether lustrous, semi-dull or dull.

Grades—Continued	*Price per lb. f. o. b. shipping point*
Staple fiber waste [6]	.15
Mixed open and thread waste, fine	.1650
Mixed open and thread waste, coarse	.22
Bleached and unbleached, fine and coarse	.1650

[6] "Staple Fiber Waste" when used in this Appendix means the waste that occurs during the manufacture of staple fiber and has no uniform lengths.

Premiums for sales by persons other than producers. The maximum prices for sales by persons other than producers shall be the maximum prices set forth above plus an amount equal to 6% of the applicable maximum price.

§ 1401.60 *Appendix B; maximum prices for rayon tops and rayon noils.* The prices set forth below are maximum prices for rayon tops and rayon noils in cents per pound, net weight basis.

The maximum prices shall include all commissions and other charges.

Rayon tops [1]	*Price per lb. f. o. b. shipping point*
Rayon waste tops [2]	$.40
Staple fiber tops [3]	
Lustrous 5½ denier, any length staple	.40
Dull 5½ denier, any length staple	.42
Lustrious 3 denier, any length staple	.42
Dull 3 denier, any length staple	.44
Rayon noils [4]	
Rayon Waste noils [5]	.44
Staple fiber noils	
Lustrous 5½ denier, any length staple	.2050
Dull 5½ denier, any length staple	.2050
Lustrous 3 denier, any length staple	.2050
Dull 3 denier, any length staple	.2050

[1] "Rayon Tops" means a continuous sliver in balls of approximately ten pounds each made from rayon waste or rayon staple fiber.

[2] "Rayon Waste Tops" means tops made from viscose processed rayon waste, lustrous or dull.

[3] "Staple Fiber Tops" means tops made from viscose process staple fiber.

[4] "Rayon Noils" means the short fibers that are combed out during the process of making tops.

[5] "Rayon Waste Noils" means noils made from viscose processed rayon waste, lustrous or dull.

Issued this 3d day of February 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-1018; Filed, February 3, 1942; 12:02 p. m.]

TITLE 35—PANAMA CANAL

CHAPTER I—CANAL ZONE REGULATIONS

PART 4—OPERATION AND NAVIGATION OF PANAMA CANAL AND ADJACENT WATERS

AMENDMENTS RELATING TO DOCUMENTS REQUIRED OF ARRIVING VESSELS

1. Section 4.20, as amended, of Title 35, Code of Federal Regulations, relating to papers required to be delivered to the boarding party by an arriving vessel, is hereby further amended to increase the required number of copies of passenger and crew lists, so that said § 4.20, as amended, shall read as follows:

§ 4.20 *Papers required by boarding party, list of.* All documents listed below as being required of a ship should be ready for immediate delivery to the boarding party:

Documents required	For ships which transit Canal but do not take on or discharge passengers or cargo at Canal ports.	For ships taking on or discharging passengers or cargo at Canal ports
(a) Ship's information sheet (Panama Canal form)	1	1
(b) Clearance from last port	[1] 1	[1] 1
(c) Bills of health (U. S. Consular bill issued at port of departure and at each port of call en route, as provided in Regulation 106.2)	[2] 1	[2] 1
(d) Quarantine declaration (International Standard form)	3	3
(e) All other certificates of a sanitary nature	[1] 1	[1] 1
(f) Passenger list (on Panama Canal form)	8	8
(g) Chinese descriptive list, passengers and crew	[3] 1	[3] 2
(h) Crew list	7	7
(i) Store list	[4] 1	1
(j) Cargo declaration (Panama Canal form)	1	[5] 1
(k) Manifest of local cargo	0	4
(l) Declaration of explosive cargo carried	[5] 1	[5] 1
(m) Declaration of inflammable or combustible liquids in bulk carried as cargo	[5] 1	[5] 1
(n) Statement of fuel account (for vessels in ballast only)	1	[5] 1
(o) Panama Canal tonnage certificate	1	[5] 1
(p) National register	[1] 1	[1] 1
(q) General arrangement plan of vessel	[6] 1	[6] 1
(r) Report of structural alterations and of changes in use of tanks or other spaces since last transit	1	[6] 1
(s) Information cards for disembarking passengers, as provided in Regulation 12.3 (§ 4.20b) [7]		

[1] For examination only.
[2] One copy of each required bill.
[3] Not required unless such persons or cargo are carried.
[4] Required if ship during transit is laid up for repairs regardless of whether passengers or cargo are taken on or discharged.
[5] Not required unless ship transits Canal.
[6] For taking up and subsequent return through agent or otherwise.
[7] F.R. 4938.

NOTE.—In case a vessel takes on or discharges passengers or cargo at only one Canal Zone port and does not transit the Canal, the documents to the number indicated in the second column are required. In case a ship docks or takes on or discharges passengers or cargo at both Cristobal and Balboa, or at a port other than the port of entry, all documents to the number indicated in the second column will be required at the first port and, in addition, four copies of document (f), three copies of document (h), and documents (g), (i), and (k) to the number indicated in the second column, will be required at the second port.

(Rules 9 and 12, E.O. 4314, September 25, 1925 (§§ 4.11 and 4.19 of this chapter)) [Reg. 12.1 (§ 4.20), Governor's Regulations, August 1, 1931, as amended September 9, 1939, December 1, 1939, 4 F.R. 4938, January 27, 1942]

2. Section 4.20c of title 35, Code of Federal Regulations, is hereby added, reading as follows:

§ 4.20c *Advance passenger and crew lists by air mail.* In addition to the passenger and crew lists required by Regulation 12.1 (§ 4.20), as amended, to be delivered to the boarding party by vessels arriving in the Canal Zone, the masters of all vessels destined for entry into Canal Zone waters shall:

(a) Before departure from the first port from which the vessel clears or departs on a voyage to the Canal Zone, dispatch by air mail to the Port Captain at the Canal Zone port of arrival advance lists of the passengers and crew members destined for entry into Canal Zone waters aboard such vessel; and

(b) Before departure from any port of call, that is to say any port subsequent to the port of departure, at which are embarked any passengers or crew members destined for entry into Canal Zone waters aboard such vessel, similarly dispatch advance lists of the passengers and crew members so embarked.

The advance passenger and crew lists hereinbefore referred to should be furnished in triplicate. Such lists need not be on the Panama Canal forms of passenger and crew lists but should contain all the information that is contained on such forms, viz.: As to passengers—full name, sex, age, color, nationality, port of embarkation, and final destination; and as to crew members—full name, capacity or duty, birthplace, citizenship, and age. Failure to furnish these advance lists will subject the vessel to delay. (Rules 9 and 12, E.O. 4314, September 25, 1925 (§§ 4.11 and 4.19 of this chapter)) [Reg. 12.4 (§ 4.20c), Governor's Regulations, August 1, 1931, as added January 27, 1942]

3. The regulations amended and added as aforesaid shall be effective as to all vessels arriving in the Canal Zone on or after February 10, 1942.

GLEN E. EDGERTON,
Governor.

[F R. Doc. 42-984; Filed, February 3, 1942; 9:42 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. A-1255]

PETITION OF DISTRICT BOARD NO. 1 FOR THE ESTABLISHMENT OF AN ADDITIONAL PRICE INSTRUCTION IN THE SCHEDULES OF EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 1 FOR ALL SHIPMENTS EXCEPT TRUCK AND FOR TRUCK SHIPMENTS, PURSUANT TO SECTION 4 II (d) OF THE BITUMINOUS COAL ACT OF 1937

NOTICE OF AND ORDER FOR HEARING

A petition, pursuant to the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party;

It is ordered, That a hearing in the above-entitled matter under the applicable provisions of said Act and the rules of the Division be held on March 5, 1942, at 10 o'clock in the forenoon of that day, at a hearing room of the Bitu-

minous Coal Division, 734 Fifteenth Street NW., Washington, D. C. On such day the Chief of the Records Section in room 502 will advise as to the room where such hearing will be held.

It is further ordered, That W. A. Shipman or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, subpoena witnesses, compel their attendance, take evidence, require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, to continue said hearing from time to time, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in this proceeding and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before February 28, 1942.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein, may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of intervention or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in regard to the petition of District Board No. 1 for the establishment of an additional price instruction in the Schedules of Effective Minimum Prices for District No. 1 For All Shipments Except Truck and For Truck Shipments; and, more particularly for the establishment of such an additional price instruction relating to the mixing of coals of District No. 1 reading substantially as follows: "When coals produced by a single Code Member are mixed the minimum price applicable to such mixture shall be the same as that for the coal contained in the mixture having the highest price classification, unless, after hearing, a special price classification is established for said mixture. When such mixture is sold, the invoices shall properly identify the coal."

One of the issues in this proceeding is whether any such price instruction should read substantially as follows: "Unless specifically provided for elsewhere in this Schedule, producers who mix coals from separately classified seams or mines and load such mixture over the same tipple shall price such coal at not less than the effective price classification and minimum price for the coal contained in the mixture having the highest price classification and minimum price. When such mixture is sold, the invoices shall properly identify the coal."

Dated: February 2, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-986; Filed, February 3, 1942; 11:11 a. m.]

[Docket No. B-192]

IN THE MATTER OF IRA P. FOSTER, CODE MEMBER, DEFENDANT

NOTICE OF AND ORDER FOR HEARING

A complaint dated January 17, 1942, pursuant to the provisions of sections 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937, having been duly filed on January 20, 1942, by Bituminous Coal Producers Board for District No. 1, a district board, complainant, with the Bituminous Coal Division alleging willful violation by the defendant of the Bituminous Coal Code or rules and regulations thereunder;

It is ordered, That a hearing in respect to the subject matter of such complaint be held on March 10, 1942, at 10 a. m., at a hearing room of the Bituminous Coal Division at the Armstrong County Court House, Kittanning, Pennsylvania.

It is further ordered, That W. A. Cuff or any other officer or officers of the Bituminous Coal Division duly designated for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, subpoena witnesses, compel their attendance, take evidence, require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, to continue said hearing from time to time, and to such places as he may direct by announcement at said hearing or any adjourned hearing or by subsequent notice, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to said defendant and to all other parties herein and to all persons and entities having an interest in such proceeding. Any person or entity eligible under § 301.123 of the Rules and Regulations Governing Practice and Procedure Before the Bituminous Coal Division in Proceedings Instituted Pursuant to sections 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937, may file a petition for intervention not later than five (5) days before the date herein set for hearing on the complaint.

Notice is hereby given that answer to the complaint must be filed with the Bituminous Coal Division at its Washington office or with any one of the statistical bureaus of the Division, within twenty (20) days after date of service thereof on the defendant; and that any defendant failing to file an answer within such period, unless otherwise ordered, shall be deemed to have admitted the allegations of the complaint herein and to have consented to the entry of an appropriate order on the basis of the facts alleged.

All persons are hereby notified that the hearing in the above-entitled matter and orders entered therein may concern, in addition to the matters specifically alleged in the complaint herein, other matters incidental and related thereto, whether raised by amendment of the complaint, petition for intervention, or otherwise, and all persons are cautioned to be guided accordingly.

The matter concerned herewith is in regard to the complaint filed by said complainant, alleging willful violation by the above-named defendant of the Bituminous Coal Code or rules and regulations thereunder as follows: that Ira P. Foster, R. D. #3, Dayton, Pennsylvania, whose code membership became effective as of December 1, 1940, operator of Foster Mine, Mine Index No. 2838, Sub-District No. 12 of District No. 1, Armstrong County, Pennsylvania.

(a) Sold and delivered to the Pittsburg and Shawmut Coal Company by truck to the Colwell siding of the Freebrook Company, an affiliate of the Pittsburg and Shawmut Coal Company, approximately 126.25 net tons of run of mine coal produced at said mine during the months of January and February 1941, at a price below the effective minimum price established therefor of $2.15 per net ton, plus at least the actual transportation charge, handling charges, or incidental charges of whatsoever kind or character from the transportation facilities at the mine to said point of delivery; or

(b) The aforesaid defendant sold during the months of January and February 1941, both dates inclusive, approximately 126.25 net tons of run of mine coal, produced at the aforesaid Foster Mine, Mine Index #2838, to the Pittsburg and Shawmut Coal Company for rail shipment and delivered said coal by truck to a ramp on a rail siding of said Freebrook Company, located at Colwell, Pennsylvania, at a price of approximately $1.50 per net ton, although at the time of said transactions no rail classifications or prices, temporary or final, had been established for the coal produced at the aforesaid mine. Said transactions thereby constituted violations of the Order of the Director dated October 9, 1940, in General Docket No. 19.

Dated: February 2, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-987; Filed, February 3, 1942; 11:11 a. m.]

[Docket No. B-167]

IN THE MATTER OF SCOTT L. REARICK, CODE MEMBER, DEFENDANT

ORDER GRANTING APPLICATION TO WITHDRAW COMPLAINT AND CANCELLING NOTICE OF AND ORDER FOR HEARING

A complaint dated January 5, 1942, pursuant to the provisions of sections 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937, having been filed on January 6, 1942, by Bituminous Coal Producers Board for District No. 1, a district board, complainant, with the Bituminous Coal Division alleging wilful violation by the defendant of the Bituminous Coal Code or rules and regulations thereunder; and

Said Bituminous Coal Producers Board having filed an application on January 22, 1942, with the Division to withdraw its complaint heretofore filed against the above-named defendant; and

The above-entitled matter having been heretofore scheduled for hearing at 10 a. m. at a hearing room of the Bituminous Coal Division at the Armstrong County Court House, Kittanning, Pennsylvania, on February 20, 1942, pursuant to an Order of the Acting Director dated January 15, 1942; and

It appearing to the Acting Director that it is advisable that said application to withdraw the aforesaid complaint should be granted;

Now, therefore, it is ordered, That the application to withdraw the above-entitled complaint be and the same is hereby granted without prejudice to the new complaint heretofore filed with the Division against the above-named defendant.

It is further ordered, That the hearing in the above-entitled matter be and the same is hereby cancelled.

Dated: February 2, 1942.

[SEAL] DAN H. WHEELER, *Acting Director.*

[F. R. Doc. 42-988; Filed, February 3, 1942; 11:12 a. m.]

[Docket No. A-1129]

PETITION OF SOMERSET RETAIL COAL DEALER'S ASSOCIATION FOR THE REVISION OF PRICE INSTRUCTION 6 IN THE SCHEDULE OF EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 1 FOR TRUCK SHIPMENTS INTO SOMERSET TOWNSHIP, SOMERSET COUNTY, PENNSYLVANIA, IN MARKET AREA 6, PURSUANT TO SECTION 4 II (d) OF THE BITUMINOUS COAL ACT OF 1937

ORDER DISMISSING PETITION

The original petitioner having moved that the proceedings in the above-entitled matter be dismissed without prejudice, and there having been no opposition thereto;

Now, therefore, it is ordered, That the original petition in the above-entitled matter be dismissed, without prejudice, and that the proceedings in this docket be closed.

Dated: February 2, 1942.

[SEAL] DAN H. WHEELER, *Acting Director.*

[F. R. Doc. 42-989; Filed, February 3, 1942; 11:12 a. m.]

[Docket No. D-10]

IN THE MATTER OF THE APPLICATION OF HICKMAN, WILLIAMS AND COMPANY FOR PERMISSION TO RECEIVE SALES AGENTS' COMMISSIONS AND DISTRIBUTORS' DISCOUNTS ON COAL SOLD TO ITS RETAIL DIVISION OR DEPARTMENT KNOWN AS REEVES COAL AND DOCK CORPORATION

ORDER OF DISMISSAL

Hickman, Williams and Company, the Applicant herein, having moved that the application on the above-entitled matter be dismissed without prejudice to its right to renew the application for permission to receive sales agents' commissions and distributors' discounts on coal sold to its retail division or department known as Reeves Coal and Dock Corporation; and

Good cause having been shown therefor; *it is so ordered.*

Dated: January 30, 1942.

[SEAL] DAN H. WHEELER, *Acting Director.*

[F. R. Doc. 42-990; Filed, February 3, 1942; 11:12 a. m.]

DEPARTMENT OF AGRICULTURE.

Agricultural Marketing Service.

[P. & S. Docket No. 442]

IN THE MATTER OF THE CLEVELAND UNION STOCK YARDS COMPANY, RESPONDENT-PETITIONER

NOTICE OF PETITION FOR MODIFICATION AND ORDER

On January 5, 1942, the petitioner, The Cleveland Union Stock Yards Company, owner and operator of a stockyard located at Cleveland, Ohio, which has been duly posted under the Packers and Stockyards Act, 1921 (7 U.S.C. 1940 ed. 181), filed a petition for a temporary modification of the orders heretofore entered in this docket on July 18, 1934, and February 14, 1935, in which certain rates and charges were prescribed for the use of the facilities of the petitioner and for the stockyard services rendered by the petitioner. The petitioner seeks permission to amend its present tariff by increasing the yardage and handling rates on cattle, calves, hogs, and sheep, and by modifying its charges for washing and disinfecting trucks and trailers. The supplemental tariff which petitioner seeks to file and make effective is as follows:

SECTION 1. *Yardage*—(a) *Base rate per head.*

Cattle	50 cents
Calves	30 cents
Hogs	18 cents
Sheep	12 cents

SECTION 9. *Handling and delivery of direct shipments received by truck.*

Charges:	
Cattle	25 cents per head
Calves	15 cents per head
Hogs	9 cents per head
Sheep	6 cents per head

SECTION 10. (b) *Cleaning and Disinfecting.*

Charges	*Washing*	*Disinfecting*
Small trucks or trailers, stock rack less than 10 ft. in length	$0.50	$0.25
Medium trucks or trailers, stock rack over 10 ft. but less than 15 ft. in length	1.00	.50
Large trucks or trailers, stock rack over 15 ft. in length	1.50	.75

For double decks add 20%.

The following allegations, in substance, are made by the petitioner in support of its petition for modification:

(1) The minimum fair value of the property of the petitioner used and useful in the rendition of stockyard services is not materially different from the valuation indicated in the prior orders entered in this docket.

(2) If a complete new appraisal of the used and useful property were made at the present time, it is probable that the cost of reproduction new of the petitioner's properties would be at least 25 percent greater than that indicated in the prior orders.

(3) The petitioner does not seek an increase in the value of its rate base provided the rate of return used in arriving at the rates prescribed in the prior orders is left undisturbed.

(4) The increased cost of feed, supplies, and materials justifies a working capital in the amount of $30,000.

(5) The present minimum fair value of the property of the petitioner used and useful in the rendition of stockyard services is $1,380,747.

(6) The net return from stockyard services, before provision for Federal income tax, upon the rate base utilized in arriving at the schedule of rates now in effect is as follows:

1938—2.29%
1939—2.21%
1940—2.71%
1941—2.22%

(7) The failure of the petitioner to earn the return estimated by the Secretary in his order of July 18, 1934, has been due to changed conditions which could not have been foreseen. Livestock receipts have decreased. The annual receipts of livestock for the years 1938 to 1941, inclusive, averaged 63 percent of the receipts in 1933. Wages and salaries have increased. During the year 1941, the wages of employees employed on an hourly basis were increased on an average of 30.6 percent and the salaries of other employees were increased approximately 15 percent.

(8) The proposed rates, applied to the volume of receipts received by the petitioner in 1941, would produce a net stockyard operating income in the amount of $48,692.36, or approximately 3.56 percent upon an estimated rate base of $1,380,747.

It appears that an opportunity for a hearing should be afforded to the petitioner and to all other interested persons, including the patrons of the petitioner, for the purpose of determining whether the orders heretofore entered in this docket should be modified.

Therefore, by direction of the Secretary, *It is ordered,* That the petitioner and all other interested persons, including patrons of the petitioner, shall be given an opportunity to be heard and to present such evidence as may be relevant and material to the matters alleged in the petition.

It is further ordered, That all interested persons who desire to be heard shall give notice thereof to the Hearing Clerk, Office of the Solicitor, United States Department of Agriculture, Washington, D. C., within twenty days from the date of the publication of this order.

It is further ordered, That a copy of this notice and order shall be served upon The Cleveland Union Stock Yards Company of Cleveland, Ohio.

It is further ordered, That a copy of this notice and order shall be published in the FEDERAL REGISTER.

Done at Washington, D. C., this 31st day of January 1942.

H. E. REED,
Acting Chief,
Agricultural Marketing Service.

[F. R. Doc. 42-994; Filed, February 3, 1942; 11:26 a. m.]

Office of the Secretary.

ORDER DELEGATING TO GOVERNOR OF FARM CREDIT ADMINISTRATION AUTHORITY TO MAKE ORCHARD REHABILITATION LOANS IN THE STATES OF KANSAS, MISSOURI, NEBRASKA, AND IOWA

Pursuant to the authority vested in me by law (R.S. 174; 5 U.S.C. 24), I authorize the Governor of the Farm Credit Administration, and such officials and employees of that Administration as the Governor may designate, to make and administer loans for the purpose of enabling the borrowers to rehabilitate orchards in the States of Kansas, Missouri, Nebraska, and Iowa which were destroyed or damaged as a result of the extremely cold weather in November 1940, as provided for in the Third Supplemental National Defense Appropriation Act, 1942, approved December 17, 1941 (Public Law 353-77th Congress); and I delegate to the Governor the authority to prescribe such rules and regulations and to take such further action as may be necessary to effectuate the purposes of this authorization.

When the Governor of the Farm Credit Administration is absent, the authority conferred upon him by this order may be exercised by the person who acts in his stead as Acting Governor of the Farm Credit Administration.

Done at Washington, D. C., this 2nd day of February, 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] PAUL H. APPLEBY,
Acting Secretary.

[F. R. Doc. 42-960; Filed, February 2, 1942; 4:15 p. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

NOTICE OF CANCELLATION OF SPECIAL LEARNER CERTIFICATES FOR THE EMPLOYMENT OF LEARNERS IN THE APPAREL INDUSTRY

Notice is hereby given that two special certificates for the employment of learners issued to the Duro-Wear Shirt Company, Inc., and the New England Shirt Company, Inc. of Danbury, Connecticut, effective on August 30, 1940 and October 25, 1940, respectively, have been ordered cancelled as of the first date of violation pursuant to the terms thereof which provide among other things for cancellation as of the date of violation if found that any of the terms have been violated.

The order of cancellation shall not become effective and enforceable until after the expiration of a fifteen-day period following the date on which this notice appears in the FEDERAL REGISTER. During this time petitions for reconsideration or review may be filed by any aggrieved person under § 522.13 of the Regulations. If a petition is properly filed, the effective date of the order of cancellation shall be postponed until final action is taken on the petition.

Signed at Washington, D. C., this 2d day of February 1942.

ALEX G. NORDHOLM,
Authorized Representative of the Administrator.

[F. R. Doc. 42-1002; Filed, February 3, 1942; 11:42 a. m.]

CIVIL AERONAUTICS BOARD.

[Docket No. 518]

IN THE MATTER OF THE PETITION OF ALL AMERICAN AVIATION, INC., FOR AN ORDER FIXING AND DETERMINING THE FAIR AND REASONABLE RATES OF COMPENSATION FOR THE TRANSPORTATION OF MAIL BY AIRCRAFT, THE FACILITIES USED AND USEFUL THEREFOR, AND THE SERVICES CONNECTED THEREWITH OVER ROUTE NO. 49.

NOTICE OF FURTHER HEARING

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 406 and 1001 of said Act, that the above-entitled proceeding, having been reopened by order of the Board dated November 19, 1941, for the purpose of receiving further evidence relating to the mesesnger service costs in connection with the transportation of mail by aircraft over route No. 49, and of making such revision of that part of the order of the Board dated September 29, 1941, relating to the rates of compensation to be paid for the transportation of mail by aircraft over route No. 49 on and after September 1, 1941, as may be appropriate upon the evidence, is hereby assigned for further public hearing on Wednesday, February 11, 1942, 10 o'clock a. m. (Eastern Standard Time), in Room 1851, Commerce Building, 14th Street and Constitution Avenue NW., Washington, D. C., before Examiners J. Francis Reilly and John Marshall.

Dated: February 2, 1942.

By the Civil Aeronautics Board.

[SEAL] DARWIN CHARLES BROWN,
Secretary.

[F. R. Doc. 42-983; Filed, February 3, 1942; 9:36 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

NOTICE OF HEARING

[Docket No. 6245]

In re application of Airfan Radio Corporation, Ltd. (KFSD); dated August 19, 1941, for modification of C. P.; class of service, broadcast; class of station, broadcast; location, San Diego, Calif.; operating assignment under C. P.: frequency, 600 kc.; power, 5 kw.; hours of operation, unlimited.

You are hereby notified that the Commission has examined the above described application and has designated the matter for hearing for the following reason:

1. To determine whether the operation of Station KFSD as proposed would be consistent with the Standards of Good Engineering Practice, particularly with respect to the transmitter location and population residing within the blanket area (250 mv/m contour).

2. To determine what precautionary measures, if any, would be necessary to avoid causing objectionable interference to the services of other broadcast stations due to external cross modulation, particularly in view of the distances between Station KFSD and Stations KFMB and KGB.

3. To determine whether the proposed radiating system complies with the Standards of Good Engineering Practice.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows:

Airfan Radio Corporation, Ltd., Radio Station KFSD, 326 Broadway, San Diego, California.

Dated at Washington, D. C., January 30, 1942.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 42-996; Filed, February 3, 1942; 11:28 a. m.]

FEDERAL TRADE COMMISSION.

[Docket No. 4642]

IN THE MATTER OF S. & M. GRAND RAPIDS FURNITURE FACTORIES, INC., A CORPORATION, ALSO TRADING AS S. & M. GRAND RAPIDS FURNITURE COMPANY OF NEWARK, NEW JERSEY, AND GRAND RAPIDS SHOWROOMS

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 30th day of January, A. D. 1942.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U.S.C.A., section 41),

It is ordered, That John P. Bramhall, trial examiner, of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Friday, February 13, 1942, at ten o'clock in the forenoon of that day (eastern standard time) in Room 900, 45 Broadway, New York, New York.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the Evidence.

By the Commission.

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

[F. R. Doc. 42-1006; Filed, February 3, 1942; 11:47 a. m.]

[Docket No. 4607]

IN THE MATTER OF MAR-GOL HEALTH PRODUCTS CORP., A CORPORATION

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 31st day of January, A. D. 1942.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U.S.C.A., section 41),

It is ordered, That Arthur F. Thomas, a Trial Examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Thursday, February 12, 1942, at ten o'clock in the forenoon of that day (central standard time), in Room 1121, New Post Office Building, Chicago, Illinois.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

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

[F. R. Doc. 42-1005; Filed, February 3, 1942; 11:47 a. m.]

[Docket No. 4557]

IN THE MATTER OF E. B. MOLES, INDIVIDUALLY AND TRADING UNDER THE NAME OF MALONE & MOLES

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 31st day of January, A. D. 1942.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U.S.C.A., Section 41),

It is ordered, That Arthur F. Thomas, a Trial Examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Tuesday, February 10, 1942, at ten o'clock in the forenoon of that day (central standard time) in Room 203, Federal Building, Sioux City, Iowa.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

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

[F. R. Doc. 42-1004; Filed, February 3, 1942; 11:47 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 1-1953]

IN THE MATTER OF GENERAL INVESTMENT CORPORATION COMMON STOCK, $1 PAR VALUE

ORDER CONSOLIDATING HEARINGS

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 2d day of February, A. D. 1942.

The General Investment Corporation, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D-2-1 (b) promulgated thereunder, having made application to the Commission to withdraw its Common Stock, $1 par value, from listing and registration on the Boston Stock Exchange; and

The Commission having ordered that a hearing in connection therewith be held at 10 A. M. on Wednesday, February 4, 1942, at the office of the Securities and Exchange Commission, 120 Broadway, New York City; and

It appearing to the Commission that unlisted trading privileges have been continued on the New York Curb Exchange in the Common Stock, $1 Par Value, of General Investment Corporation pursuant to Clause (1) of section 12 (f) of the Securities Exchange Act of 1934; and such section providing in part that unlisted trading privileges continued for any security pursuant to Clause (1) of said section 12 (f) shall be terminated by order, after appropriate notice and opportunity for hearing, if it appears at any time that such security has been withdrawn from listing on any exchange by the issuer thereof, unless it shall be established to the satisfaction of the Commission that such delisting was not designed to evade the purposes of this title or unless it shall appear to the Commission that, notwithstanding any such purpose of evasion, the continuation of such unlisted trading privileges is nevertheless necessary or appropriate in the public interest or for the protection of investors:

It is ordered, That the hearing required in the foregoing paragraph be consolidated with the hearing ordered to be held at 10 A. M. on Wednesday, February 4, 1942, at the office of the Securities and Exchange Commission, 120 Broadway, New York City, on the application of General Investment Corporation to withdraw its Common Stock, $1 par value, from listing and registration on the Boston Stock Exchange, so that the Commission may without further hearing, if it grants the latter application, dispose of the question involving the termination of unlisted trading privileges in the subject security upon the New York Curb Exchange.

By the Commission.

[SEAL] FRANCIS P. BRASSOR, *Secretary.*

[F. R. Doc. 42-1007; Filed, February 3, 1942; 11:49 a. m.]

[File No. 70-493]

IN THE MATTER OF COLUMBIA GAS & ELECTRIC CORPORATION AND BINGHAMTON GAS WORKS

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 3rd day of February, A. D. 1942.

Notice is hereby given that a declaration or application (or both), has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by the above named parties; and

Notice is further given that any interested person may, not later than February 18, 1942 at 4:30 p. m., E. S. T. re-

quest the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter such declaration or application, as filed or as amended, may become effective or may be granted, as provided in Rule U-23 of the Rules and Regulations promulgated pursuant to said Act or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D. C.

All interested persons are referred to said declaration or application, which is on file in the office of said Commission, for a statement of the transactions therein proposed, which are summarized below:

Columbia Gas & Electric Corporation, a registered holding company and subsidiary of The United Corporation, also a registered holding company, proposes to sell to Binghamton Gas Works, a subsidiary of both companies, and the latter to acquire for retirement, $3,000 principal amount of its General Mortgage 5% Bonds now held by Columbia Gas & Electric Corporation for $2,895 cash.

The declaration or application recites that the companies consider sections 12 (c) and 12 (d) of the Act and Rules U-42 and U-42[1] promulgated thereunder as being applicable to the proposed transaction.

By the Commission.

[SEAL] FRANCIS P. BRASSOR, *Secretary.*

[F. R. Doc. 42-1008; Filed, February 3, 1942; 11:49 a. m.]

[File No. 70-491]

IN THE MATTER OF PACIFIC POWER & LIGHT COMPANY

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 2nd day of February, A. D. 1942.

Notice is hereby given that a declaration or application (or both), has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by the above named party; and

Notice is further given that any interested person may, not later than February 13, 1942, at 4:45 P. M., E. S. T., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter such a declaration or application, as filed or as amended, may become effective or may be granted, as provided in Rule U-23 of the Rules and Regulations promulgated pursuant to said Act or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D. C.

All interested persons are referred to said declaration or application, which is on file in the office of said Commission, for a statement of the transactions therein proposed, which are summarized below:

Pacific Power & Light Company ("Pacific"), a registered holding company and a subsidiary of American Power & Light Company, and of Electric Bond and Share Company, likewise registered holding companies, as of November 30, 1941 owned all of the issued and outstanding shares (except director's qualifying shares) of the capital stock, all of no par value, of its subsidiary, Inland Power & Light Company ("Inland"), an electric utility, and also owned Inland's 6% Demand Note now outstanding in the principal amount of $7,560,000. Pacific proposes to cancel Inland's said 6% Demand Note indebtedness as a contribution by Pacific to the capital of Inland. Consummation of this transaction, it is stated, will increase the stated liability with respect to the capital stock of Inland from $1,545,369.27, as of November 30, 1941, to $9,105,369.27.

In the declaration or application it is stated that the proposed transaction is the first step in a series of transactions looking to the transfer of all the properties and assets of Inland to Pacific, which will eliminate Inland as a separate corporate entity.

By the Commission.

[SEAL] FRANCIS P. BRASSOR, *Secretary.*

[F. R. Doc. 42-1009; Filed, February 3, 1942; 11:49 a. m.]

[File No. 812-259-1]

IN THE MATTER OF THE LEHMAN CORPORATION

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 31st day of January, A. D. 1942.

The Lehman Corporation, a registered closed-end management investment company having duly filed an application pursuant to the provisions of section 23 (c) (3) of the Investment Company Act of 1940 for an order permitting it to purchase by negotiation during the next thirty days a maximum of 5,000 shares of its own capital stock from Cornell University Fund at prices not in excess of ¼ point above the last sale on the New York Stock Exchange preceding any such purchase, without payment of any commissions by The Lehman Corporation in connection with such purchase;

It is ordered, That a hearing on such matter under the applicable provisions of the Act and the rules of the Commission thereunder be held on Friday, February 6, 1942 at 10:00 o'clock in the forenoon of that day in the Securities and Exchange Building, 1778 Pennsylvania Avenue NW., Washington, D. C. On such day the hearing room clerk in Room 1102 will advise the interested parties where such hearing will be held.

It is further ordered, That Willis E. Monty, Esq., or any other officer or officers of the Commission designated by it for that purpose shall preside at such hearing on such application.

Notice of such hearing is hereby given to the above named applicant and to any other person or persons whose participation in such proceedings may be in the public interest or for the protection of investors.

By the Commission.

[SEAL] FRANCIS P. BRASSOR, *Secretary.*

[F. R. Doc. 42-1010; Filed, February 3, 1942; 11:50 a. m.]

[File No. 70-465]

IN THE MATTER OF PENNSYLVANIA ELECTRIC COMPANY, THE CLARION RIVER POWER COMPANY, ERIE LIGHTING COMPANY, SOLAR ELECTRIC COMPANY, YOUGHIOGHENY HYDRO-ELECTRIC CORPORATION, ASSOCIATED MARYLAND ELECTRIC POWER CORPORATION, AND ASSOCIATED ELECTRIC COMPANY

ORDER DENYING INTERVENTION BUT PERMITTING LIMITED PARTICIPATION IN HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 2d day of February, A. D. 1942.

The Commission, having previously issued its amended Notice of and Order for Hearing in this matter, pursuant to the applicable provisions of the Public Utility Holding Company Act of 1935; and

Ford R. Jennings, having filed an application to intervene in these proceedings, representing that he is at the present time a registered owner of thirty shares of The Clarion River Power Company Participating Capital Stock; and

The Commission having considered said application and the statement in support thereof;

It is ordered, That said application for leave to intervene is hereby denied.

It is further ordered, That Ford R. Jennings shall be entitled to participate in said proceedings, insofar as they affect his interest as a holder of Participating Capital Stock of The Clarion River Power Company, and to the extent of cross-examining witnesses, introducing evidence, and filing of briefs and the making of oral argument.

By the Commission.

[SEAL] FRANCIS P. BRASSOR, *Secretary.*

[F. R. Doc. 42-1011; Filed, February 3, 1942; 11:50 a. m.]

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[1] So in original document.

[File No. 37-28]

IN THE MATTER OF ATLANTIC UTILITY SERVICE CORPORATION

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C. on the 29th day of January, A. D. 1942.

Notice is hereby given that Atlantic Utility Service Corporation has filed with this Commission an amendment to its application for approval as a mutual service company pursuant to the Public Utility Holding Company Act of 1935, particularly section 13 thereof and the rules thereunder. All interested persons are referred to said document, which is on file in the office of this Commission, for a statement of the transactions therein proposed, which are summarized as follows:

The revision of the organization of Atlantic Utility Service Corporation so as to restrict its activities from the former rendition of accounting, corporate procedure, corporate simplification and integration, financial, operations, engineering and purchasing services to the performance of technical services in the fields of engineering, purchasing, rates, labor relations, safety and real estate. In this connection, applicant represents that in the period from December 1, 1940 to October 1, 1941, its personnel has been reduced from 402 employees to 203 employees, or by approximately 50%. It also represents that annual compensation to employees has been reduced from $1,225,213 to $595,468, or by approximately 51%. It further represents that all services not considered essential to or for the benefit of operating companies (except certain services temporarily being rendered to various holding companies) have been discontinued, and that its employees have been moved or are in the process of being moved to Reading, Pennsylvania, the center of operations.

The adjustment of certain claims of Atlantic Utility Service Corporation by the submission to arbitration of a claim for $736,000 against Associated Utilities Corporation, wholly owned subsidiary of the Trustees of Associated Gas and Electric Corporation, and simultaneously therewith, the payment of $144,549 by Associated Utilities Corporation, pursuant to a so-called guaranty agreement of the letter, with respect to losses incurred prior to January 10, 1940, in servicing Associated Gas and Electric Company and Associated Gas and Electric Corporation, without prejudice thereby to whatever other claims Atlantic Utility Service Corporation may have against Associated Utilities Corporation. The amendment states that applicant is examining further into certain other legal claims which it may have to determine whether they should be presented.

It appearing to the Commission that it is appropriate in the public interest and in the interests of investors and consumers that a hearing be held with respect to said matters, that said amended application shall not be granted except pursuant to further order of this Commission:

It is ordered, That a hearing on such matters under the applicable provisions of said Act and rules of the Commission thereunder be held on February 17, 1942, at 10:00 o'clock A. M. at the offices of the Securities and Exchange Commission, 1778 Pennsylvania Avenue NW., Washington, D. C. On such day the hearing-room clerk in Room 1102 will advise as to the room where such hearing will be held. At such hearing, cause will be shown why such amended application shall become effective or shall be granted.

Notice is hereby given of the said hearing to the above Applicant and to all interested persons, said notice to be given to said Applicants by registered mail and to all other persons by publication in the FEDERAL REGISTER.

It is further ordered, That William W. Swift or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in said matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under Section 18 (c) of said Act and to a trial examiner under the Commission's Rules of Practice.

It is further ordered, That without limiting the scope of issues of said amended applications otherwise to be considered in this proceeding, particular attention will be directed at the hearing to the following matters and questions:

(1) Whether the service functions of engineering, purchasing, rates, labor, safety and real estate now rendered by the Applicant are being performed efficiently and economically and at a reasonable saving over the cost of comparable service rendered by independent persons.

(2) Whether the organization for the rendition of purchasing, rates, labor, safety and real estate services to member companies is such as is necessary or appropriate in the public interest or for the protection of investors and consumers.

(3) Whether the Applicant is so organized that approval should be granted in the light of the existence of certain claims of $736,000 and $144,549 against Associated Utilities Corporation; and the existence of certain other claims of $331,345 and $76,139 representing amounts previously charged to and paid by the member companies; the existence of certain accounts receivable allegedly payable by Associated Utilities Corporation; and the existence of certain accounts payable in connection with the cancellation of management contracts by New England Gas & Electric Association companies.

(4) Whether approval of Applicant's organization should be granted in the light of the presence of sixty-six persons on Applicant's payroll who are engaged exclusively in holding company work.

(5) Whether and to what extent Applicant proposes to render services to the holding companies of the Associated system, the character of and the proposed charges for such services, whether the performance of such services will have an effect upon the rendition of services to the member companies and if so the character and extent thereof, and whether the performance of any such service is in accordance with the applicable standards of the Act.

(6) Whether any of the services performed by the applicant duplicates work now being done by the member companies.

(7) Whether the applicant performs services efficiently and economically and at a saving to member companies.

(8) Generally, whether the organization of and the conduct of business by the applicant meets the standards of section 13 of the Act and the rules and regulations promulgated thereunder.

(9) Whether the public interest or the interest of investors or consumers or other applicable standards of the Act require the imposition of terms and conditions in connection with the proposed organization and activities of the applicant.

By the Commission.

[SEAL] FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 42-1012; Filed, February 3, 1942; 11:50 a. m.]

[File No. 37-36]

IN THE MATTER OF GAS ADVISERS, INC.

ORDER EXTENDING EFFECTIVENESS OF ORDER GRANTING TEMPORARY APPROVAL OF MUTUAL SERVICE COMPANY

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 31st day of January, A. D. 1942.

The Commission having entered an order under date of January 5, 1939, effective as of December 31, 1938, granting approval to the above applicant as a mutual service company, subject to certain conditions therein set forth, among which was condition number (2), that the effectiveness of said order should terminate thirty days after the date of the Commission's order on the application of Cities Service Company under section 3 (a) (3) of the Public Utility Holding Company Act (File No. 31-408) the Commission reserving jurisdiction, however, to extend the effectiveness of said order pending consideration by it of such amendments to the application, or such further applications or declarations as might thereafter be filed respecting the rendering of services to companies of the Cities Service Company and/or Cities Service Power & Light Company systems; and

The Commission having, effective as of January 30, 1941, issued an order whereby said application of Cities Service Company for exemption was denied; and

The Commission, pursuant to applications, having heretofore ordered that the date on which the Commission's order of January 5, 1939 shall terminate be extended to and including November 1, 1941, the Commission having reserved

jurisdiction to further extend the effectiveness of said order; and

Applicant having filed an amended application under date of October 24, 1941 requesting that the effective date of said order of January 5, 1939 be further extended subject to terms and conditions therein expressly set forth; and the effective date having been postponed pursuant thereto to and including February 1, 1942; and

Applicant having filed an application under date of January 23, 1942 for modification of the said order of January 5, 1939, so as to extend the effective date of the approval thereby granted without limit as to time, or until appropriate notice by the Commission to the applicant, or in such other manner as the Commission may deem proper; and

The Commission finding it to be in the public interest and for the protection of investors and consumers that the date on which said order shall terminate should be extended as herein provided.

It is ordered, That the date on which the Commission's order of January 5, 1939 shall terminate is hereby extended without limit as to time, subject to the terms and conditions set forth in the amended application of October 24, 1941, the Commission reserving jurisdiction to terminate the approval granted by the said order at any time by written notice to the applicant at least thirty days prior to the effective date of such termination if it deems such action necessary or appropriate to the public interest or the interest of investors or consumers.

By the Commission.

[SEAL] FRANCIS P. BRASSOR, *Secretary.*

[F. R. Doc. 42-1013; Filed, February 3, 1942; 11:51 a. m.]

[File No. 37-25]

IN THE MATTER OF ELECTRIC ADVISERS, INC.

ORDER EXTENDING EFFECTIVENESS OF ORDER GRANTING TEMPORARY APPROVAL OF MUTUAL SERVICE COMPANY

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C. on the 31st day of January, A. D. 1942.

The Commission having entered an order under date of January 5, 1939, effective as of December 31, 1938, granting approval to the above applicant as a mutual service company, subject to certain conditions therein set forth, among which was condition number (2), that the effectiveness of said order should terminate thirty days after the date of the Commission's order on the application of Cities Service Company under section 3 (a) (3) of the Public Utility Holding Company Act (File No. 31-408) the Commission reserving jurisdiction, however, to extend the effectiveness of said order pending consideration by it of such amendments to the application, or such further applications or declarations as might thereafter be filed respecting the rendering of services to companies of the Cities Service Company and/or Cities Service Power & Light Company systems; and

The Commission having, effective as of January 30, 1941, issued an order whereby said application of Cities Service Company for exemption was denied; and

The Commission, pursuant to applications, having heretofore ordered that the date on which the Commission's order of January 5, 1939 shall terminate, be extended to and including November 1, 1941, the Commission having reserved jurisdiction to further extend the effectiveness of said order; and

Applicant having filed an amended application under date of October 24, 1941 requesting that the effective date of said order of January 5, 1939 be further extended subject to terms and conditions therein expressly set forth; and the effective date having been postponed pursuant thereto to and including February 1, 1942; and

Applicant having filed an application under date of January 22, 1942 for modification of the said order of January 5, 1939, so as to extend the effective date of the approval thereby granted without limit as to time, or until appropriate notice by the Commission to the applicant, or in such other manner as the Commission may deem proper; and

The Commission finding it to be in the public interest and for the protection of investors and consumers that the date on which said order shall terminate should be extended as herein provided.

It is ordered, That the date on which the Commission's order of January 5, 1939 shall terminate is hereby extended without limit as to time, subject to the terms and conditions set forth in the amended application of October 24, 1941, the Commission reserving jurisdiction to terminate the approval granted by the said order at any time by written notice to the applicant at least thirty days prior to the effective date of such termination if it deems such action necessary or appropriate to the public interest or the interest of investors or consumers.

By the Commission.

[SEAL] FRANCIS P. BRASSOR, *Secretary.*

[F. R. Doc. 42-1014; Filed, February 3, 1942; 11:51 a. m.]