



FEDERAL REGISTER

VOLUME 8 NUMBER 21

Washington, Saturday, January 30, 1943

Regulations

TITLE 7—AGRICULTURE

Chapter IV—Federal Crop Insurance Corporation

PART 411—1942 COTTON CROP INSURANCE CONTRACT REGULATIONS

INDEMNITIES SUBJECT TO INSURANCE CONTRACT PROVISIONS

By virtue of the authority vested in the Federal Crop Insurance Corporation by the Federal Crop Insurance Act, approved February 16, 1938, as amended, the 1942 Cotton Crop Insurance Regulations are amended as follows:

Section 411.23¹ of said regulations is amended to read as follows:

§ 411.23 *Indemnities subject to all provisions of insurance contract.* Indemnities payable to any person shall be subject to all the provisions of the insurance contract, including the right of the Corporation to deduct from any such indemnity the unpaid amount of the note of the original insured for the payment of the earned premium: *Provided, however,* That in case of a transfer of an interest in an insured crop, such deduction to be made from an indemnity payable to the transferee shall not exceed the premium due on the interest in the crop so transferred. Any indemnity payable to any person other than the original insured as a result of transfer, or otherwise, shall be subject to any collateral assignment of the insurance contract by the original insured.

(Secs. 506 (e), 507 (c), 508, 509, 516 (b); 52 Stat. 73, 74, 75, 77; 7 U.S.C. 1940 ed., 1506 (e), 1507 (c), 1508, 1509, 1516 (b), as amended by 55 Stat. 255)

Adopted by the Board of Directors on December 22, 1942:

[SEAL] M. CLIFFORD TOWNSEND,
Chairman of the Board.

Approved: January 28, 1943.

PAUL H. APPLEBY,
Acting Secretary of Agriculture.

[F. R. Doc. 43-1529; Filed, January 29, 1943; 11:38 a. m.]

Chapter XI—Food Distribution Administration

[Food Distribution Order 12]

PART 1401—DAIRY PRODUCTS

BUTTER

Reissuance of Conservation Order M-267 issued by War Production Board.

Pursuant to the authority vested in me by Executive Order No. 9280, dated December 5, 1942, and to assure an adequate supply and efficient distribution of butter to meet war and essential civilian needs, *It is hereby ordered as follows:*

§ 1401.12 *Butter, set aside for requirements of governmental agencies—(a) Definitions.* When used in this regulation, unless otherwise distinctly expressed or manifestly incompatible with the intent thereof:

(1) The term "Conservation Order M-267" means the order (7 F.R. 9686) issued by Ernest Kanzler, Director General for Operations, on November 20, 1942, with respect to butter, and designated as Conservation Order M-267.

(2) The term "butter" means butter as defined in the act of March 4, 1923, Chapter 268, 42 Stat. 1500, U. S. C. Title 21, section 6.

(3) The term "warehouses in the 35 cities" means the cold storage warehouses which reported their weekly butter stocks from October 30, 1942, through November 20, 1942, to the Agricultural Marketing Administration of the United States Department of Agriculture, which warehouses are located in or near the following cities: New York Metropolitan Area; Chicago, Illinois; Philadelphia, Pennsylvania; Boston, Massachusetts; Buffalo, New York; Lowell, New York; Pittsburgh, Pennsylvania; Detroit, Michigan; Cleveland, Ohio; Milwaukee, Wisconsin; Plymouth, Wisconsin; Marshfield, Wisconsin; Green Bay, Wisconsin; St. Paul, Minnesota; Minneapolis, Minnesota; Kansas City, Missouri; Omaha, Nebraska; St. Louis, Missouri; Denver, Colorado; Seattle, Washington; Portland, Oregon; Los Angeles, California; San Francisco, California; Springfield, Massachusetts; Cincinnati, Ohio; Duluth, Minnesota; Ft. Worth, Texas; Dallas, Texas; Petaluma, California; Santa Rosa, California; Oakland, California; San Diego, California; Providence, Rhode Is-

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land; Cuba, New York; Syracuse, New York.

(4) The term "Director" means the Director of Food Distribution, United States Department of Agriculture, or any employee of the United States Department of Agriculture designated by such Director.

(5) The term "person" means any individual, partnership, corporation, association, or other business entity.

(b) *Restrictions on delivery.* Without regard to preexisting contracts, and until March 6, 1943, butter, required to be set aside pursuant to Conservation Order M-267 and not heretofore delivered or released in accordance with the provisions of Conservation Order M-267, may not be delivered except on specific permission of the Director, or to or for the account of the Army, Navy, Marine Corps, Coast Guard, the Coast and Geodetic Survey, the War Shipping Administration, or any agency of the United States for supplies to be delivered to or for the account of the government of any foreign country pursuant to the act of March 11, 1941 (Lend-Lease Act).

(c) *Audits and inspections.* Every person subject to this order shall, upon request, permit inspections, at all reasonable times, of his stocks of butter and premises used in his business; and all of his books, records, and accounts shall, upon request, be submitted to audit and inspection by the Director.

(d) *Certificates.* No person other than those agencies specified in or pursuant to (b) hereof shall remove butter, required to be set aside pursuant to Conservation Order M-267 and not heretofore delivered or released in accordance with the provisions of Conservation Order M-267, from any warehouse in the 35 cities unless such person files with the warehouseman a certificate, in duplicate, in substantially the following language (with the appropriate information inserted in the blank spaces);

This is to certify that the following quantity of butter _____ removed by me on _____ 1943, from _____ is not included within the percentage of my holdings, or the holdings of my predecessor in title, which was required to be set aside by Conservation Order M-267, as superseded by Food Distribution Order No. _____

Signature _____

By: _____
(Duly authorized official)

(e) *Restrictions on warehouseman.* No warehouseman in the 35 cities may release or deliver any butter, required to be set aside pursuant to Conservation Order M-267 and not heretofore delivered or released in accordance with the provisions of Conservation Order M-267, from his custody or control with knowledge or reason to believe that such is being delivered or removed in violation of the terms hereof. Unless such delivery is to a governmental agency, the respective warehouseman shall obtain, at the time of making such delivery, a certificate as required by (d) hereof; and each such warehouseman shall retain each such certificate in his files for at least six months subsequent to the receipt thereof.

(f) *Records and reports.* Each person subject to the provisions of Conservation Order M-267 and the provisions hereof shall maintain such records for at least two years, or for such other period of time as the Director may designate, and shall execute and file such reports and submit such information as the Director may from time to time request or direct, and such reports and information shall be submitted within such periods of time as may be prescribed by the Director.

(g) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him may petition in writing for relief, and such petition shall be submitted to the Director and shall set forth all pertinent facts and the nature of the relief sought. The director may thereupon take such action as he deems appropriate, and such decision by the Director shall be final.

(h) *Communications.* All reports required to be filed hereunder and all communications concerning said Conservation Order M-267, as hereby amended, shall, unless otherwise directed, be addressed to: Dairy and Poultry Branch, Food Distribution Administration, United States Department of Agriculture, Washington, D. C. Ref: FD-12.

(i) *Delegation of authority.* The Director is hereby designated to administer the provisions hereof.

(j) *Violations.* Any person who willfully violates any provision of this order or who, by any act or omission, falsifies records to be kept or information to be furnished, pursuant to this order, or willfully conceals a material fact concerning a matter, in connection with this order, within the jurisdiction of any department or agency of the United States may be prohibited from receiving or making further deliveries of any material subject to allocation; and such further action may be taken against any such person as the Director deems appro-

appropriate, including recommendations for prosecution under section 35a of the Criminal Code (18 U.S.C. 1940 ed. 80), under Paragraph 5 of section 301 of Title III of the Second War Powers Act, and under any and all other applicable laws.

(k) *Conservation Order M-267 hereby superseded.* This order supersedes, except in the respects stated herein, Conservation Order M-267, but with respect to violations of said Conservation Order M-267 or rights accrued, liabilities incurred, or appeals taken under said Conservation Order M-267 prior to the effective date hereof, said Conservation Order M-267 shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability. Any appeal pending under said Conservation Order M-267 shall be considered under the provisions of paragraph (g) hereof.

(l) *Effective date.* This order shall be effective as of 12:01 a. m., e. w. t., January 29, 1943.

(E.O. 9280; 7 F.R. 10179)

Issued this 28th day of January 1943.

[SEAL] PAUL H. APPLEBY,
Acting Secretary of Agriculture.

[F. R. Doc. 43-1525; Filed, January 29, 1943; 11:40 a. m.]

[Food Distribution Order 3, Amendment 2]
PART 1405—FRUITS AND VEGETABLES
RESTRICTIONS ON MANUFACTURE AND SALE OF CITRUS FRUIT JUICE

Pursuant to authority vested in me by Executive Order No. 9280, issued December 5, 1942, Food Distribution Order No. 3, § 1405.1 (b) (4) (8 F.R. 255), is amended to read as follows:

§ 1405.1 *Citrus fruit juice.* * * *
(b) *Restrictions on production, sale, and delivery of citrus fruit juice.* * * *

(4) Without regard to existing contracts, during the period beginning January 6, 1943, and ending March 31, 1943, no processor shall sell or deliver, and no State or Federal Government agency and no person shall buy, or receive other than for transportation or storage, from any processor any canned grapefruit juice, except pursuant to a Government war contract: *Provided*, That any processor may sell and deliver canned grapefruit juice prior to April 1, 1943, if the processor prior to delivery notifies the purchaser in writing that the delivery of such canned grapefruit juice is subject to the restrictions of this order and the purchaser is required to hold such juice until after March 31, 1943, or such other date as may be fixed by the Secretary of Agriculture. Any processor who delivers canned grapefruit juice pursuant to this proviso shall on the first and fifteenth of each month furnish the Director with a statement showing the names and addresses of persons to whom deliveries of canned grapefruit juice were made and the quantity delivered to each such person during the period covered by the statement: *And provided, further*, That any person may purchase and receive from a processor canned grapefruit juice prior to April 1, 1943, upon the

condition that he shall not sell, deliver, transfer, or use, such juice in advance of that date, or such other date as may be fixed by the Secretary of Agriculture, and he certifies in writing that he will comply with these conditions. Such certification shall be forwarded to the Director within five days after acceptance of delivery and shall be in substantially the following form:

Pursuant to paragraph (b) (4) Food Distribution Order No. 3, as amended, with the terms of which order the undersigned is familiar, we have on _____ accepted delivery of _____ of canned grapefruit juice from _____ of _____ (Processor's name and address) This juice is (will be) stored at _____ We hereby certify and agree that we will not (and we understand that we are not permitted to) sell, deliver, transfer, or use such canned grapefruit juice prior to April 1, 1943, or such other date as may be fixed by the Secretary of Agriculture.

(Purchaser)
By _____
(Duly authorized official)

(E. O. 9280, 7 F.R. 10179)

Issued this 28th day of January 1943.

[SEAL] PAUL H. APPLEBY,
Acting Secretary of Agriculture.

[F. R. Doc. 43-1526; Filed, January 29, 1943; 11:40 a. m.]

TITLE 9—ANIMALS AND ANIMAL PRODUCTS

Chapter II—Food Distribution Administration

PART 204—POSTED STOCKYARDS AND LIVE POULTRY MARKETS

BACHMAN & PETERSON LIVESTOCK COMMISSION CO., OSHKOSH, NEBR.

JANUARY 28, 1943.

Notice under Packers and Stockyards Act.¹

Whereas the Oshkosh Live Stock Commission Company was posted on June 14, 1941, as a stockyard subject to the provisions of the Packers and Stockyards Act, 1921; and

Whereas it appears that said stockyard is now known as Bachman & Peterson Livestock Commission Company, and is being operated by H. C. Peterson and W. J. Bachman, doing business as Bachman & Peterson Livestock Commission Company:

Now, therefore, it is ordered, That the notice of the posting of said stockyard be, and it hereby is, amended to show that the correct name of the stockyard is Bachman & Peterson Livestock Commission Company, Oshkosh, Nebraska.

[SEAL] PAUL H. APPLEBY,
Acting Secretary of Agriculture.

[F. R. Doc. 43-1530; Filed, January 29, 1943; 11:38 a. m.]

¹ Modifies list posted stockyards 9 CFR 204.1.

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board
[Amendment 24-1, Civil Air Regulations]

PART 24—MECHANIC CERTIFICATES
MECHANIC RATINGS

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 21st day of January 1943.

Acting pursuant to sections 205 (a), 601, and 602 of the Civil Aeronautics Act of 1938, as amended, the Civil Aeronautics Board amends the Civil Air Regulations as follows:

Effective January 21, 1943, Part 24 of the Civil Air Regulations is amended as follows:

1. By amending § 24.2 to read as follows:

§ 24.2 *Mechanic ratings.* Mechanic ratings are as follows:

- (a) Aircraft mechanic rating;
- (b) Aircraft engine mechanic rating;
- (c) Factory mechanic rating.

2. By striking § 24.22, including §§ 24-220, 24.221, and 24.222, and inserting in lieu thereof § 24.22 (*Unassigned*).

3. By amending the table of contents to conform to this amendment.

By the Civil Aeronautics Board.

[SEAL] DARWIN CHARLES BROWN,
Secretary.

[F. R. Doc. 43-1493; Filed, January 23, 1943; 4:07 p. m.]

[Amendment 60-7, Civil Air Regulations]

PART 60—AIR TRAFFIC RULES

LANDING AT NEAREST SUITABLE AIRPORT

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 21st day of January 1943.

Acting pursuant to sections 205 (a) and 601 of the Civil Aeronautics Act of 1938, as amended, the Civil Aeronautics Board amends the Civil Air Regulations as follows:

Effective January 21, 1943, Part 60 of the Civil Air Regulations is amended as follows:

By striking § 60.5721 (b) and inserting in lieu thereof the following:

§ 60.5721 (b) *Effect a landing.* The pilot may effect a landing at the nearest suitable airport at which favorable weather conditions exist.

By the Civil Aeronautics Board.

[SEAL] DARWIN CHARLES BROWN,
Secretary.

[F. R. Doc. 43-1493; Filed, January 23, 1943; 4:07 p. m.]

TITLE 29—LABOR

Chapter VI—National War Labor Board

[General Order 26]

PART 803—GENERAL ORDERS

CERTAIN EMPLOYEES ENGAGED IN HOSPITAL SERVICES

§ 803.26 *General Order 26.* (a) Adjustments in the wages or salaries of employees engaged in rendering hospital

services and employed by a non-profit organization which maintains and operates a hospital will be deemed approved without submission to the Board, providing that such adjustments do not raise the wages or salaries beyond the prevailing level of compensation for similar services in the area or community.

(b) Monthly reports of such adjustments shall be submitted by each such organization to the National War Labor Board's Division of Review and Analysis, together with such information and data as the said Division or the Board may from time to time require.

(c) Such adjustments shall be subject to the National War Labor Board's ultimate right of review on its own initiative, but any modification or reversal thereof will not be retroactive.

(d) Adjustments which would have the effect of raising the wages or salaries above the prevailing level of compensation for similar services in the area must be submitted for approval by the Board in the usual manner.

(E.O. 9250, 7 F.R. 7871)

Adopted: January 22, 1943.

L. K. GARRISON,
Executive Director and
General Counsel.

[F. R. Doc. 43-1484; Filed, January 28, 1943;
2:57 p. m.]

[General Order 27]

PART 803—GENERAL ORDERS

AUTHORIZATION OF ADMINISTRATOR OF NATIONAL HOUSING AGENCY TO RULE ON WAGE AND SALARY ADJUSTMENTS OF DESIGNATED EMPLOYEES

§ 803.27 *General Order 27.* (a) The National War Labor Board, in accordance with the further provisions of this order, hereby delegates to the Administrator of the National Housing Agency, to be exercised on his behalf by the Commissioner of the Federal Public Housing Authority (hereafter referred to as the Housing Wage Agency), the power to approve or disapprove all applications for adjustments of wages and salaries (insofar as approval thereof has been made a function of the National War Labor Board) of employees whose wages and salaries are not fixed by statute that are employed within the continental United States and Alaska by:

- (1) Federal Public Housing Authority.
- (2) Defense Homes Corporation.

(3) Property managers of Defense Homes Corporation projects.

(b) In the performance of its duties hereunder the Housing Wage Agency shall comply with Executive Order 9250, dated October 3, 1942, and all regulations heretofore or hereafter issued thereunder, and with the declaration of wage policy of the National War Labor Board, dated November 6, 1942. The Housing Wage Agency, without making an initial ruling thereon may refer to the National War Labor Board, for decision by the Board, any application which in its opinion presents doubtful or disputed questions of sufficient seriousness and import to warrant direct action by the Board.

(c) The Housing Wage Agency shall transmit to the Review and Research Division of the National War Labor Board copies of its rulings, and rules of procedure, if any, as they are issued, and such additional data and reports as said Division or the Board may from time to time deem necessary.

(d) Any ruling by the Housing Wage Agency hereunder shall be deemed the act of the National War Labor Board and shall be final, subject to the National War Labor Board's right to review rulings on its own motion and to reverse or modify the same. Any such reversal or modification shall not be retroactive and shall allow the Commissioner of the Federal Public Housing Authority a period of two weeks for compliance.

(E.O. 9250, 7 F.R. 7871)

Adopted: January 23, 1943.

L. K. GARRISON,
Executive Director and
General Counsel.

[F. R. Doc. 43-1485; Filed, January 28, 1943;
2:57 p. m.]

TITLE 30—MINERAL RESOURCES

Chapter II—Bituminous Coal Division

[Dockets Nos. A-1776 and A-1782]

PART 323—MINIMUM PRICE SCHEDULE, DISTRICT NO. 3

ORDER OF CONSOLIDATION, ETC.

Order of consolidation and order granting temporary relief and conditionally providing for final relief in the matter of the petitions of District Board No. 3 for the establishment of price classifications and minimum prices for the coals of certain mines and for changes

in shipping points for the coals of certain other mines.

Original petitions, 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. 3 and requesting changes in shipping points for the coals of certain other mines, located in District No. 3; and

It appearing that said petitions should be consolidated, and 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 matters; and

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

It is ordered, That said petitions be, and the same hereby are, consolidated;

It is further ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith § 323.6 (*Alphabetical list of code members*) is amended by adding thereto Supplements R-I and R-IV, § 323.8 (*Special prices—(b) Railroad fuel prices for all movements except via lakes*) is amended by adding thereto Supplements R-II and R-V, § 323.8 (*Special prices—(c) Railroad fuel prices for movement via all lakes—all ports*) is amended by adding thereto Supplements R-III and R-VI and § 323.23 (*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 petitions in the above-entitled matters 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 4, 1943.

[SEAL] DAN H. WHEELER,
Director.

§ 323.8 Special prices—(b) Railroad fuel prices for all movements except via lakes—Supplement R-V

For railroad fuel prices add these mine index numbers to the respective groups set forth in § 323.8 (b) in minimum price schedule.

Group No. 1: 23 (a), 246, 449; Group No. 5: 455.

§ 323.8 Special prices—(c) Railroad fuel prices for movement via all lakes—all ports—Supplement R-VI

For railroad fuel prices add these mine index numbers to the respective groups set forth in § 323.8 (c) in minimum price schedule.

Group No. 1: 23, 246, 449; Group No. 5: 455.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 28th day of January 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-1504; Filed, January 28, 1943; 4:42 p. m.]

FOR TRUCK SHIPMENTS

§ 323.23 General prices—Supplement T

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

Code member index	Mine index No.	Mine	Seam	County	Size groups						
					Lump over 2', Egg over 2', bottom size	Lump 2', Egg 2', bottom size but over 1 1/2"	Lump 1 1/2" and under, Egg 1 1/2" and under, bottom size	All Nut and Pea 2' and under	Run of Mine resultant over 2'	1 1/2" and 2' Slack	3/4" Slack
					1	2	3	4	5	6	7
Benson, Harry W. Consolidation Coal Company.	484	Miller	Pittsburgh	Marion	243	238	238	213	213	198	188
	488	Consol. #22-B (S)	Pittsburgh	Marion	243	238	238	213	213	198	188
Consolidation Coal Company.	489	Consol. #22-C (S)	Pittsburgh	Marion	243	238	238	213	213	198	188
Potter, Chas. E. (Winchester Coal Co.).	486	Winchester #4 (S)	Pittsburgh	Harrison	243	238	238	213	213	198	188
Sulder, John A.	487	Fleming (S)	Pittsburgh	Harrison	243	238	238	213	213	198	188
Williams, Karl O.	470	Williams	Bakerstown	Braxton	238	238	238	208	208	193	183

[F. R. Doc. 43-1479; Filed, January 28, 1943; 12:18 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-223]

COLUMBUS BED SPRING COMPANY

Columbus Bed Spring Company, an Ohio corporation, processed 25,000 lbs. of steel during the period between June 19 and August 5, 1942, and assembled from this steel 1,162 beds, in violation of General Conservation Order M-126, as amended. The respondent was aware that the War Production Board had issued restrictions on the use of steel for the manufacture of beds, but the respondent proceeded with this processing of steel without endeavoring to ascertain whether it was prohibited by the restrictions of the War Production Board. This constituted a wilful violation of General Conservation Order M-126, as amended.

This violation has hampered and impeded the prosecution of the war by diverting scarce material to uses prohibited by the War Production Board. In view of the foregoing facts, it is hereby ordered, That:

§ 1010.223 Suspension Order S-223

(a) Deliveries of material to Columbus Bed Spring Company, its successors and assigns, shall not be accorded priority over deliveries under any other contract or order and no preference ratings shall be assigned or applied to such deliveries by means of preference rating certificates, preference rating orders, general preference orders or any other orders or regulations of the Director of Industry Operations or the Director General for Operations except as specifically authorized by the Director General for Operations.

(b) No allocation shall be made to Columbus Bed Spring Company, its successors and assigns, of any material the supply or distribution of which is governed by any order of the Director of Industry Operations or the Director General for Operations, except as specifically authorized by the Director General for Operations.

(c) Nothing contained in this order shall be deemed to relieve Columbus Bed Spring Company from any restriction, prohibition or provision contained in any other order or regulation of the Director of Industry Operations or the Director General for Operations, except as specifically authorized by the Director General for Operations.

(d) This order shall take effect on January 30, 1943 and shall expire on April 30, 1943, at which time the restrictions contained in this order shall be of no further effect.

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Director General for Operations

PART 1010—SUSPENSION ORDERS

[Suspension Order S-226]

KEIDEL PLUMBING COMPANY

Elmer Spindel, doing business as Keidel Plumbing Company, Cincinnati, Ohio, is a dealer in plumbing supplies. From April 16 to September 30, 1942, the company sold new metal plumbing equipment on orders in excess of \$10 to ultimate consumers on orders which did not bear any preference ratings or certifications, in wilful violation of Limitation Order L-79. From April 17 to August 5, 1942, the company applied preference ratings of A-10 under Preference Rating Order P-84 to certain purchase orders for materials. At the time that these preference ratings were applied, the company did not have rated orders from its customers to support its use of these ratings. The application of such ratings constituted wilful violations of Preference Rating Order P-84 and misrepresentations to the War Production Board.

The foregoing violations of Limitation Order L-79 and Preference Rating Order P-84 have hampered and impeded the war effort of the United States by diverting scarce materials to uses unauthorized by the War Production Board. In view of the foregoing, it is hereby ordered, That:

§ 1010.226 Suspension Order No. S-226. (a) Deliveries of material to

Elmer Spindel, individually or doing business as Keidel Plumbing Company or otherwise, his successors and assigns, shall not be accorded priority over deliveries under any other contract or order and no preference ratings shall be assigned or applied to such deliveries by means of preference rating certificates, preference rating orders, general preference orders, or any other orders or regulations of the Director of Industry Operations or the Director General for Operations, except as specifically authorized by the Director General for Operations.

(b) No allocation shall be made to Elmer Spindel, individually or doing business as Keidel Plumbing Company or otherwise, his successors and assigns, of any material the supply or distribution of which is governed by any order of the Director of Industry Operations or the Director General for Operations, except as specifically authorized by the Director General for Operations.

(c) Nothing contained in this order shall be deemed to relieve Elmer Spindel, individually or doing business as Keidel Plumbing Company or otherwise, from any restriction, prohibition, or provision contained in any other order or regulation of the Director of Industry Operations or the Director General for Operations, except in so far as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on January 31, 1943, and shall expire on April 30, 1943, at which time the restrictions contained in this order shall be of no further effect.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 28th day of January 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-1516; Filed, January 28, 1943;
4:44 p. m.]

PART 1028—DOMESTIC COOKING APPLIANCES
[Supplementary General Limitation Order
L-23-d, as Amended Jan. 29, 1943]

Section 1028.5 *Supplementary Limitation Order L-23-d* is amended to read as follows:

§ 1028.5 *Supplementary Limitation Order L-23-d*. Until March 31, 1943, any Class C manufacturer may use in the production of domestic heating stoves using coal or wood as fuel any iron or steel without regard to the limitations of Supplementary General Limitation Order No. L-23-c, or amendments thereto, relating to total weight or weight per unit.

This order shall expire March 31, 1943.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 29th day of January 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-1517; Filed, January 29, 1943;
11:15 a. m.]

PART 980—RAYON YARN

[Revocation of General Preference Order M-37 and Supplementary Orders, and Amendments and Interpretations thereto]

Section 980.1 *General Preference Order M-37*; § 980.2 *Supplementary Order M-37-a*; § 980.2 Amendment 1; § 980.2 Amendment 2; § 980.2 Interpretation 1; § 980.3 *Supplementary Order M-37-b*; § 980.3 Amendment 1; § 980.4 *Supplementary Order M-37-c*; § 980.4 Amendment 1, and § 980.4 Amendment 2.

The above orders, amendments and interpretations are hereby revoked as of midnight January 31, 1943, at which time they will have been superseded by Supplementary Order M-37-d.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 29th day of January 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-1522; Filed, January 29, 1943;
11:16 a. m.]

PART 1041—PRODUCTION, TRANSPORTATION,
REFINING AND MARKETING OF PETROLEUM
[Preference Rating Order P-98-b, as Amended
Jan. 29, 1943]

For the purpose of facilitating the acquisition of material for the production,

transportation, refining and marketing of petroleum, preference ratings are hereby assigned to deliveries of necessary material upon the terms hereinafter set forth:

§ 1041.2 *Preference Rating Order P-98-b*—(a) *Definitions*. (1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Operator" means:

(i) Any person located in the United States, its territories or possessions, engaged in the petroleum industry; or

(ii) Any person located in the Dominion of Canada engaged in the petroleum industry to whom and in whose name a copy of this order or of Preference Rating Order P-98, Extended and Amended, is or has been specifically issued and to whom a serial number has been assigned.

(3) "Supplier" means any person with whom a contract or purchase order has been placed for delivery of material to the operator or to another supplier.

(4) "Petroleum" means petroleum, petroleum products and associated hydrocarbons, including but not limited to natural gas.

(5) "Material" means any commodity, equipment, accessory, part, assembly, or product of any kind.

(6) "Petroleum industry" means any operation directly incident to:

(i) The discovery, development or depletion of petroleum pools (production);

(ii) The extraction or recovery of natural gasoline and associated hydrocarbons (natural gasoline production);

(iii) The transportation, movement, loading or unloading of petroleum other than natural gas (transportation);

(iv) The processing, refining or compounding of finished or unfinished petroleum products (refining);

(v) The distribution or dispensing of petroleum products (other than natural gas) and the storing of petroleum products incident thereto (marketing).

(7) "Research laboratory material" means material used exclusively for the purpose of carrying out by means of an existing research laboratory investigations into more efficient or more effective methods of conducting petroleum industry operations, except that such material shall not include material for use in the construction of laboratory buildings or other structures.

(b) *Scope of order*. (1) No operator may apply any preference rating assigned by this order to obtain delivery of material:

(i) Unless such material is research laboratory material, or is to be used in effecting an alteration which when completed has involved the use of additional material having a total value of less than \$500.00, or is to be used for maintenance or repair purposes or as operating supplies; or

(ii) Unless such rating is applied to obtain delivery of material to be used in any operation directly incident to the discovery, development or depletion of petroleum pools.

(2) The Director General for Operations may from time to time issue supplementary orders or specific directions with respect to the application of preference ratings or the use of material obtained under this order.

(c) *Assignment of preference ratings*. Subject to the terms of this order, a preference rating of A-2, A-1-a, AA-2X or AA-1 is hereby assigned to deliveries of material to an operator for use in the petroleum industry.

(d) *Restrictions on the application of preference ratings by an operator*. (1) No operator may apply any preference rating assigned by this order to obtain delivery of material unless the material cannot otherwise be obtained on the date when such material is required, and no operator may apply a preference rating assigned by this order in any case where a lower preference rating assigned by this order will enable such operator to secure the material on the date when such material is required.

(2) No operator may apply a rating assigned by this order to obtain material the use of which may be eliminated by substitution of less scarce material or by change of design without serious loss of efficiency.

(3) No operator may apply a rating assigned by this order to obtain material in excess of a 90 day supply thereof: *Provided*, That the Director General for Operations may determine and direct that any operator or class of operators is exempt, in whole or in part, from the restrictions contained in this paragraph.

(4) No operator as defined in paragraph (a) (2) (i) may apply a rating assigned by this order to obtain material for any use which is restricted, prohibited or in any way limited by any order or regulation issued by the War Production Board, other than material to be used in conformity with the provisions of such order or regulation.

(5) No operator as defined in paragraph (a) (2) (ii) may apply a rating assigned by this order to obtain material for any use which is restricted, prohibited, or in any way limited by any applicable order or equivalent authority issued by the Government of the Dominion of Canada, other than material to be used in conformity with the provisions of such order or equivalent authority.

(e) *Method of application of preference ratings*. In order to apply a preference rating assigned by this order:

(1) The operator must endorse on, or attach to, each contract or purchase order placed by him which includes such a preference rating, a certification in the following form, signed manually or as provided in Priorities Regulation No. 7 (§ 944.27) by an official duly authorized for such purpose:

The undersigned purchaser hereby represents to the seller and to the War Production Board that he is entitled to apply or extend the preference ratings indicated opposite the item shown on this purchase order and that such application or extension is in accordance with Priorities Regulation No. 3.

as amended, with the terms of which the undersigned is familiar.

(Name of purchaser)

(Address)

By -----
(Signature and title of duly authorized official)

(Date)

In addition, the provisions of the following subparagraphs of this paragraph (e) must be observed where applicable.

(2) The operator shall obtain the approval of the Director General for Operations before the rating is applied in any case:

(i) Where the delivery of an item which has a cost to the operator of \$500.00 or more requires the application of an A-1-a or AA-2X preference rating; or

(ii) Where, except as provided in paragraph (e) (3) (iv), the delivery of an item requires the application of an AA-1 preference rating.

In order to obtain such approval, the operator shall communicate to the Petroleum Administration for War, Washington, D. C., Ref.: P-98b, the information set forth in paragraph (f).

(3) The operator shall obtain a countersignature on the purchase order or contract before the rating is applied in any case:

(i) Where the delivery of any item which has a cost to the operator of \$100.00 or more requires the application of an A-2 preference rating; or

(ii) Where, except as provided in Exhibit "B", the delivery of an item which has a cost to the operator of less than \$500.00 but more than \$5.00 requires the application of an A-1-a preference rating; or

(iii) Where, except as provided in Exhibit "B", the delivery of an item which has a cost to the operator of less than \$500.00 requires the application of an AA-2X preference rating; or

(iv) Where there has been an actual breakdown or a suspension of operations and where the delivery of an item which has a cost to the operator of less than \$500.00 requires the application of an AA-1 preference rating.

In order to obtain such a countersignature the operator as defined in paragraph (a) (2) (i) shall submit the purchase order or contract to the District Director of Materials of a District Office of the Petroleum Administration for War, and the operator as defined in paragraph (a) (2) (ii) shall submit the purchase order or contract to the Oil Controller, Dominion of Canada. In order to obtain a countersignature pursuant to paragraphs (e) (3) (ii), (e) (3) (iii) and (e) (3) (iv) such operator shall communicate to the District Director of

Materials or to the Oil Controller the information set forth in paragraph (f).

(4) In the event that the material specified in Exhibit "A" is to be used in service station operations, the operator shall obtain the countersignature of the District Director of Materials or of the Oil Controller on the purchase order or contract before the rating is applied in any case:

(i) Where the delivery of an item, which has a cost to the operator of less than \$100.00, requires the application of an A-2 preference rating, or

(ii) Where the delivery of an item, which has a cost to the operator of \$5.00 or less, requires the application of an A-1-a preference rating.

Provided, That in applying a preference rating assigned by this order, no operator shall alter the customary designation of any item or subdivide an ordinary purchase of any item for the purpose of making it appear that the item costs less than \$500.00 or that the items costs less than \$100.00, or that the item costs \$5.00 or less.

(f) Information. Wherever required by this order the following information shall be submitted by an operator:

(1) Date of actual breakdown or suspension of operations and exact explanation as to what extent operations are affected (if applicable);

(2) The equipment to be repaired and its function in maintaining continuous operation (if applicable);

(3) Price, quantity, approximate weight and detailed description of necessary material; if such material in finished form weighs twenty-five pounds or less, the weight need not be shown but a statement must be made that the weight is not over twenty-five pounds (detailed description of material must be given even though it is set forth in purchase order or contract);

(4) A general description of the metals contained in the material applied for, and the full justification as to necessity for any material containing metals adjudged critical by the War Production Board, including copper, nickel, chromium, zinc, tin, aluminum and molybdenum;

(5) The supply of the necessary material which the operator has on hand;

(6) The earliest delivery dates assured by a supplier or suppliers for the delivery of the minimum necessary quantity of material on

(i) The preference rating for which approval is requested, and

(ii) The next lower preference rating assigned by this order.

(7) The purchase order or contract shall not be sent to the Petroleum Administration for War, Washington, D. C.; but in every instance where Washington approval is necessary (and only in such instance) the number and date of the purchase order or contract must be transmitted to the Petroleum Administration for War, Washington, D. C.

(8) Any other data or information which will help to determine the importance or urgency of the material for which application for rating is made.

(g) Additional preference rating assistance. (1) If the preference ratings assigned by this order will not enable an operator to obtain material on the date when such material is required, the operator may file a PD-1A application for an improvement of the ratings assigned by this order.

(2) If there has been an actual breakdown or a suspension of operations and if the preference ratings assigned by this order or the method specified in paragraph (e) for applying these ratings will not permit an operator to obtain material on the date when such material is required, the operator in order to obtain material for this emergency may communicate by letter or telegram with the Petroleum Administration for War, Washington, D. C., Ref.: P-98-b, supplying the information set forth in paragraph (f).

(h) Exception of operators from provisions of Preference Rating Orders P-43, P-46, and P-100. No operator to the extent that he is engaged in the petroleum industry and is covered by this order shall be entitled to apply the preference rating or ratings assigned by Preference Rating Orders P-43, P-46 or P-100, and no operator to the extent that he is engaged in the petroleum industry and is covered by this order shall be subject to the provisions of Preference Rating Orders P-43, P-46, or P-100.

(i) Communications. All reports which may be required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed:

(1) By any person located in the United States, its territories or possessions to: Petroleum Administration for War, South Interior Building, Washington, D. C., Ref.: P-98-b.

(2) By any person located in the Dominion of Canada to: Office of Oil Controller, Dominion of Canada, Toronto, Canada, Ref.: P-98-b.

(j) Violations. Any person who willfully violates any provision of this order or who willfully furnishes false information to the Director General for Operations in connection with this order is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance by the Director General for Operations.

(k) Applicability of priorities regulations. This order and all transactions affected thereby are subject to the applicable provisions of any priorities regulation issued by the War Production Board, as amended from time to time.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 29th day of January 1943.

CURTIS E. CALDER,
Director General for Operations.

EXHIBIT A

1. Drills, reamers, and taps manufactured of high speed steel as defined in Supplementary Order M-21-h.
2. Hacksaw blades manufactured of high speed steel as defined in Supplementary Order M-21-h.
3. Hand service operating tools.
4. Precision measuring hand tools.
5. Portable electric tools.

EXHIBIT B

NOTE: Exhibit B added Jan. 29, 1943

A countersignature need not be obtained on the purchase order or contract for the delivery of an item of research laboratory material which has a cost to the operator of \$50.00 or less and which requires the application of an A-2, and A-1-a, or an AA-2X preference rating.

[F. R. Doc. 43-1518; Filed, January 29, 1943; 11:15 a. m.]

PART 1041—PRODUCTION, TRANSPORTATION, REFINING AND MARKETING OF PETROLEUM

[Preference Rating Order P-98-c, as Amended Jan. 29, 1943]

For the purpose of facilitating special sales of idle or excess materials by persons engaged in the petroleum industry to other persons engaged in the petroleum industry, it is hereby ordered that persons engaged in the petroleum industry may sell such material to other persons engaged in the petroleum industry upon the terms hereinafter set forth:

§ 1041.3 *Preference Rating Order P-98-c—(a) Definitions.* "Operator" means any person engaged in the petroleum industry. All other definitions of Preference Rating Order P-98-b shall apply in this order.

(b) *Sales of material between operators.* (1) Notwithstanding the provisions of Priorities Regulation No. 1, as amended from time to time, any operator may sell or transfer to any operator material from the seller's or transferor's stocks or inventories, and any such sale or transfer shall be expressly permitted within the terms of paragraph (c) (3) of Priorities Regulation No. 13, as amended from time to time.

(2) Notwithstanding the provisions of Priorities Regulation Nos. 1 and 13, as amended from time to time, any operator may sell or transfer to any supplier, for direct sale or transfer by the supplier to another operator, material from the stocks or inventories of the operator.

(c) *Applicability of orders and priorities regulations.* This order does not authorize receipt or use of any material by any person in violation of any inventory, quota or use restrictions imposed by any order or regulation. This order and all transactions affected thereby are subject to the applicable provisions of any priorities regulation issued by the War Production Board, as amended from time to time.

(d) *Communications.* All reports which may be required to be filed hereunder and all communications concern-

ing this order shall, unless otherwise directed, be addressed:

(1) By any person located in the United States, its territories or possessions to: Office of Petroleum Coordinator, South Interior Building, Washington, D. C., Ref.: P-98-c.

(2) By any person located in the Dominion of Canada to: Office of Oil Controller, Dominion of Canada, Toronto, Canada, Ref.: P-98-c.

(e) *Violations.* Any person who willfully violates any provisions of this order or who willfully furnishes false information to the Director General for Operations in connection with this order is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance by the Director General for Operations.

(P.D. Reg. 1, as amended 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 29th day of January 1943.

CURTIS E. CALDEN,
Director General for Operations.

[F. R. Doc. 43-1519; Filed, January 29, 1943; 11:15 a. m.]

PART 3002—PLASTICS MOLDING MACHINERY

[Allocation Order L-159, as Amended January 29, 1943]

The order title General Limitation Order L-159 is hereby amended to read Allocation Order L-159.

Section 3002.1 is hereby amended in its entirety to read as follows:

§ 3002.1 *Allocation Order L-159—(a) Definition.* For the purpose of this order "plastics molding machinery" means new or used machinery of the following kinds:

- Plastic injection molding presses.
- Plastic compression molding presses, hydraulic, automatic, mechanical.
- Plastic extrusion molding presses.
- Plastic preforming presses.
- Plastic laminating presses.
- Plastic tube and rod molding presses.
- Plastic tube rolling machines.

(b) *Restrictions on production and delivery of plastics molding machinery.* Subject to the provisions of paragraph (c) hereof:

(1) No person shall deliver or accept delivery of plastics molding machinery except as specifically authorized by the Director General for Operations upon application pursuant to paragraph (d) hereof.

(2) No person shall manufacture or assemble plastics molding machinery except in fulfillment of orders previously authorized for delivery by the Director General for Operations upon application pursuant to paragraph (d) hereof.

(c) *Exemption.* Specific authorization by the Director General for Opera-

tions upon application pursuant to paragraph (d) hereof shall not be required with respect to delivery and acceptance of delivery of plastics molding machinery in fulfillment of orders placed with the producers of such machines on or before January 29, 1943, provided such orders were "approved orders" as defined in this order L-159 as issued July 4, 1942, and provided that the manufacture and assembly of such machinery had been completed prior to January 29, 1943.

(d) *Applications.* Each person seeking authorization to accept delivery of plastics molding machinery shall file application on Form PD-741 with the War Production Board, Chemicals Division, Washington, D. C., Ref.: L-159.

(e) *Repair and maintenance parts.* Except as specifically authorized by the Director General for Operations:

(1) No person shall accept delivery of maintenance and repair parts for plastics molding machinery except as follows:

(i) To repair an actual breakdown, where the required repair or maintenance parts are not available in inventory, or

(ii) To acquire repair or maintenance parts for maintenance of a minimum practicable working inventory of such parts.

(2) No person shall deliver repair or maintenance parts if he knows or has reason to believe that the acceptance of such delivery would be in violation of paragraph (e) (1) above.

(3) No person shall manufacture repair and maintenance parts for plastics molding machinery except in minimum quantities sufficient to make deliveries permitted by the terms of this paragraph (e).

(4) No person shall use parts for plastics molding machinery except for maintenance and repair of previously existing and completed plastics molding machinery, or except as provided in paragraph (b) (2) above.

(f) *Special directions to producers.* The Director General for Operations at his discretion, may from time to time issue special directions to producers of plastics molding machinery with respect to the machines which they may or must manufacture or deliver, and with respect to manufacture and delivery of repair and maintenance parts for plastics molding machinery.

(g) *Miscellaneous provisions—(1) Applicability of priorities regulations.* This order and all transactions affected hereby are subject to all applicable provisions of War Production Board priorities regulations, as amended from time to time.

(2) *Intra-company deliveries.* The prohibitions and restrictions of this order with respect to deliveries of plastics molding machinery shall apply not only to deliveries to other persons, including affiliates and subsidiaries, but also to deliveries from one branch, division or section of a single enterprise to another branch, division or section of the same or any other enterprise under common ownership or control.

(3) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order,

wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(4) *Communications.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Division, Washington, D. C., Ref.: L-159.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 29th day of January 1943.

CURTIS E. CALDER,

Director General for Operations.

[F. R. Doc. 43-1520; Filed, January 29, 1943; 11:15 a. m.]

PART 3061—STEEL SHIPPING DRUMS

[Limitation Order L-197 as Amended Jan. 29, 1943]

Section 3061.1 *Limitation Order L-197* is hereby amended to read as follows:

§ 3061.1 *Limitation Order L-197*—(a) *Definitions.* For the purposes of this order:

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

(2) "Drum" means any single walled, cylindrical or bilged container with a capacity of 110 gallons or less (including but not limited to buckets, kits and pails) constructed wholly of steel. The term shall not be deemed to refer to cans or high and low pressure gas steel cylinders, or to any container not susceptible of commercial use in the transportation and storage of commodities.

(3) "Sale" shall mean any transfer of title of a drum or drums, with or without consideration, and shall include the transfer of possession of any such drum or drums, pursuant to a lease or rental arrangement.

(4) "Purchase" shall mean the receipt of any transfer described in subparagraph (3) of this paragraph (a).

(5) "Used drum" means a drum which has been partially or wholly filled with any product or commodity, for storage or shipping purposes, in the course of business.

(6) "New drum" means any drum which is not a used drum.

(7) "Governing date" with respect to any product on List A means the date set forth opposite such product.

(b) *Restrictions on use; General and List A products.* (1) No person shall use any drum, new or used, for packing any product which he had not packed in drums prior to September 14, 1942.

(2) On and after the applicable governing date of any product on List

A, no person shall pack such product in a drum or drums, new or used.

(c) "*X*" marking. (1) On and after October 1, 1942, no person shall manufacture or complete the manufacture of any drum which shall not have the letter X plainly and legibly embossed on the bottom plate thereof.

(2) On and after September 14, 1942, no person shall sell any new drum or deliver such drum pursuant to a sale thereof, and on and after November 7, 1942, no person shall sell any drum, new or used, or deliver same, pursuant to a sale thereof (regardless of when the manufacture of any such drum was completed), unless such drum shall be plainly and legibly marked on the bottom plate with the letter X.

(3) No person shall remove, cover or conceal any marking placed upon any drum pursuant to subparagraphs (1) and (2) of this paragraph (c) unless same is necessary in the course of renovating, cleaning, painting or processing drums so marked, in which event the marking shall, within 48 hours, be replaced in as nearly as possible the original manner by the person effecting such renovation, cleaning, painting or processing.

(d) *Restrictions on use; List B products.* (1) No person shall pack any of the products on List B of this order:

(i) In a drum or drums, new or used, which was manufactured on or after September 14, 1942;

(ii) In a drum or drums, which was purchased by or delivered to any person on or after September 14, 1942, and at the time of such purchase or delivery was a new drum;

(iii) In a drum or drums which was purchased by or delivered to any person on or after the 7th day of November, 1942, and at the time of such purchase or delivery was a used drum.

(2) Notwithstanding the provisions of paragraph (d) (1), any person who owns a drum which is not required to be embossed or marked with the letter X pursuant to paragraphs (c) (1) and (c) (2) of this order, whether such drum is in his possession or is hereafter returned to him by another person, may use such drum for packing any of the materials on List B, so long as he retains ownership of such drum; but the provisions of said paragraph (d) (1) shall become applicable as soon as he sells such drums.

(3) Nothing in this order shall prevent the purchase of ends or other parts or accessories for drums; nor shall the affixing of such ends or other parts to such drums prohibit their use in accordance with subparagraph (2) of this paragraph (d).

(e) *General exceptions.* (1) Nothing in this order shall apply to the use of drums for storage purposes by any person having less than 5 drums in use for all purposes.

(2) The restrictions on use specified in paragraphs (b) (1) and (2) and (d) (1) of this order shall not apply:

(i) To drums which are used for the sale and delivery of commodities to the Army or Navy of the United States, the Maritime Commission, the Panama Canal, the War Shipping Administration,

or such other governmental agencies as the Director General for Operations may designate;

(ii) To drums which are used for the sale or delivery of commodities which are to be physically incorporated into ships, guns, tanks, combat vehicles, aircraft, ammunition, armament and weapons, gunsighting devices and radio and sound equipment;

(iii) To drums which are used for the sale or delivery of commodities which are to be used for maintenance, repair or operating supplies for ships.

(3) The provisions of this order shall not apply:

(i) To drums constructed wholly of heavier than 14 gauge steel;

(ii) To used drums constructed wholly of lighter than 23 gauge steel having a capacity of more than 30 gallons.

(f) *Relationship to General Preference Order M-45.* The provisions of this order shall govern to the extent that they may be inconsistent with any provisions of General Preference Order M-45 as amended.

(g) *Miscellaneous provisions.* (1) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(2) *Records.* All persons affected by this order shall keep and preserve for not less than two years after the effective date of this order accurate and complete records concerning inventories, production and sales.

(3) *Audit and inspections.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

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

(5) *Appeals.* Any appeal from the provisions of this order shall be filed on Form PD-717, in triplicate.

(6) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Containers Division, Washington, D. C. Ref.: L-197.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 29th day of January 1943.

CURTIS E. CALDER,

Director General for Operations.

LIST A

Product	Governing date
1. Acid succinic.....	Nov. 14, 1942
2. Alcohol, specially denatured (except anhydrous grades and the following formulas: #13A, #19, #20, #32, and #42).....	Nov. 14, 1942
3. Aluminum sulphate.....	Nov. 14, 1942
4. Ammonia alum.....	Mar. 1, 1943
5. Ammonium bicarbonate.....	Nov. 14, 1942
6. Ammonium chloride.....	Nov. 14, 1942
7. Ammonium nitrate, dry.....	Mar. 1, 1943
8. Arsenic acid, solid.....	Nov. 14, 1942
9. Arsenic trioxide.....	Nov. 14, 1942
10. Arsenical mixtures.....	Nov. 14, 1942
11. Asphalt, maximum penetration of 100 at 77° F. (ASTM D5-25).....	Nov. 14, 1942
12. Asphaltic cements, mineral filled, semi-solid or plastic, maximum grease penetration of 300, (ASTM D-217-36T).....	Nov. 14, 1942
13. Balsam copaiba.....	Nov. 14, 1942
14. Bath salts.....	Nov. 14, 1942
15. Bird seed.....	Mar. 1, 1943
16. Boiler compounds, dry.....	Mar. 1, 1943
17. Borax.....	Nov. 14, 1942
18. Bordeaux mixture.....	Nov. 14, 1942
19. Boric acid.....	Nov. 14, 1942
20. Bottle washing compounds*.....	Nov. 14, 1942
21. Calcimine.....	Nov. 14, 1942
22. Calcium arsenate.....	Nov. 14, 1942
23. Calcium carbonate.....	Nov. 14, 1942
24. Calcium chloride.....	Nov. 14, 1942
25. Calcium hydroxide.....	Nov. 14, 1942
26. Calcium oxide.....	Nov. 14, 1942
27. Casein paints, dry.....	Nov. 14, 1942
28. Cements, dry, Portland, shoe non-flammable, leather, adhesives non-flammable.....	Nov. 14, 1942
29. Cement paint, dry.....	Nov. 14, 1942
30. Charcoal.....	Nov. 14, 1942
31. Chloride of lime, bleaching powder 37% available chlorine or less, except for export.....	Nov. 14, 1942
32. Citric acid.....	Nov. 14, 1942
33. Cleaning compounds, dry*.....	Nov. 14, 1942
34. Colors, inorganic, dry.....	Nov. 14, 1942
35. Colors, organic, dry.....	Nov. 14, 1942
36. Copper oxide.....	Nov. 14, 1942
37. Copper sulphate, basic.....	Nov. 14, 1942
38. Dairy products.....	Nov. 14, 1942
39. Di ammonium phosphate.....	Nov. 14, 1942
40. Di calcium phosphate.....	Nov. 14, 1942
41. Di sodium phosphate.....	Nov. 14, 1942
42. Dyestuffs, dry.....	Nov. 14, 1942
43. Fatty acids, (having a melting point of higher than 42° C.).....	Nov. 14, 1942
44. Flour.....	Nov. 14, 1942
45. Food products, cold pack and frozen.....	Nov. 14, 1942
46. Fruits—brine.....	Nov. 14, 1942
47. Fruits and peels, glace.....	Nov. 14, 1942
48. Gelatin.....	Nov. 14, 1942
49. Glue.....	Nov. 14, 1942
50. Hexamethylenetetramine.....	Nov. 14, 1942
51. Indigo paste.....	Nov. 14, 1942
52. Jelly, jam and preserves.....	Nov. 14, 1942
53. Kraut.....	Nov. 14, 1942
54. Laundry alkalies*.....	Nov. 14, 1942
55. Lead arsenate.....	Nov. 14, 1942
56. Lime.....	Nov. 14, 1942
57. Lime sulphur, dry.....	Nov. 14, 1942
58. Linseed oil meal.....	Nov. 14, 1942
59. Lithopone.....	Nov. 14, 1942
60. Magnesium chloride, 6H ₂ O.....	Mar. 1, 1943
61. Magnesium oxide.....	Nov. 14, 1942
62. Marmalade.....	Nov. 14, 1942
63. Meats.....	Nov. 14, 1942
64. Metal degreasing alkalies*.....	Nov. 14, 1942

*Does not include fused and flaked material containing 70% or more sodium hydroxide.

Product	Governing date
65. Modified sodas*.....	Nov. 14, 1942
66. Molasses.....	Nov. 14, 1942
67. Mono ammonium phosphate.....	Nov. 14, 1942
68. Mono calcium phosphate.....	Nov. 14, 1942
69. Mono sodium phosphate.....	Nov. 14, 1942
70. Moulding powder, except those for dielectric or insulating purposes.....	Nov. 14, 1942
71. Oil, crude, petroleum.....	Nov. 14, 1942
72. Olives.....	Nov. 14, 1942
73. Paints, dry powder, including but not limited to those bound with glue, soya protein, casein and cement.....	Nov. 14, 1942
74. Paints, paste, water type (the vehicle of this type of product shall contain at least 5% water).....	Nov. 14, 1942
75. Paradichlorobenzene.....	Nov. 14, 1942
76. Paraffin wax (except microcrystalline).....	Nov. 14, 1942
77. Paste rust proofing compounds.....	Nov. 14, 1942
78. Paste, wall paper.....	Nov. 14, 1942
79. Patching plaster.....	Nov. 14, 1942
80. Pectin.....	Nov. 14, 1942
81. Petrolatum.....	Nov. 14, 1942
82. Pickles.....	Nov. 14, 1942
83. Pine tar, solid.....	Nov. 14, 1942
84. Pitch or tar, maximum penetration of 100 at 77° F. (ASTM D5-25).....	Nov. 14, 1942
85. Pitch or tar base cements, mineral filled, semi-solid or plastic, maximum grease penetration of 300 (ASTM D217-36T).....	Nov. 14, 1942
86. Potash alum.....	Mar. 1, 1943
87. Potassium bicarbonate.....	Nov. 14, 1942
88. Potassium carbonate.....	Nov. 14, 1942
89. Resins, solid, rough-crushed and broken synthetic, except where used for dielectric or insulating purposes.....	Nov. 14, 1942
90. Sand.....	Mar. 1, 1943
91. Scouring cakes and powder.....	Nov. 14, 1942
92. Shellac.....	Nov. 14, 1942
93. Silicate of soda, dry, ortho silicate, meta silicate, sesqui, or mixtures thereof.....	Nov. 14, 1942
94. Soap and detergents, dry*.....	Nov. 14, 1942
95. Soda alum.....	Mar. 1, 1943
96. Soda ash.....	Nov. 14, 1942
97. Sodium acid pyro phosphate.....	Nov. 14, 1942
98. Sodium aluminate.....	Mar. 1, 1943
99. Sodium arsenate.....	Nov. 14, 1942
100. Sodium bisulfate.....	Mar. 1, 1943
101. Sodium bicarbonate.....	Nov. 14, 1942
102. Sodium chloride.....	Nov. 14, 1942
103. Sodium hexameta phosphate.....	Nov. 14, 1942
104. Sodium hydrosulphite.....	Nov. 14, 1942
105. Sodium metaborate.....	Nov. 14, 1942
106. Sodium nitrate.....	Nov. 14, 1942
107. Sodium nitrite.....	Mar. 1, 1943
108. Sodium perborate.....	Mar. 1, 1943
109. Sodium sesquicarbonate.....	Nov. 14, 1942
110. Sodium tetra phosphate.....	Mar. 1, 1943
111. Sodium tetra pyro phosphate.....	Nov. 14, 1942
112. Starches and adhesives, dry.....	Nov. 14, 1942
113. Sweeping compounds.....	Nov. 14, 1942
114. Syrup, mixed and unmixed (except maple syrup and corn syrup).....	Nov. 14, 1942
115. Tri calcium phosphate.....	Nov. 14, 1942
116. Tri sodium phosphate.....	Nov. 14, 1942
117. Vegetables—brine.....	Nov. 14, 1942
118. Vinegar.....	Nov. 14, 1942
119. Water.....	Mar. 1, 1943
120. Wax, except floor wax.....	Nov. 14, 1942
121. Wood Fillers.....	Nov. 14, 1942

Product	Governing date
122. Zeolite.....	Nov. 14, 1942
123. Zinc hydrosulfate.....	Nov. 14, 1942

LIST B

Product

1. Asphalt, liquid (minimum penetration of 101 at 77° F. ASTM) (D5-25).
2. Asphaltic cements, mineral filled, semi-solid or liquid (minimum ASTM grease penetration of 301) (D-217-36T).
3. Boiler feed water treatment material liquid.
4. Caulking compounds.
5. Compounds, solid and semi-solid with a melting point of 65° F. or above, used in cooking, including mixtures of lard and hydrogenated oils, but not limited to these mixtures.
6. Corn syrup.
7. Disinfectants, liquid.
8. Dry lead oxide.
9. Fatty acids with a melting point of 42° C. or lower.
10. Flammable shoe cements.
11. Floor sealers.
12. Floor wax.
13. Formaldehyde.
14. Fuze powder, black sporting powder, "A" blasting powder, and all other potassium nitrate black powder.
15. Glazing material or putty.
16. Greases, animal and vegetable.
17. Greases, petroleum, solid and semi-solid (with ASTM penetration of 300 and less).
18. Hydrogenated oils with a melting point of 65° F. or above, including but not limited to shortening.
19. Inorganic salts, aqueous solutions.
20. Insecticides, liquid, including fly spray and livestock dip and spray (except nicotine sulphate, arsenical cattle dips and grain fumigants).
21. Lanolin and wool grease.
22. Lard.
23. Lead oxides in paste.
24. Leather finishes, blackings, dressing, flammable adhesives.
25. Lime sulphur solution.
26. Maple syrup.
27. Oils, animal, fish, marine animal, vegetable (except for fish livers, vitamin oils derived from fish or fish livers or grain).
28. Oils, steam cylinder, both compounded and un-compounded.
29. Paints, oil and oleoresinous type, including but not limited to white lead in oil, colors in oil, and oil stain.
30. Paris green.
31. Paste cutting compounds.
32. Paste drawing compounds.
33. Paste grinding compounds.
34. Pine tar, liquid.
35. Pitch or tar, liquid, minimum penetration of 101 at 77° F. (ASTM D5-25).
36. Pitch or tar base cements, mineral filled, semi-solid or liquid, minimum grease penetration of 301 (ASTM D217-36T).
37. Printing inks (except aniline or spirit inks and rotogravure inks).
38. Pyrethrum concentrate.
39. Rotenone.
40. Rust preventative.
41. Silicate of soda, liquid.
42. Shock absorber, fluid.
43. Soaps and detergents, liquid or paste.
44. Soaps, metallic.
45. Sodium lactate.
46. Starches and adhesives, liquid.
47. Tallow.
48. Tar.
49. Turpentine.
50. Varnish and varnish stains, except liquid water-soluble phenolic resins.
51. Vat dyes, paste.
52. Wood preservatives.

[F. R. Doc. 43-1521; Filed, January 29, 1943; 11:15 a. m.]

Chapter XI—Office of Price Administration

PART 1305—ADMINISTRATION

[Supp. Order 31,¹ Amendment 1]

TAX ON TRANSPORTATION OF PROPERTY IMPOSED BY REVENUE ACT OF 1942

A statement of the considerations involved in the issuance of this Amendment No. 1 has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Paragraphs (b) (11) and (b) (12) and paragraph (e) are added to § 1305.36 to read as set forth below.

§ 1305.36 *Treatment of the tax on transportation of property imposed by the Revenue Act of 1942.* * * *

(b) This Supplementary Order No. 31 shall not apply to the following price regulations:

(11) Revised Price Schedule No. 29—By-product Foundry and By-product Blast Furnace Coke.²

(12) Revised Price Schedule No. 77—Beehive Oven Furnace Coke Produced in Pennsylvania.³

(e) *Effective dates of amendments.*
(1) Amendment No. 1 to Supplementary Order No. 31 shall be effective as of December 1, 1942.

(Pub. Law 421, 77th Cong., Pub. Law 729, 77th Cong.; and E.O. 9250, 7 F.R. 7871)

Issued this 28th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1490; Filed, January 28, 1943; 3:00 p. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[MPR 149,⁴ Amendment 6]

MECHANICAL RUBBER GOODS

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

The title of § 1315.21 is amended; in § 1315.21a the text of paragraph (a) is amended, paragraph (d) is revoked, paragraphs (e) and (f) are redesignated paragraphs (d) and (e), respectively, and a new paragraph (f) is added; § 1315.22 is amended; in § 1315.28 paragraph (b) is amended, paragraph (c) is revoked and paragraph (d) is redesignated paragraph (e); and a new subparagraph (9) is added to paragraph (a) of § 1315.31, all as set forth below:

§ 1315.21 *Prohibition against dealing in mechanical rubber goods at prices in excess of the maximum.* * * *

*Copies may be obtained from the Office of Price Administration.

¹ 7 F.R. 9894.

² 7 F.R. 1258, 2132, 2760, 8948.

³ 7 F.R. 1352, 2000, 2132, 2760, 6386, 8948.

⁴ 7 F.R. 3889, 7173, 8699, 8948, 10103, 10143, 10993.

§ 1315.21a *Maximum manufacturers' prices for mechanical rubber goods.* * * *

(a) The maximum price for mechanical rubber goods of the types and kinds listed in Appendix A, incorporated herein as § 1315.34, shall be the price determined as follows, less the deduction required by paragraph (f) of this § 1315.21a, wherever applicable:

(f) *Deduction of the amount of the federal excise tax.* If, on October 1, 1941, in the case of the articles listed in Appendix A and on January 5, 1942, for the articles listed in Appendix B, the manufacturer did not bill the federal excise tax on rubber products separately, he shall deduct the amount of such tax from the price determined in accordance with paragraphs (a) to (e), inclusive, of this § 1315.21a. *Provided,* That where the manufacturer had a price list in effect for the article on September 30, 1941, this deduction shall not exceed the amount by which the price determined in accordance with paragraphs (a) to (e), inclusive, exceeds the price stated in the manufacturer's price list in effect on September 30, 1941, less all discounts, allowances and other deductions from the list price in effect for a purchaser of the same class on that date.

§ 1315.22 *Federal and state taxes.* Any tax upon or incident to, the sale, delivery or processing of mechanical rubber goods imposed by any statute of the United States or statute or ordinance of any state or subdivision thereof, shall be treated as follows in determining the seller's maximum price: If the statute or ordinance imposing such tax does not prohibit the seller from stating and collecting the tax separately from the purchase price, and the seller does separately state it, the seller may collect, in addition to the maximum price, the amount of the tax actually paid by him or an amount equal to the amount of tax paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased.

§ 1315.28 *Reports.* * * *

(b) This paragraph (b) is applicable to mechanical rubber goods the maximum price of which cannot be determined by reference to the price stated in the schedule or price list of the manufacturer in effect on the base date (October 1, 1941, for articles listed in Appendix A and January 5, 1942, for articles listed in Appendix B) or by reference to a price regularly quoted in some other manner by the manufacturer on the base date. If any such mechanical rubber good be listed as a new standard list good, the manufacturer shall report to the Office of Price Administration, Washington, D. C., that the article is being so listed and, prior to offering such mechanical rubber good for sale, shall report a detailed description thereof (including the size), the maximum price of each such article, the calculations used in the determination of the maximum price, the proposed selling price, and the terms of sale to each class of purchaser. The manufacturer may not accept payment for the

commodity until fifteen days have elapsed after the mailing of the report. Within this fifteen day period the price so reported shall be subject to adjustment by the Office of Price Administration. Subsequent to this fifteen day period, such price shall be subject to adjustment (not to apply retroactively) at any time upon the written order of the Office of Price Administration.

§ 1315.31 *Definitions.* (a) * * *

(9) "Synthetic rubber" means a material obtained by chemical synthesis, possessing the approximate physical properties of natural rubber, when compared in either the vulcanized or unvulcanized condition, which can be vulcanized with sulphur or other chemicals with the application of heat, and which, when vulcanized, is capable of rapid elastic recovery after being stretched to at least twice its length at temperatures ranging from 0° F. to 150° F. at any humidity.

§ 1315.33a *Effective dates of amendments.* * * *

(f) Amendment No. 6 (§§ 1315.21; 1315.21a (a), (d), (e), (f); 1315.22, 1315.28 (b), (c), (d); 1315.31 (a) (9)) to Maximum Price Regulation No. 149 shall become effective February 3, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 28th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1491; Filed, January 28, 1943; 3:01 p. m.]

PART 1340—FUEL
[RPS 88,⁵ Amendment 63]

PETROLEUM AND PETROLEUM PRODUCTS

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

In § 1340.159 (a) subparagraphs (2) and (5) are amended to read as set forth below:

§ 1340.159 *Appendix A: Maximum prices for petroleum and petroleum products.* * * *

(a) *Crude petroleum.* * * *

(2) Where on October 1, 1941, there was for any given pool no posted purchase price, or more than one posted purchase price, the maximum price at the receiving tank for crude petroleum from such pool shall be the price paid for crude petroleum at the same receiving tank 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

⁵ 7 F.R. 1107, 1371, 1798, 1799, 1886, 2132, 2304, 2352, 2634, 2945, 3463, 3482, 3524, 3570, 3895, 3963, 4483, 4653, 4854, 4857, 5481, 5868, 5988, 5983, 6057, 6167, 6471, 6680, 7242, 7838, 8433, 8478, 9120, 9134, 9335, 9425, 9460, 9620, 9621, 9817, 9820, 10684, 11069, 11112, 11075; 8 F.R. 157, 232, 233, 857.

posted purchase price: *Provided, however*, That a price paid pursuant to a contract in effect on October 1, 1941 and entered into prior to that date, shall not be considered in determining the maximum price for crude petroleum unless the contract price reflected current market conditions on or about October 1, 1941.

(5) (i) The maximum price for crude petroleum purchased at a point other than the receiving tank shall be at no greater differential at such point over the maximum price for such crude at the receiving tank than existed on October 1, 1941: *Provided, however*, That such a differential established pursuant to a contract in effect on October 1, 1941 and entered into prior to that date shall not be considered in determining the maximum price at that point unless the differential reflected current market conditions on or about October 1, 1941.

(ii) Where a maximum price at a point other than at the receiving tank cannot be determined under subdivision (i) above, the purchaser and seller may establish a temporary differential for a sale of crude petroleum at such point subject to provisions of § 1340.154 (c) hereof and subject to disapproval by the Office of Price Administration: *Provided, however*, That if such differential is not disapproved in writing by the Office of Price Administration within 30 days after it has been reported in accordance with § 1340.154 (c), it shall be the maximum

differential for the particular sale and for all subsequent sales of crude petroleum from the same receiving tank delivered at that point.

§ 1340.158a *Effective dates of amendments.*

(kkk). Amendment No. 63 (§ 1340.159 (a) (2) and (5)) to Revised Price Schedule No. 88 shall become effective February 3, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 28th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1492; Filed, January 28, 1943; 2:59 p. m.]

added to the maximum prices therein set forth an amount not in excess of 4¢ per net ton, if a tax is incurred by a seller under section 620 of the Revenue Act of 1942 and if said seller separately states the amount of the tax in the sale to his purchaser.

§ 1345.12 *Effective date of amendment.*

(b) Amendment No. 2 (§ 1345.1) to Revised Price Schedule No. 29 shall be effective as of December 1, 1942.

(Pub. Law 421, 77th Cong., Pub. Law 729, 77th Cong., and E.O. 9250, 7 F.R. 7871)

Issued this 28th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1493; Filed, January 28, 1943; 2:59 p. m.]

PART 1341—CANNED AND PRESERVED FOODS

[MPR 306, Amendment 1]

CERTAIN PACKED FOOD PRODUCTS

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

Item 3 in the table contained in § 1341.583 (a) is amended as set forth below:

§ 1341.583 *Appendix A: Maximum prices for packed fruit—(a) Grapefruit juice.*

Col. 1 Item No.	Col. 2 State or area	Col. 3 Style of pack	Col. 4 Grade	Col. 5 Container— #2 can		Col. 6 Container— #3 cylinder		Col. 7 Container— #19 can	
				Government sales	Other sales	Government sales	Other sales	Government sales	Other sales
3	California and Arizona.	Natural (unsweetened.)	A or Fancy.....	1.17%	1.22%	2.70	2.60	3.45	3.60
			C or Standard.....	1.67%	1.12%	2.73	2.60	4.65	3.10
			Off grade or sub-standard.....	.87%	.62%	1.95	2.05	3.05	4.10
		Sweetened.....	A or Fancy.....	1.20	1.25	2.75	2.65	3.60	3.75
			C or Standard.....	1.10	1.15	2.25	2.05	3.10	3.25
			Off grade or sub-standard.....	.60	.65	2.60	2.10	4.10	4.25

This amendment shall become effective January 28, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 28th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1495; Filed, January 28, 1943; 3:00 p. m.]

PART 1345—COKE

[RPS 29, Amendment 2]

BY-PRODUCT FOUNDRY AND BY-PRODUCT BLAST FURNACE COKE

A statement of the considerations involved in the issuance of this Amendment No. 2 has been issued simultane-

ously herewith and filed with the Division of the Federal Register.*

Section 1345.1 is amended and paragraph (b) is added to § 1345.12 to read as set forth below.

§ 1345.1 *Maximum prices for by-product foundry and by-product blast furnace coke.* On and after October 1, 1941, regardless of the terms of any contract of sale or purchase, or other commitment, no person shall sell, offer to sell, deliver or transfer, by-product foundry or by-product blast furnace coke, and no person shall buy, offer to buy, or accept delivery of by-product foundry or by-product blast furnace coke at prices higher than the maximum prices set forth in Appendices A and B, incorporated herein as §§ 1345.9 and 1345.10 respectively: *Provided*, That there may be

PART 1345—COKE

[RPS 77, Amendment 3]

BEEHIVE OVEN FURNACE COKE PRODUCED IN PENNSYLVANIA

A statement of the considerations involved in the issuance of this Amendment No. 3 has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 1345.51 is amended and paragraph (c) is added to § 1345.61 to read as set forth below.

§ 1345.51 *Maximum delivered prices for beehive oven furnace coke produced in Pennsylvania.* Except as hereinafter provided, on and after January 26, 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, beehive oven furnace coke produced in Pennsylvania to any consumer, and no consumer shall buy, offer to buy or accept delivery of beehive oven furnace coke produced in Pennsylvania at a delivered price higher than \$6.00 per net ton f. o. b. cars ovens, plus the transportation charges from Connellsville, Pennsylvania, to the place of delivery as customarily computed: *Provided*, That on and after August 12, 1942, subject to the conditions hereinafter set forth, in any operation in which ovens are hand-drawn and the total coal supply for such hand-drawn ovens is necessarily trucked from the mine to the ovens, the maximum delivered price shall be \$6.50 per net ton f. o. b. cars ovens, plus the transportation charges from Connellsville, Pennsylvania, to the place of delivery as customarily computed, subject however to the express conditions that a seller of any such coke who intends to charge a price higher than \$6.00 per net ton f. o. b. cars ovens shall file with the Office of Price Administration, within seven days after first charging such higher price, an affidavit stating the name, ownership, size and average monthly production of the operation, whether part or all of the ovens are hand-drawn, the distance and place from which the coal must be trucked and

*Copies may be obtained from the Office of Price Administration.

*7 F.R. 1352, 2000, 2132, 2760, 6336, 8343.

*7 F.R. 1253, 2132, 2760, 8948.

whether or not all of the coal is so trucked: *Provided*, That there may be added to the maximum prices above set forth an amount not in excess of 4¢ per net ton, if a tax is incurred by a seller under section 620 of the Revenue Act of 1942, and if said seller separately states the amount of the tax in the sale to his purchaser.

§ 1345.61 *Effective dates of amendments.* * * *

(c) Amendment No. 3 (§ 1345.51) to Revised Price Schedule No. 77 shall be effective as of December 1, 1942.

(Pub. Law 421, 77th Cong., Pub. Law 729, 77th Cong., and E.O. 9250, 7 F.R. 7871)

Issued this 28th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1494; Filed, January 28, 1943; 3:00 p. m.]

PART 1362—CERAMIC PRODUCTS, STRUCTURAL CLAY PRODUCTS AND OTHER MASON MATERIALS

[MPR 206, Amendment 2]

VITRIFIED CLAY SEWER PIPE AND ALLIED PRODUCTS

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

Section 1362.101, § 1362.105, Table No. 19 of § 1362.113 (b), Tables Nos. 3 and 8 of § 1362.114 (b), § 1362.114 (c), Table No. 19 of § 1362.115 (b), and § 1362.115 (c) are amended, a new paragraph (a) (7) is added to § 1362.109, a new paragraph (b) is added to § 1362.112a and a new § 1362.101a is added, all as set forth below:

§ 1362.101 *Maximum prices for vitrified clay sewer pipe and allied products.*

(a) On and after August 22, 1942, regardless of any contract, agreement, lease, or other obligation, no person shall sell or deliver any vitrified clay sewer pipe or allied products where shipment originates at the factory where the products are made rather than at a distribution yard, and no person shall buy or receive any of the foregoing products in the course of trade or business, at prices higher than the maximum prices set forth in Appendices A, B, and C hereof, incorporated herein as §§ 1362.113, 1362.114, and 1362.115, and no person shall agree, offer, solicit, or attempt to do any of the foregoing. The provisions of this section shall not be applicable to sales or deliveries of vitrified clay sewer pipe and allied products to a purchaser if prior to August 22, 1942, such vitrified clay sewer pipe and allied products had been received by a carrier, other than a carrier owned or controlled by the seller, for shipment to such purchaser.

(b) *Maximum prices for vitrified clay sewer pipe and allied products when sold*

*Copies may be obtained from the Office of Price Administration.

for delivery outside a factory's normal market area. A method is provided in § 1362.101a whereby vitrified clay sewer pipe and allied products may be shipped outside a manufacturer's normal market area to a government agency, or to a contractor or subcontractor of such agency, at prices in excess of the maximum prices established in this section. For all other shipments outside the manufacturer's normal market area, for use on a project other than one controlled by a government agency, maximum prices as established in this section shall apply.

§ 1362.101a *Maximum prices for vitrified clay sewer pipe and allied products sold by a manufacturer to a Government Agency, and shipped outside its normal market area up to July 1, 1943.* (a) Requirements which must be met by a manufacturer in order to use out-of-area maximum prices. A manufacturer may use the pricing method set forth in the next paragraph only when:

(1) He is selling to a Government Agency, or to a contractor or subcontractor with a Government Agency, for use on a project controlled by any such agency: *Provided*, That a manufacturer may sell to any person who re-sells to any of the foregoing at prices not in excess of the maximum prices established by this section.

(2) He ships by rail in not less than minimum carload quantities.

(3) He secures and retains for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, a certificate signed by the purchaser in the following form:

CERTIFICATE FORM

Place _____
Date _____
Project: _____
(Identify: number, location, etc.)
Government agency: _____
Purchaser: _____
(Area Engineer; Purchasing Agent; Contractor; Subcontractor)
Quantity and description of vitrified clay sewer pipe and allied products required: _____

The quantity of vitrified clay sewer pipe and allied products listed above are required for the construction of the project named above. Diligent effort has been made to secure the necessary products from the sources of supply normally servicing the area where the project is located. Such sources are unable to supply the required products within the time allotted for construction. Therefore, it becomes necessary to purchase the required products from _____ Company (indicate whether distributor or manufacturer), whose office is located at _____

The products so purchased will not be used on any project other than one con-

trolled by a Government Agency except products that have been rejected for cause.

By _____
(Name of purchaser)
(Title)

(4) The following form of endorsement shall be made by the seller if he is not the manufacturer of the vitrified clay sewer pipe or allied products. Such endorsement may be made on the reverse side of purchaser's certificate.

ENDORSEMENT FORM

The undersigned has received an order from _____, of _____, which is covered by the certificate on the reverse side, or attached hereto. The undersigned is unable and will be unable to supply the requirements of the purchaser from our own stock of vitrified clay sewer pipe, or allied products, in the time allotted for delivery. It is therefore necessary to order from _____, of _____, the requirements of purchaser as listed on the certificate. Prices charged the purchaser by the undersigned do not exceed the maximum prices established in Section 1362.101a, of Maximum Price Regulation No. 206.

By _____
(Title)

(b) Maximum prices for vitrified clay sewer pipe and allied products sold by any person and shipped from a factory prior to July 1, 1943, to a destination which is outside the normal market area of such factory may be determined in the following manner:

(1) A price f. o. b. factory not in excess of 95% of the f. o. b. plant price for straight or mixed carload shipments.

(i) The following methods shall be used in determining the f. o. b. plant price which shall apply to manufacturers who wish to use this section:

(a) For those manufacturers who sell on an f. o. b. plant basis, the price as established in this Maximum Price Regulation No. 206.

(b) For those manufacturers who sell at a delivered price based on geographical zones, the price as established in this Maximum Price Regulation No. 206 for the zone within which the factory is located, less the weighted average freight paid by the manufacturer, during the calendar year 1941, for delivery in the zone in which the factory is located.

For those manufacturers who determine their price in accordance with this subdivision (b) the weighted average freight shall be determined in the following manner: From the total amount of freight paid during the year 1941 for rail delivery of vitrified clay sewer pipe or allied products to the zone within which the factory is located, deduct that amount of freight applicable to dunnage only, that is, to crating, bracing, or other material carried for the protection of the product. Divide the balance by the total amount of tons of vitrified clay sewer pipe and allied products delivered by rail, during the calendar year 1941, in the zone in which the factory is located. The result will be the weighted average freight per ton paid during the year 1941 for delivery by rail of vitrified clay sewer

pipe and allied products in the zone in which the factory is located.

(c) For manufacturers located in the Eastern Area, who sell at a delivered price based on freight rate zones, the price as established in this Maximum Price Regulation No. 206 in the first or 10¢ zone, less the highest amount of freight from Akron, for delivery to the first, or 10¢ zone.

(2) A delivered price may be charged under this provision not higher than the maximum price established in this section, f. o. b. factory plus the actual freight charges incurred by the manufacturer in making delivery to the point of destination.

(3) Material purchased in accordance with the provisions of this section which is in excess of requirements, or which is rejected by the purchaser for cause, may be re-sold to any person at the prices established by the General Maximum Price Regulation, for the same grade or quality, for the area in which the product is ultimately used.

§ 1362.105 *Records and reports.* (a) Every person making purchases or sales subject to this Maximum Price Regulation No. 206, of vitrified clay sewer pipe and allied products in the amount of \$200 or more in any one calendar month, beginning September 1, 1942, shall keep for inspection by the Office of Price Administration for so long as the Emergency Control Act of 1942, as amended, remains in effect, complete and accurate records of each purchase, sale, or delivery, showing the date thereof, the name and address of the buyer and the seller, the point of origin, and the point of delivery of the shipment, the price paid or received, and the quantity of each grade and classification of the product purchased, sold, or delivered. In the event the sale is one in which delivery takes place outside the manufacturer's normal market area it shall be indicated on the record.

(b) Every manufacturer who makes a sale under § 1362.101a in any month shall make a report to the Office of Price Administration, Washington, D. C., on or before the fifteenth day of the following month, setting forth a list of all sales which resulted in vitrified clay sewer pipe or allied products being shipped to points outside his normal market area during the preceding calendar month, showing the name and address of the purchaser, the point of shipment and the point of delivery, the quantity and classification of products sold, the price charged, and the method of computing such price.

(c) Every person making a purchase or sale subject to this Maximum Price Regulation No. 206 of vitrified clay sewer pipe and allied products shall submit such reports to the Office of Price Administration as it may from time to time require.

§ 1362.109 *Definitions.* (a) When used in this Maximum Price Regulation No. 206, the term:

(7) "Normal market area" for any factory means that area in which vitrified

clay sewer pipe and allied products were regularly offered for sale during the period January 1, 1940 to January 1, 1942; for the purposes of this definition, vitrified clay sewer pipe or allied products will be deemed to have been "regularly offered for sale" only in that area in which the factory had salesmen traveling at regular intervals and/or customarily quoted for shipment during the above-mentioned period.

§ 1362.112a *Effective dates of amendments.* * * *

(b) This amendment No. 2 (§§1362.101, 1362.101a, 1362.105, 1362.109 (a) (7), 1362.112a, 1362.113 (b), 1362.114 (b) and (c), and 1362.115 (b) and (c)) shall become effective February 3, 1943.

§ 1362.113 *Appendix A: Maximum prices for vitrified clay sewer pipe and allied products when delivery to the purchaser is within the Eastern Area.* * * *

(b) *List prices.* * * *

TABLE 10—STOVE PIPE AND FITTINGS

Inside diameter, inches	Stove pipe, per feet	Single openings, each ¹	Double openings, each ¹	Bottoms 2 feet long, each	Drop bottoms, each	Mandatory top, for and O. G. bonnets, and 1 bird-cage wind-guard, each	Anchor bonnets and chimney bases, each	Discount No.
6.....	\$3.45	\$1.89	\$2.25	\$1.89	\$2.70			2
6.....	.45	1.89	2.25	1.89	2.70	\$2.70	\$2.25	2
7.....	.70	2.89	3.59	2.89	4.29	4.29	3.59	2
8.....	.70	2.89	3.59	2.89	4.29	4.29	3.59	2
9.....	1.09	4.29		4.29				2
10.....	1.09	4.29		4.29				2
12.....	1.39	5.49		5.49				2
15.....	1.89	7.29		7.29				2
18.....	2.59	10.09		10.09				2
20.....	3.09	12.09		12.09				2
24.....	4.29	18.09		15.09				2

¹ Single or double openings supplied with or without closed ends. Single or double openings, with closed end, take 50% additional to list price.

§ 1362.114 *Appendix B: Maximum prices for vitrified clay sewer pipe and allied products when delivery to the purchaser is within the Southern Area.* * * *

(b) *List prices.* * * *

TABLE 3—SEWER PIPE FITTINGS: CURVES AND ELBOWS, VEE BRANCHES, SADDLES AND SLANTS, INCREASERS AND REDUCERS, STOPPERS, STOPPERS, AND STRAINERS

Inside diameter, inches	Curves, each	Elbows, each	Veel branches, each	Saddles and slants, each	Increasers and reducers, each	Stoppers, each	Strainers, each	Discount No.
4.....	\$3.09	\$3.09	\$2.00			\$0.10	\$0.15	1
4.....	1.35	1.35	3.00	\$1.29	\$1.29	.15	.25	1
6.....	2.59	2.59	5.00	2.00	2.00	.20	.30	1
8.....	3.59	3.59	7.00	2.89	2.89	.40	.60	1
10.....	4.59	4.59	9.00	3.69	3.69	.70	1.00	1
12.....	5.09	5.09	12.50	5.00	5.00	1.00		2
15.....	6.89	6.89	17.00		6.80	1.75		2
18.....	10.09	10.09	25.00		10.00	2.75		2
24.....	13.09	13.09	32.50		13.00	4.00		2

TABLE NO. 8—FLUE LINING: ROUND

Inside diameter, inches	Per feet	Discount No.
6.....	\$3.09	5
8.....	.59	5
10.....	.70	5
12.....	.90	5
15.....	1.25	5
18.....	1.70	2
21.....	2.09	2
24.....	3.25	2

(c) *Percentage discounts.* The percentage discounts set forth in the table below are so arranged that the applicable discount for any item for delivery in any geographical zone in the Southern Area can be determined by the following procedure: select the discount number shown on the List Price Tables for the desired item. An identical number appears in the left-hand column of the table below. After determining the proper geographical zone within which the destination point falls, the applicable

percentage discount will be found at the junction of the vertical geographical zone column and the horizontal line at which the predetermined discount number appears.

Discount No.	North Carolina	South Carolina, Georgia, Alabama	Tennessee	North Florida, Mississippi, Louisiana (East of Mississippi River)	South Florida
1.....	47	45	43	45	40
2.....	49	49	49	35	25
3.....	49	47	45	47	42
4.....	42	42	42	37	27
5.....	47	45	45	45	40
6.....	47	45	45	45	40
7.....	32	29	29	29	25

§ 1362.115 *Appendix C: Maximum prices for vitrified clay sewer pipe and allied products when delivery to the purchaser is within the East Central Area.* * * *

(b) *List prices.* * * *

TABLE 10—STOVE PIPE AND FITTINGS

Inside diameter, inches	Stove pipe, per foot	Single openings, each ¹	Double openings, each ¹	Bottoms 2 feet long, each	Drop bottoms, each	Mandatory tops, keg and O. G. bonnets, and birdcage windguards, each	Anchor bonnets and chimney bases, each	Dis-count No.
5	\$0.45	\$1.80	\$2.25	\$1.80	\$2.70			8
6	.45	1.80	2.25	1.80	2.70	\$2.70	\$2.25	8
7	.70	2.80	3.50	2.80	4.20	4.20	3.50	8
8	.70	2.80	3.50	2.80	4.20	4.90	3.50	8
9	1.05	4.20		4.20				8
10	1.05	4.20		4.20				8
12	1.35	5.40		5.40				8
15	1.80	7.20		7.20				8
18	2.50	10.00		10.00				8
20	3.00	12.00		12.00				8
24	4.50	18.00		18.00				8

¹ Single or double openings supplied with or without closed end. Single or double openings, with closed end, take 50% additional to list price.

(c) **Percentage discounts.** The percentage discounts set forth in the table below are so arranged that the applicable percentage discount for any item for delivery in any geographical zone in the East Central Area can be determined by the following procedure: Select the discount number shown on the List Price Tables for the desired item. An identical number appears in the left-hand column of the table below. After determining the proper geographical zone within which the destination point falls, the applicable percentage discount will be found at the junction of the vertical geographical zone column and the horizontal line at which the predetermined discount number appears.

Dis-count No.	Illinois zones 1, 2, and 5	Wisconsin zones 1 and 5	Wisconsin zone 2	Michigan, Upper Peninsula	Indiana	Kentucky
1	64	62	60	60	67	67
2	57	55	53	53	64	62
3	57	55	53	53	62	62
4	67	65	63	63	70	68
5	67	65	63	63	70	68
6	60	58	56	56	69	65
7	60	58	56	56	67	65
8	64	62	60	60	67	65
9	53	50	54	54	61	58
10	54	52	50	50	56	53
11	64	62	60	60	67	65
12	51	49	47	47	47	47
13	46	44	42	42	42	42

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 28th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1496; Filed, January 28, 1943; 3:01 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Amendment 9 to Ration Order 12¹]

COFFEE RATIONING REGULATIONS

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

*Copies may be obtained from the Office of Price Administration.
¹ 7 F.R. 9710, 10380, 11071, 11072; 8 F.R. 28, 167, 566, 621, 978.

New § 1407.988a and paragraph (i) of § 1407.1090a are added as set forth below:

Retailers and Wholesalers

§ 1407.988a *Certificates to be issued for roasted coffee not acquired with purchase warrants.* (a) Any retailer or wholesaler may, upon applying therefor to the board in February 1943, receive from the board a certificate or certificates in weight value equal to the sum of (1) and (2):

(1) The weight value of the purchase warrants which he was authorized to issue pursuant to Ration Order No. 12 minus the amount of all roasted coffee acquired by him on the authority of such purchase warrants;

(2) The weight of roasted coffee transferred by him after December 12, 1942, and prior to January 26, 1943, against purchase warrants received by him pursuant to Ration Order No. 12 from other retailers or wholesalers.

(b) Before the board shall grant any such application, it shall receive from the applicant a certificate in the following form, duly signed by the applicant:

I hereby certify to the Office of Price Administration that: (1) pursuant to the provisions of Ration Order No. 12 I was authorized to issue purchase warrants in weight value aggregating _____ pounds; (2) on the authority of all purchase warrants issued by me I acquired _____ pounds of roasted coffee; and (3) after December 12, 1942, and prior to January 26, 1943, I transferred _____ pounds of roasted coffee against purchase warrants received by me.

Date: _____

By _____
Retailer-Wholesaler

Address

(c) The weight value of a certificate authorized to be issued to any wholesaler pursuant to paragraph (a) of this section shall be reduced by the weight value of any certificate received by such wholesaler pursuant to a petition for inventory adjustment filed by him.

(d) Any retailer or wholesaler who, after receiving a certificate pursuant to paragraph (a) of this section, receives delivery of roasted coffee against purchase warrants previously issued by him shall, on or before March 15, 1943, sur-

render to the board for cancellation coffee stamps or certificates in weight value equal to the amount of roasted coffee so received by him.

Effective Date

§ 1407.1090a *Effective dates of amendments.* * * *

(i) Amendment No. 9 (§§ 1407.988a and 1407.1090a (i)) to Ration Order No. 12 shall become effective February 1, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 507, 421, and 729, 77th Cong.; W.P.B. Dir. No. 1, Supp. Dir. No. 1-R)

Issued this 28th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1486; Filed, January 28, 1943; 2:59 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Amendment 10 to Ration Order 12¹]

COFFEE RATIONING REGULATIONS

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

The word "February" in § 1407.960 (a) is deleted, and the word "March" is substituted therefor; and new paragraph (j) of § 1407.1090a is added as set forth below:

Effective Date

§ 1407.1090a *Effective dates of amendments.* * * *

(j) Amendment No. 10 (§§ 1407.960 (a) and 1407.1090a (j)) to Ration Order No. 12 shall become effective February 1, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 507, 421, and 729, 77th Cong.; W.P.B. Dir. No. 1, Supp. Dir. No. 1-R)

Issued this 28th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1487; Filed, January 28, 1943; 2:59 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Amendment 31 to Ration Order 11¹]

FUEL OIL RATIONING REGULATIONS

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

In paragraph (a) of § 1394.5253, a colon is substituted for the period after the word "application", and there is

¹ 7 F.R. 9710, 10380, 11071, 11072, 8 F.R. 28, 167, 566, 621, 978.

² 7 F.R. 8480, 8809, 8897, 9316, 9492, 9427, 9430, 9621, 9784, 9398, 10153, 10081, 10370, 10530, 10531, 10780, 10707, 11118, 11071; 8 F.R. 165, 237, 437, 369, 374, 535, 439, 444, 607, 608, 977.

added after the colon the phrase "Provided, That such certification shall not be required if the ration applied for is to be used in a portable space heater"; § 1394.5256 (d) is amended; in paragraph (a) of § 1394.5453, the phrase "for purposes other than the operation of equipment furnishing heat or hot water" is deleted, and in paragraph (b) of such section, the phrase "or for heat or hot water, or both," is inserted between the phrase "distillate oil" and the phrase "shall make a notation"; a colon is substituted for the period after the word "thereon" at the end of said paragraph (b), and there is added after the colon the phrase "Provided, That the period of validity entered by the Board on the stub of any delivery receipt issued for heat or hot water, or both, shall be limited to any single thermal period specified in § 1394.5266 (c) for the thermal zone in which the fuel oil burning equipment is located."; a new paragraph (f) is added to § 1394.5507; in paragraph (c) of § 1394.5705 the phrase "subject to the provisions of paragraph (d)" is inserted before the phrase "Every dealer and supplier", and a new paragraph (d) is added to said section; and a new paragraph (ee) is added to § 1394.5902; as set forth below:

Heat and Hot Water Rations

§ 1394.5256 *Determination of allowable ration for heating private dwellings.* * * *

(d) Where application is made for the operation of a space heater in a house trailer, the allowable ration for such purpose shall be the amount requested by the applicant for the space heater but shall not exceed twice the maximum of the range established in accordance with the provisions of § 1394.5256 for the area assigned to the Board to which application is made and which has jurisdiction over the issuance of such ration pursuant to any of the subparagraphs of paragraph (b) of § 1394.5101. No ration shall be issued for the operation of a space heater for supplying domestic hot water in a house trailer.

(1) Any consumer who finds that the ration issued to him for the operation of a space heater in a house trailer is insufficient to meet his minimum needs, may, if his allowable ration is less than twice the maximum of the range provided in paragraph (d), surrender his current ration to the Board having jurisdiction and at the same time apply to such Board for a new ration.

(2) The new ration shall be applied for and passed upon in the same manner as an original application under § 1394.5266. If the Board is unable, at the time application is made, to issue to the applicant the new ration, the applicant shall be permitted to retain his coupon sheets until the Board issues the new ration. Upon issuance of the new ration, the Board shall detach from its coupons equal in gallonage value to that of any coupons used between the date of application and the date of surrender of the old ration. The coupon sheets surrendered on the issuance of the new ration shall be appropriately cancelled and at-

tached by the Board to the application for the new ration.

Expiration and Revocation of Rations

§ 1394.5507 *Suspension and revocation of rations.* * * *

(f) The ration of any person who willfully causes the destruction or impairment of the use of equipment, or any parts thereof, designed to use an alternate fuel for the purpose of obtaining such ration, may at any time be revoked.

Provisions Relating to Dealers and Suppliers

§ 1394.5705 *Issuance of inventory coupons.* * * *

(d) Where a transfer is made by a dealer or supplier of an inventory coupon sheet (exclusive of the stub to which it is attached) containing 100 undetached inventory coupons, the transferor may, in lieu of inserting the serial number of his registration certificate on each inventory coupon, prominently inscribe across the face and the reverse side of such coupon sheet his name, address and serial number of his registration certificate.

Effective Date

§ 1394.5902 *Effective date of corrections and amendments.* * * *

(ee) Amendment No. 31 (§§ 1394.5253, 1394.5256, 1394.5453, 1394.5507 and 1394.5705) to Ration Order No. 11 shall become effective on February 2, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507; Pub. Law 421, 77th Cong., W.P.B. Directive No. 1, 7 F.R. 562, Supp. Directive No. 1-0, 7 F.R. 8418; E.O. 9125, 7 F.R. 2719)

Issued this 28th day of January 1943.

FREYSS M. BROWN,
Administrator.

[F. R. Doc. 43-1497; Filed, January 28, 1943; 3:01 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 42 to GMPR¹]

USED SUPPLIES OR EQUIPMENT

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

Section 1499.9 (b) (2) is amended and a new paragraph (qq) is added to § 1499.23a to read as set forth below.

§ 1499.9 *Commodities excepted from this General Maximum Price Regulation.* * * *

(b) This regulation shall not apply to the following sales or deliveries:

(2) By any person, of his used supplies or equipment not acquired or produced by him for the purpose of sale:

*Copies may be obtained from the Office of Price Administration.
17 F.R. 3153, 3330, 3639, 3930, 3991, 4333, 4487, 4653, 4738, 5027, 5276, 5162, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6059, 6081, 6007, 6216, 6615, 6939, 6794, 7033, 7322, 7454, 7763, 7913, 8431, 8281, 9004, 8942, 9435, 9616, 9616, 9732, 10155, 10454, 8 F.R. 371.

Provided, however, That the exception contained in this subparagraph shall not apply to sales or deliveries of used tin cans sold or delivered to persons authorized or licensed under paragraph (b) (4) of Supplementary Order No. M-72-a,² issued by the Director General for Operations, War Production Board.

§ 1499.23a *Effective date of amendments.* * * *

(qq) Amendment No. 42 (§ 1499.9 (b) (2)) to General Maximum Price Regulation shall become effective February 3, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 28th day of January 1943.

FREYSS M. BROWN,
Administrator.

[F. R. Doc. 43-1483; Filed, January 23, 1943; 3:01 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 7 Under § 1499.16 (c), as Amended, of GMPR]

SALES OF BEAN HAMPERS IN FLORIDA

For reasons set forth in an opinion issued simultaneously herewith, It is ordered:

§ 1499.1507 *Adjustment of maximum prices for 32 quart bean hampers sold in Florida.* (a) Any person may sell for delivery in the state of Florida, and any person may buy for delivery in Florida, 32 quart bean hampers at a price not to exceed the maximum price for such hampers established for the seller by the General Maximum Price Regulation, plus the actual cost of any overtime labor incurred in manufacturing such hampers.

(b) Any seller who sells 32 quart bean hampers under the terms of this order must show separately on the invoice the maximum price established for him by the General Maximum Price Regulation and the charge for overtime labor.

(c) This Order No. 7 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 7 is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(e) This Order No. 7 shall become effective January 6, 1943, and shall terminate on March 1, 1943. No delivery made after March 1, 1943 shall be subject to the provisions of this order.

(Pub. Laws 421 and 729, 77th Cong. E.O. 9250, 7 F.R. 7871)

Issued this 28th day of January 1943.

FREYSS M. BROWN,
Administrator.

[F. R. Doc. 43-1483; Filed, January 23, 1943; 3:01 p. m.]

¹7 F.R. 6355.

PART 1340—FUEL
[RFS 88,¹ Amendment 64]

PETROLEUM AND PETROLEUM PRODUCTS

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

A new inferior subdivision (d) is added to § 1340.159 (c) (1) (iii); in § 1340.159 (c) (1), subdivision (vii) is amended, subdivision (x) is revoked, and new subdivisions (xii) and (xiii) are added as set forth below:

§ 1340.159 Appendix A: Maximum prices for petroleum and petroleum products. * * *

(c) Specific prices. * * *

(1) Crude petroleum. * * *

(iii) Louisiana. * * *

(d) The maximum price at the receiving tank for crude petroleum of 40° API gravity and above, produced in the Olla, South Olla and Little Creek Pools, LaSalle Parish, Louisiana, shall be \$1.35 per barrel, with the customary differentials for lower gravity crudes.

(vii) Texas. (a) The maximum price at the well for crude distillate produced in the Pettus field, Bee County, Texas, shall be \$1.50 per barrel.

(b) Effective February 2, 1942, the maximum price at the receiving tank for crude distillate of 50° gravity and above produced from the Partlow lease, Hardin field, Liberty County, Texas, shall be \$1.53 per barrel.

(c) The maximum price at the receiving tank for crude petroleum of 40° API gravity and above produced in the Rincon field, Starr County, Texas, shall be \$1.45 per barrel, with the customary differentials for lower gravity crudes.

(d) Effective December 1, 1942, the maximum price at the receiving tank for crude petroleum of 40° API gravity and above produced in the Shields field, Nueces County, Texas, shall be \$1.35 per barrel, with the customary differentials for lower gravity crudes.

(xii) South Arkansas. The maximum price at the receiving tank for sour distillate produced in the McKamie pool, Lafayette County, Arkansas and in the Dorcheat pool, the Macedonia pool and the Big Creek pool, Columbia County, Arkansas, shall be \$1.25 per barrel.

(xiii) Kentucky. Effective as of May 1, 1942, the maximum price at the receiving tank for crude petroleum produced in the Sebree pool, Webster County, Kentucky, shall be \$1.32 per barrel.

§ 1340.158a Effective dates of amendments. * * *

Amendment No. 64 (§§ 1340.159 (c) (1) (iii) (d), 1340.159 (c) (1) (vii) and (xii) and (xiii)) to Revised Price Schedule No.

* Copies may be obtained from the Office of Price Administration.

¹ F.R. 1107, 1371, 1798, 1799, 1886, 2132, 2304, 2352, 2634, 2945, 3463, 3482, 3524, 3576, 3895, 3963, 4483, 4653, 4854, 4857, 5481, 5867, 5868, 5988, 5983, 6057, 6167, 6471, 6680, 7242, 7838, 8433, 8478, 9120, 9134, 9335, 9425, 9460, 9620, 9821, 9817, 9820, 10684, 11069, 11112, 11075. 8 F.R. 157, 232, 233, 857.

88 shall become effective February 3, 1943.

(Pub. Law 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 28th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1502; Filed, January 28, 1943; 4:31 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Ration Order 5C,¹ Amendment 19]

MILEAGE RATIONING: GASOLINE REGULATIONS

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

A new subparagraph (4) to paragraph (c) of § 1394.8153, and a new paragraph (e) to § 1394.8207, and a new paragraph (s) to § 1394.8352 are added; as set forth below:

§ 1394.8153 Transfers to consumers in exchange for coupons. * * *

(c) * * *

(4) Notwithstanding the provisions of subparagraphs (1), (2), and (3) of paragraph (c) of this section, a distributor, or a dealer regularly engaged in bulk sales of gasoline in units of one hundred (100) or more gallons, may, during the period from January 22, 1943 through February 5, 1943, make bulk transfers to a bulk consumer, who has not as yet received Bulk coupons printed as part of Form OPA R-553A or Form OPA R-554A, without requiring a presentation of a ration book or a surrender of Bulk coupons at the time of transfer, under the following conditions:

(i) At the time of the transfer, such distributor or dealer shall obtain a written receipt from the transferee setting forth the names and addresses of the transferor and of the transferee, the date of the transfer, and the number of gallons of gasoline transferred and the promise of the transferee to deliver valid Bulk coupons in an amount equal to such gallonage within twenty days from the date of such transfer, and the transferor shall preserve such receipt until the receipt of coupons from the transferee pursuant to the provisions of subdivision (iii) of this subparagraph;

(ii) No consumer may accept such transfer or execute and deliver such receipt unless he has applied for and knows he is entitled to receive a ration which would entitle him to acquire gasoline for the purpose for which the transfer is made and which will enable him to surrender to such dealer Bulk coupons issued on Form OPA R-553A or Form OPA R-554A having a value equal to the number of gallons of gasoline so transferred;

(iii) Such consumer shall, immediately after issuance of such ration to

¹ F.R. 9135, 9787, 10147, 10016, 10110, 10338, 10706, 10786, 10787, 11009, 11070, 8 F.R. 179, 274, 369, 372, 607, 565, 1028.

him, surrender to such distributor or dealer Bulk coupons issued on Form OPA R-553A or Form OPA R-554A having a value equal to the number of gallons of gasoline so transferred and upon receipt of such coupons the distributor or dealer shall cancel the consumer's receipt;

(iv) Any dealer who has made a transfer pursuant to this paragraph shall report to the nearest State or District Office of the Office of Price Administration the name and address of any consumer who has accepted such transfer and who has not on or before February 25, 1943, surrendered coupons as required by this subparagraph (3) (iii); such report shall be forwarded immediately after the close of business on February 26, 1943;

(v) No dealer may secure replenishment on account of such transfer except in accordance with the provisions of paragraph (e) of § 1394.8207.

§ 1394.8207 Restrictions on transfer. * * *

(e) Notwithstanding any other provisions contained in this section a distributor or dealer may, during the period from January 22, 1943 through February 8, 1943 obtain and receive transfers of gasoline from a distributor equal to any bulk transfers of gasoline he has made under the provisions of subparagraph (4) of paragraph (c) of § 1394.8153, upon executing and delivering to such distributor a receipt setting forth the names and addresses of the transferor and transferee, the amount of gasoline transferred, the date of the transfer and the promise of the transferee to deliver to the transferor within twenty days from the date of such transfer valid evidences equal to the amount of the gallonage transferred. The transferee shall deliver to the transferor evidences as required in such receipt as soon as he has received coupons or checks for the transfers for which he has obtained replenishment. The transferor shall hold such receipt until the transferee delivers such evidences as required, and upon such delivery shall cancel such receipt. On March 2, 1943, any distributor who has made a transfer pursuant to this paragraph shall report to the nearest State or District Office of the Office of Price Administration full information in regard to all such transfers where the transferee has not delivered evidences as required by this paragraph.

Effective Dates

§ 1394.8352 Effective dates of amendments. * * *

(s) Amendment No. 19 (§§ 1394.8153 (c) (4) and 1394.8207 (e)) to Ration Order No. 5C shall become effective January 28, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong.; W.P.B. Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121, E.O. 9125, 7 F.R. 2719)

Issued this 28th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1500; Filed, January 28, 1943; 4:31 p. m.]

PART 1432—RATIONING OF CONSUMERS' DURABLE GOODS

[Ration Order 9, Amendment 1]

HEATING STOVES

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

A new paragraph (e) is added to § 1432.13; the headnote to § 1432.15 is amended and the text of § 1432.15 is designated § 1432.15 (a) and a new paragraph (b) is added thereto; a new subparagraph (10a) is added to § 1432.65 (a); and a new § 1432.67 is added to Ration Order No. 9, as set forth below:

Subpart B—Provisions Affecting Consumers and Boards

§ 1432.13 *Persons eligible to obtain certificates for new coal heating stoves.* * * *

(e) Anyone who heats private dwelling premises by means of oil burning equipment which distributes heat through pipes or ducts but which does not supply heat adequate for the health and comfort of the occupants of such dwelling.

§ 1432.15 *Application for a certificate. Persons who need new coal heating equipment as a substitute for or to supplement oil burning equipment.* * * *

(b) A person who wishes to supplement oil burning equipment which distributes heat through pipes or ducts (see paragraph (e) § 1432.13) need not at the time of application surrender any of his unused and unexpired fuel oil coupon sheets or coupons to the Board, but must present to the Board the following statement signed by him:

I, _____, hereby certify that I (Print Name) am the owner (or tenant) of the private dwelling property located at _____ (Print Address) which is heated by oil burning equipment which distributes heat through pipes or ducts; and that I need a coal stove to heat essential living or working space in this property; and the heat supplied by the present equipment is not sufficient for health and comfort. I will promptly install the coal heating stove when I get it. I pledge that I will save as much fuel oil as possible by using the new coal heating stove to its full extent and that within the time specified in the Fuel Oil Rationing Regulations I will return to my local War Price and Rationing Board all fuel coupons I have saved by using such coal heating stove.

(Signature of Applicant)

Subpart C—Glossary of terms: Effective Date of Order

§ 1432.65 *Technical terms explained.*

(a) * * *
(10a) "Private dwelling" means a building or structure designed for the occupancy of fewer than four (4) families, but does not include a rooming house, boarding house, dormitory, lodg-

ing house or hotel in which four (4) or more rooms are regularly rented or available for rental, nor does it include a building in which less than seventy percent (70%) of the total floor space is used for residential purposes.

§ 1432.67 *Effective date of corrections and amendments.* (a) Amendment No. 1, (§§ 1432.13, 1432.65, and 1432.67) to Ration Order No. 9 shall become effective on January 28, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507; Pub. Law 421, 77th Cong.; W.P.B. Dir. No. 1, 7 F.R. 562; Supp. Dir. No. 1S, 7 F.R. 10668, E.O. 9125, 7 F.R. 2719)

Issued this 28th day of January 1943.
PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1501; Filed, January 23, 1943; 4:31 p. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter I—Coast Guard, Department of the Navy

PART 8—REGULATIONS, UNITED STATES COAST GUARD RESERVE

WOMEN'S RESERVE

The regulations, United States Coast Guard Reserve, 1941 (6 F.R. 1925), as amended, are hereby further amended by adding the following:

§ 8.10101 *Purpose.* The purpose of the Women's Reserve, which has been established by law as a branch of the Coast Guard Reserve, is to expedite the war effort by releasing officers and men from shore establishments for duty at sea and replacing them by qualified women.

§ 8.10102 *Composition, organization, and administration—(a) Composition.* The Women's Reserve shall be composed of female citizens of the United States who by appointment or enlistment therein obligate themselves to serve in the shore establishments of the Coast Guard within the continental United States, for the duration of the present war and for six months thereafter unless sooner discharged or otherwise separated. Members of the Women's Reserve will be designated as "Spars".

(b) *Organization.* The various ranks, grades and ratings in the Women's Reserve shall correspond to those in the regular Coast Guard except that there shall not be more than one officer in the grade of lieutenant commander nor more than eighteen (18) officers in the grade of lieutenant and that the number of officers in the grade of lieutenant (junior grade) shall not exceed 35 percentum of the total number of commissioned officers. The class designations for personnel shall be as follows:

Class W-S: Women appointed as commissioned officers.

Class W-P: Women appointed as probationary commissioned officers.

Class W-9: Women enlisted as apprentice seamen for training preliminary to appointment as commissioned officers.

Class W-10: Women enlisted for general service.

(c) *Administration.* The Women's Reserve shall be administered by the Commandant under the general direction of the Secretary of the Navy, and the Commandant may order to duty at Headquarters an officer of the Women's Reserve who shall act as Director and such other officers and enlisted personnel as efficient administration may require.

(d) *Exercise of military authority by officers.* The military authority of commissioned officers of the Women's Reserve may be exercised over women of the Reserve only, and is limited to the administration of the Women's Reserve.

§ 8.10103 *Duties—(a) Place.* Members of the Women's Reserve shall be considered available for assignment to duty at any place within the continental limits of the United States, and shall not be assigned to duty on board vessels of the Navy or Coast Guard or in combat aircraft.

(b) *Assignment.* Members of the Women's Reserve shall be assigned such duties as they may be found qualified to perform where such assignments will release male officers and enlisted men for duty at sea but shall not be used to replace Civil Service personnel.

§ 8.10104 *Procurement—(a) Method.* Personnel for the Women's Reserve shall be procured in accordance with instructions issued by Headquarters.

(b) *Quotas.* The quotas of personnel of the Women's Reserve to be procured shall be prescribed from time to time by Headquarters.

§ 8.10105 *Qualifications—(a) Classes W-S, W-P and W-9.* For appointment in Class W-S, W-P and W-9 in the Women's Reserve, an applicant must:

(1) Be a citizen of the United States or its territories or insular possessions.
(2) Be not less than twenty. The upper age limit shall be as from time to time prescribed by Headquarters.

(3) Possess a degree from an accredited university or college or, lacking such a degree, have completed two years of college work and had at least two years of acceptable business or professional experience. In exceptional cases, outstanding experience may be offered in lieu of the college requirement.

(4) Be of good moral character.
(5) Be able to pass such physical examination as may be prescribed.

(b) *Class W-10.* For enlistment in Class W-10 an applicant must:

(1) Be a citizen of the United States or of its territories or insular possessions.

(2) Be not less than twenty years of age. The upper age limit shall be as prescribed from time to time by Headquarters.

(3) Have completed at least two years of high school or business school.

(4) Be of good moral character.
(5) Be able to pass such physical examination as may be prescribed.

*Copies may be obtained from the Office of Price Administration, 17 F.R. 10720.

§ 8.10106 *Uniforms and equipment—*
(a) *Officers.* The uniform allowance for officers of the Women's Reserve shall be the same as is prescribed for regular officers of the Coast Guard Reserve, and shall be payable in the same manner and under the same conditions.

(b) *Enlisted personnel.* The Commandant shall fix the money value of the articles of uniform and equipment which enlisted members are required to have upon their first reporting for active duty, and shall authorize such articles of uniform and equipment, or parts thereof, to be issued in kind, or in lieu thereof a payment in cash of the money value fixed in accordance with the foregoing, but not to exceed \$200.00, may be made to enlisted members so ordered to active duty, for the purchase of required uniforms and equipment.

§ 8.10107 *Disability and death benefits.* If any member of the Women's Reserve shall suffer disability or death from disease or injury incurred in line of duty while employed on active duty, she or her beneficiaries shall be entitled to all the benefits prescribed by law for civilian employees of the United States. They or their beneficiaries shall not be entitled to receive the six-months' death gratuity, retirement, or pensions provided for officers and men of the Coast Guard.

§ 8.10108 *Subject to laws.* Members of the Women's Reserve shall be subject to the laws and regulations for the government of the Coast Guard, including, as far as practicable and where they are not otherwise made inapplicable, all provisions of the regulations for the United States Coast Guard Reserve.

R. R. WAESCHE,
Commandant.

Approved: December 29, 1942.

FRANK KNOX,
Secretary of the Navy.

[F. R. Doc. 43-1511; Filed, January 29, 1943;
10:21 a. m.]

Chapter II—Corps of Engineers, War Department

PART 204—DANGER ZONE REGULATIONS WATERS NEAR CAMP HULEN, TEXAS

Pursuant to the provisions of Executive Order 9168 signed on May 20, 1942 (7 F.R. 3841), the following rules and regulations are prescribed to govern the use, administration, and navigation of the waters of Matagorda Bay, Lavaca Bay, Cox Bay, Keller Bay, Turtle Bay, Trespalacios Bay, Coon Island Bay, and Oyster Lake, Texas, comprising the firing range for the Coast Artillery Antiaircraft Training Center, Camp Hulen, Texas. These rules and regulations supersede § 204.93, published in the FEDERAL REGISTER August 4, 1942 (7 F.R. 6010).

§ 204.93 *Waters of Matagorda Bay, Lavaca Bay, Cox Bay, Keller Bay, Turtle Bay, Trespalacios Bay, Coon Island Bay, and Oyster Lake, Texas: Firing Range, Coast Artillery Antiaircraft Training*

Center, Camp Hulen, Texas—(a) *The danger zone.* The firing ranges for firing points near Turtle Point, near Well Point, and near the shore line between Magnolia Beach and Powderhorn Lake, inclusive, hereinafter referred to as the "restricted area", include the waters of Matagorda Bay, Lavaca Bay, Cox Bay, Keller Bay, Turtle Bay, Trespalacios Bay, Coon Island Bay, and Oyster Lake, Texas, and their tributaries within an area bounded as follows. (See U. S. C. & G. S. Chart No. 1284—Matagorda Bay and Approaches.)

A line beginning at the neck of Turtle Point Peninsula bearing 110° true and running a distance of 13,000 yards, including all of Coon Island Bay and Oyster Lake and their tributaries; thence along a line bearing 180° true to the north shore of Matagorda Bay; thence along a line bearing 140° true a distance of 6,000 yards to a point one mile bayward from the north shore of Matagorda Peninsula; thence along a line bearing 225° true to the north shore of Matagorda Peninsula; thence in a southwesterly direction along the north shore of Matagorda Peninsula to a point on the north shore of Matagorda Peninsula intersected by a line bearing 130° true from Halfmoon Reef Light (approximately 3,500 yards along the shore line northeast of Greens Bayou); thence along a line bearing 255° true to a point one mile from the north shore of Matagorda Peninsula; thence southwesterly, along a line paralleling the north shore of Matagorda Peninsula at a distance of one mile bayward to a point in Matagorda Bay bearing 48° true, 5,600 yards from the cupola on Saluria Coast Guard Station; thence northwesterly to the entrance to Boggy Bayou; thence along shore line to Gallinipper Point; thence in a northwesterly direction to Noble Point; thence following the arc of a circle having a radius of 12,500 yards and a point of origin on the shore of Lavaca Bay midway between Indian Point and Magnolia Beach to the north shore of Matagorda Bay southeast of Olivia; thence following the north shore of Matagorda Bay to Well Point; thence following the shores of Turtle Bay to the point of beginning and including all of Turtle Bay.

(b) *The regulations.* (1) Through traffic in either direction on the route of the Intracoastal Waterway and feeder channels to Palacios and Port Lavaca may enter and proceed directly through the restricted area via the waterway and channels without hindrance or delay except as indicated below or when advised otherwise by the United States Coast Guard at Port O'Connor or by a representative of the Commanding Officer, Antiaircraft Training Center, Camp Hulen, Texas. When through Intracoastal traffic is not permitted to enter the restricted area, during daylight hours patrol boats or guards will be stationed at entrance to the canal near Port O'Connor and in the canal near the eastern end of Oyster Lake and in the feeder channels on the Palacios and Port Lavaca sides of the restricted area to warn traffic approaching the danger area.

When through traffic is not permitted during hours of darkness, occulting red light or lights will be displayed from a high tower at Camp Hulen and from a high tower between Magnolia Beach and Indianola Island.

(2) Except under unusual circumstances, announcement of which shall be communicated to the surrounding communities, the restricted area is open throughout the year to the public for fishing and traffic without restriction from 6:00 p. m. Saturdays to 8:00 a. m. Mondays. The restricted area is also open to the public for fishing and traffic without restriction on other days when firing is not to be conducted.

(3) When firing is to be held in all or part of the restricted area, large red flags will be displayed from elevated positions in the immediate vicinity of each firing point from which firing is to be conducted.

(4) Except for through Intracoastal water traffic, no boats will enter the restricted area during the following periods without first obtaining clearance from Headquarters, Antiaircraft Training Center, Camp Hulen, Texas:

8:00 a. m. to 6:00 p. m. on all week days.

Traffic other than through Intracoastal traffic, desiring to enter the restricted area from Port O'Connor, Port Lavaca, Palacios, or from direction of Matagorda during the restricted periods must obtain permission in advance from the Commanding Officer, Antiaircraft Training Center, Camp Hulen, Texas, telephone extension #38 or #386. Traffic desiring to enter the restricted area from the vicinity of Port O'Connor may request the Coast Guard Station at Port O'Connor to obtain permission for entry from the Commanding Officer, Antiaircraft Training Center, Camp Hulen, Texas.

(5) At night when firing is scheduled, occulting red light or lights will be displayed from high towers at Camp Hulen and between Magnolia Beach and Indianola Island. These occulting red lights will be displayed during the hours of darkness until the conclusion of the firing for the night. When these occulting red lights are displayed, no vessel of any type shall enter or remain in the restricted area without specific permission from the Commanding Officer, Antiaircraft Training Center, Camp Hulen, Texas. In addition, when notices have been published announcing night firing in the restricted area no vessel of any kind will enter or remain in the restricted area during any such announced period of firing without specific permission from the Commanding Officer, Antiaircraft Training Center, Camp Hulen, Texas.

(6) Vessels in or planning to enter the restricted area at any time should be on the lookout for the above-listed warning signals and when the indicated danger signals are displayed, should not enter or remain in the restricted area except as definitely authorized by these regulations unless authorized in advance to do so by the Commanding Officer, Antiaircraft Training Center, Camp Hulen, Texas.

(7) If an airplane zooms twice in succession over any vessel in or entering

¹ Filed as part of the original document.

the restricted area, it should be taken as a warning to remain out of or promptly leave the restricted area.

(8) These regulations shall be enforced by the Commanding Officer, Antiaircraft Training Center, Camp Hulon, Texas, through the use of such equipment and personnel as may be properly designated by him for the purpose and through the assistance of the United States Coast Guard.

(9) These rules and regulations supersede those approved by the Secretary of War on June 13, 1942. (Regs. January 16, 1942) [Regs. January 16, 1943 (CE 684 (Camp Hulon, Texas)—SPEON)]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 43-1503; Filed, January 23, 1943;
4:27 p. m.]

TITLE 36—PARKS AND FORESTS

Chapter I—National Park Service

AMENDMENTS TO SPEED REGULATIONS

Pursuant to the authority contained in the act of August 25, 1916 (39 Stat. 535, 16 U. S. C. sec. 3), Parts 2 and 20 of Chapter I, Title 36, Code of Federal Regulations, as amended, are amended in the following respects:

PART 2—GENERAL RULES AND REGULATIONS

Section 2.42 is amended to read as follows:

§ 2.42 *Limitations on speed.* (a) Speed of vehicles is limited to 35 miles per hour, unless a lower limit is prescribed for a particular road or roads by special regulations. In every event, vehicles shall be driven or operated at an appropriate reduced speed when approaching and crossing an intersection, when approaching and going around a curve, when approaching a hill crest, when traveling upon a narrow and winding road, and when special hazards exist with respect to pedestrians or other traffic or by reason of weather or roadway conditions.

(b) The provisions of this section shall not apply to:

(1) Any vehicle driven or operated by or under the direction of the military or naval forces of the United States, or State military forces organized pursuant to section 61 of the National Defense Act, as amended;

(2) Any vehicle when driven or operated in an emergency for the protection or preservation of life, health, or for public safety: *Provided*, That this subparagraph shall not be so construed as to authorize any such vehicle to be driven or operated at a rate of speed in excess of that which is reasonable under conditions prevailing at such time.

(c) As used in this section, the term "vehicle" means every device in, upon, or by which any person or property is or may be transported or drawn upon a roadway.

PART 20—SPECIAL REGULATIONS

Section 20.1 (c) is amended to read as follows:

§ 20.1 *Colonial National Historical Park.*

(c) *Speed.* Speed of vehicles is limited to 25 miles per hour in the battlefield area, and to 15 miles per hour in the utility areas and residential sections.

Section 20.26 is amended to read as follows:

§ 20.26 *Hawaii National Park; speed.* Speed of vehicles is limited to 25 miles per hour on those sections of the Mamalahoa Highway where signs are posted giving notice of such limit.

Sections 20.3 (d) (7) and 20.41 are revoked.

Issued this 4th day of November 1942.

[SEAL] ABE FORTAS,
Under Secretary.

[F. R. Doc. 43-1510; Filed, January 29, 1943;
9:53 a. m.]

TITLE 46—SHIPPING

Chapter IV—War Shipping Administration

[Directive 4, Revised]

PART 321—DIRECTIVES

FORWARDING AND TRANSPORTATION OF FOREIGN COMMERCE

Section 321.4, Directive 4, issued on November 3, 1942, (7 F.R. 8967) is revised to read:

Directive with respect to forwarding and transportation of waterborne foreign commerce of the United States.

To all persons (including departments, agencies and officers of the United States) engaged in or concerned with the procurement, transportation or forwarding of Lend-Lease cargo or cargo procured, transported or forwarded for the government of any country whose defense has been deemed by the President to be vital to the defense of the United States pursuant to the Act of March 11, 1941 (which government is hereinafter referred to as a Lend-Lease government); and to all departments, agencies, officers, governmental corporations and other instrumentalities of the United States engaged in or concerned with the procurement, transportation or forwarding of cargo for delivery overseas.

Whereas the War Shipping Administrator (hereinafter referred to as the Administrator) is charged with the responsibility of coordinating the functions and facilities of public and private agencies engaged in forwarding and similar servicing of waterborne export and import foreign commerce of the United States and controlling the operation and use of ocean shipping (other than troopships and other vessels excluded from the Administrator's control under section 2 (a) of Executive Order 9054) for the successful prosecution of the War; and

Whereas in order effectively to discharge this responsibility it is necessary for the Administrator to correlate, in conjunction with the Director, Office of Defense Transportation, the movement of cargoes to port with the movement of ships available for carriage from port, to assure efficient loading of ships, and to maintain adequate inventories and records;

Therefore, by virtue of the authority vested in me by the Act of March 14, 1942 (Public Law 498, 77th Congress), by Executive Order 9054, dated February 7, 1942, as amended, and in accordance with the directive issued on November 11, 1942 (7 F.R. 9359) by the Lend-Lease Administrator, it is hereby directed:

§ 321.4 *Directive 4, Forwarding and transportation of waterborne foreign commerce of the United States.*—(a) *Scope.* No person (including departments, agencies or officers of the United States) shall forward or authorize forwarding to a port or point in the United States for export transportation therefrom by water any Lend-Lease cargo or cargo procured or transported, for a Lend-Lease government except at the direction of the Administrator; nor shall any department, agency, officer, governmental corporation or other instrumentality of the United States forward or authorize forwarding to a port or point in the United States for export transportation therefrom by water any other cargo except at the direction of the Administrator. As used herein, other cargo means any cargo which is shipped or transported by or on behalf of or for a governmental agency or instrumentality to itself or to another such agency or instrumentality or in the movement of which a governmental agency or instrumentality has a special interest as owner or potential owner or otherwise, except cargo shipped by the Navy or War Department for its own account.

(b) *Consignment of cargo.* All Lend-Lease cargo or cargo procured or transported for a Lend-Lease government shall be consigned to the Administrator as principal; all other cargo within the scope of this Directive shall be similarly consigned unless the Administrator's consent to the designation of some other consignee be previously obtained. After consignment, in the event that instructions for stoppage in transit or diversion to intermediate storage are given to the carrier or carriers, the Administrator or his agent shall in all cases be immediately notified by the issuer of such instruction, and, where the consignee is a person other than the Administrator or his agent, such other person shall also be immediately notified.

(c) *Information required.* Except as otherwise provided herein, the following information with respect to all cargo within the scope of this Directive, together with such other information as the Administrator may require, shall be furnished to the Administrator or his agent as soon as it is available:

(1) The identifying serial number and date of issuance of the O.D.T. block per-

mit and of the Q.M.R. or other release, if any, authorizing movement of the cargo;

(2) Confirmation of movement, origin, date of shipment, route, mode of carriage and identification of carrying unit or units to the port or point of export;

(3) Original and such copies of inland carrier's bill of lading and of shipping papers as the Administrator may direct.

The Administrator may waive in whole or in part the application of this paragraph (c) with respect to any cargo within the scope of this Directive other than Lend-Lease cargo or cargo procured or transported for a Lend-Lease government.

(d) *Preparation of documents.* With respect to all cargo within the scope of this Directive which is consigned to the Administrator or, his agent, the Administrator will prepare or cause to be prepared all dock receipts, ocean bills of lading, customs declarations and other appropriate ocean shipping documents.

(e) *Records maintained by Administrator.* The Administrator will maintain or cause to be maintained, in such form as requested by the interested United States Government procuring agencies, records concerning all Lend-Lease cargo or cargo procured or transported for a Lend-Lease government, which is called forward by him, consigned to him or his agent, forwarded by him or his agent, and loaded on ocean carriers, and will make such information available to the procuring agencies concerned, the Munitions Assignments Board and the Lend-Lease Administrator.

(f) *Compliance with instructions issued by the Munitions Assignments Board and the Lend-Lease Administrator.* The Administrator will comply with all instructions issued by the Munitions Assignments Board through its committees or by the Lend-Lease Administrator, in cases within their respective jurisdictions, with respect to the diversion to some other use of cargo consigned to the Administrator.

(g) *Limitations on responsibility of Administrator.* Nothing herein contained contemplates the assumption by the Administrator of responsibility for or control over stockpile, assembly, or transit storage depots, or the forwarding thereto: *Provided, however,* That if cargo consigned to the Administrator for forwarding to a port or point in the United States for export transportation therefrom be diverted to a stockpile, assembly or transit storage depot, it shall remain under the control and direction of the Administrator unless he is otherwise instructed by the Munitions Assignments Board through its committees or by the Lend-Lease Administrator in cases within their respective jurisdictions.

(h) *Issuance of supplements, administrative orders and instructions.* Supplements hereto and administrative orders and instructions hereunder may be issued from time to time.

(i) *Compliance.* All departments, agencies, or officers of the United States are directed to issue appropriate instructions to assure compliance herewith and with supplements hereto and administrative orders and instructions issued hereunder.

(j) *Effective date.* This Directive as herein revised shall become effective on February 1, 1943.

(56 Stat. 171; E.O. 9054, 7 F.R. 837)

[SEAL]

E. S. LAND,
Administrator.

JANUARY 26, 1943.

[F. R. Doc. 43-1512; Filed, January 29, 1943;
10:29 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

Subchapter A—General Rules and Regulations

PART 120—ANNUAL, SPECIAL OR PERIODICAL REPORTS

ORDER PRESCRIBING ANNUAL REPORT FORM FOR ELECTRIC RAILWAYS

At a session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D. C., on the 22d day of January, A. D. 1943.

In the matter of Annual Reports from Electric Railway Companies and the corresponding section of the Code of Federal Regulations, the following order was entered:

It is ordered, That the order of this Commission dated January 27, 1941, in the Matter of Annual Reports from Electric Railways be, and it is hereby, vacated and set aside effective January 1, 1943, and the following order shall become effective:

§ 120.21 *Form prescribed for electric railways.* (a) All electric railway companies within the scope of section 20, Part I of the Interstate Commerce Act, are hereby required to file annual reports for the year ended December 31, 1942, and for each succeeding year until further order, in accordance with Annual Report Form G (Electric Railways), which is hereby approved and made a part of this order.¹

(b) The annual report shall be filed, in duplicate, in the Bureau of Transport Economics and Statistics, Interstate Commerce Commission, Washington, D. C., on or before March 31 of the year following the one to which it relates.

(Sec. 20, 24 Stat. 386, sec. 7, 34 Stat. 593, 35 Stat. 649, sec. 14, 36 Stat. 556, secs. 434-435, 41 Stat. 493, sec. 13, 54 Stat. 916; 49 U.S.C. 20 (1)-(18))

By the Commission, Division 1.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 43-1515; Filed, January 29, 1943;
11:07 a. m.]

Subchapter B—Carriers by Motor Vehicle

PART 205—REPORTS OF MOTOR CARRIERS

ORDER PRESCRIBING ANNUAL REPORT FORM FOR MOTOR CARRIERS

At a session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D. C., on the 28th day of January, A. D. 1943.

¹ Filed as part of original document.

In the matter of Annual Reports from Class I Motor Carriers of Property and Class I Motor Carriers of Passengers, and the corresponding section of the Code of Federal Regulations, the following order was entered:

It is ordered, That the order of this Commission dated February 5, 1942, in the Matter of Annual Reports from Class I Motor Carriers of Property and Class I Motor Carriers of Passengers be, and it is hereby, vacated and set aside, effective January 28, 1943, and the following order shall become effective:

§ 205.1 *Form prescribed for annual reports.* (a) Each Class I Motor Carrier of Property and each Class I Motor Carrier of Passengers, as defined in the Commission's orders of November 20, 1937, prescribing the Uniform System of Accounts, (Parts 182 and 181, respectively, of this title) shall file an annual report for the year ended December 31, 1942, and for each succeeding year until further order, in accordance with Motor Carrier Annual Report Form A (Class I Motor Carriers of Property or Passengers) which is hereby approved and made a part of this order.¹

(b) The annual report shall be filed, in duplicate, in the Bureau of Motor Carriers, Interstate Commerce Commission, Washington, D. C., on or before March 31 of the year following the one to which it relates. (Sec. 220, 49 Stat. 563, sec. 24, 54 Stat. 926; 49 U.S.C. 320)

By the Commission, Division 1.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 43-1514; Filed, January 29, 1943;
11:07 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. 1810-FD]

JOHN EARLY FLOYD

ORDER WITHDRAWING COMPLAINTS, ETC.

Order withdrawing complaints, dated July 1, 1941 and May 11, 1942, and motion to withdraw complaint dated May 11, 1942, and discontinuing matter without prejudice.

A complaint in the above-entitled matter, dated July 1, 1941, having been duly filed on July 5, 1941, with the Bituminous Coal Division (the "Division"), by the Bituminous Coal Producers Board for District No. 13 (the "Board"), and a complaint in the above-entitled matter dated May 11, 1942, having been duly filed on May 19, 1942, with the Division by the said Board, and a motion dated May 11, 1942, to withdraw the said complaint filed with the Division on July 5, 1941, having been duly filed with the Division on May 19, 1942, by the said Board; and

The said Board by motion, dated January 6, 1943, and duly filed with the Division on January 7, 1943, having requested that it be granted permission to withdraw said complaints dated July 1,

¹ Filed as part of original document.

1941, and May 11, 1942, and said motion to withdraw complaint dated May 11, 1942; and

The Director deeming it advisable that said request should be granted;

Now, therefore, it is ordered, That the said motion dated January 6, 1943 to withdraw said complaints and said motion dated May 11, 1942, be and the same hereby is granted without prejudice; and

It is further ordered, That the above-entitled matter be and the same hereby is discontinued.

Dated: January 27, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-1477; Filed, January 28, 1943; 12:18 p. m.]

DEPARTMENT OF THE INTERIOR.

General Land Office.

[Public Land Order 79]

ALASKA

COAL MINING FROM RESERVED LANDS

Modifying Executive Order No. 6957 of February 4, 1935, so as to permit coal mining from a portion of the reserved lands.

By virtue of the authority contained in the Act of June 25, 1910, c. 421, 36 Stat. 847, as amended by the Act of August 24, 1912, c. 369, 37 Stat. 497 (U.S.C., title 43, secs. 141-143), and pursuant to Executive Order No. 9146 of April 24, 1942; it is ordered as follows:

Executive Order No. 6957 of February 4, 1935, withdrawing certain public lands and reserving them for classification and in aid of legislation, is hereby modified so as to permit mining under prospecting permits or leases issued pursuant to section 3 of the Act of October 20, 1914, c. 330, 38 Stat. 742, as amended by the Act of March 4, 1921, c. 152, 41 Stat. 1363 (U.S.C., title 48, sec. 444) of coal from the following described lands:

SEWARD MERIDIAN

T. 19 N., R. 2 E.,
Sec. 22, E½SE¼;
Sec. 23, W½NE¼, NW¼, S½;
Sec. 26, N½.

The areas described aggregate 960 acres.

ABE FORTAS,
Acting Secretary of the Interior.

JANUARY 16, 1943.

[F. R. Doc 43-1507; Filed, January 29, 1943; 9:44 a. m.]

[Public Land Order 80]

CALIFORNIA

LAND WITHDRAWAL

Withdrawing public lands for use of the War Department as a civilian housing project in connection with the operation of the Sierra Ordnance Depot.

By virtue of the authority vested in the President and pursuant to section 1 of the act of June 28, 1934, c. 865, 48 Stat. 1269, and Executive Order No. 9146 of April 24, 1942; it is ordered as follows:

Subject to valid existing rights, and effective upon acceptance of title thereto by the Commissioner of the General Land Office, the following-described lands are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining and mineral-leasing laws, and reserved for the use of the War Department as a civilian housing project in connection with the operation of the Sierra Ordnance Depot:

MOUNT DIABLO MERIDIAN

T. 26 N., R. 16 E.,
Sec. 2, lots 1 to 4, inclusive, S½NE¼,
S½NW¼, SW¼, W½SE¼, and NE¼SE¼.
The areas described aggregate 598.44 acres.

It is intended that the lands described herein shall be returned to the administration of the Department of the Interior, when they are no longer needed for the purpose for which they are reserved.

ABE FORTAS,
Acting Secretary of the Interior.

JANUARY 16, 1943.

[F. R. Doc. 43-1508; Filed, January 29, 1943; 9:44 a. m.]

[Public Land Order 81]

MISSISSIPPI

LAND WITHDRAWAL

Withdrawing public land for use of the War Department for military purposes.

By virtue of the authority vested in the President and pursuant to Executive Order No. 9146 of April 24, 1942, it is ordered as follows:

Subject to valid existing rights, the following-described public land is hereby withdrawn from all forms of appropriation under the public-land laws, including the mining and mineral leasing laws, and reserved for the use of the War Department for military purposes:

Project designation	Administrative Order		Amount of allocation	Amount of allocation		New project designation
	No.	Date		Accrued	Remaining	
Nebraska 49, Howard District Public (allotted as Nebraska 49 Howard, changed by Memorandum to Members of the Staff, dated Sept. 15, 1939).	29	Oct. 27, 1939	\$60,000	\$35,465		Nebraska 76, Southern Nebraska Rural Public (Nebraska 49 Howard District Public).
					\$24,535	Nebraska 769A1, Howard District Public.

[SEAL]

HARRY SLATTERY,
Administrator.

[F. R. Doc. 43-1527; Filed, January 29, 1943; 11:38 a. m.]

[Administrative Order 739]

NELSON COUNTY, VIRGINIA

ALLOCATION OF FUNDS FOR LOANS

JANUARY 23, 1943.

I hereby amend Administrative Order No. 466, dated May 28, 1940, by rescinding the allocation of \$5,000 therein made for "Virginia 0029W2 Nelson."

[SEAL]

HARRY SLATTERY,
Administrator.

[F. R. Doc. 43-1528; Filed, January 29, 1943; 11:38 a. m.]

*5 FR. 2122.

WASHINGTON MERIDIAN

T. 1 N., R. 3 E.,
Sec. 13, lot 10.

The area described contains 39.63 acres.

This order shall take precedence over, but shall not rescind or revoke, the withdrawal for classification and other purposes made by Executive Order No. 6964 of February 5, 1935, as amended, so far as such order affects the above-described land.

It is intended that the land described herein shall be returned to the administration of the Department of the Interior, when it is no longer needed for the purpose for which it is reserved.

ABE FORTAS,

Acting Secretary of the Interior.

JANUARY 19, 1943.

[F. R. Doc. 43-1503; Filed, January 23, 1943; 9:44 a. m.]

DEPARTMENT OF AGRICULTURE.

Rural Electrification Administration.

[Administrative Order 738]

HOWARD COUNTY, NEBRASKA

ALLOCATION OF FUNDS FOR LOANS

JANUARY 21, 1943.

Inasmuch as Howard County Rural Public Power District has transferred a portion of its property to Southern Nebraska Rural Public Power District, and Southern Nebraska Rural Public Power District has assumed in part the indebtedness to United States of America, of Howard County Rural Public Power District, arising out of the loans made by United States of America pursuant to the Rural Electrification Act of 1936, as amended, I hereby amend the Administrative Order designated below to change the designation specified therein as follows:

DEPARTMENT OF LABOR.

Wage and Hour Division.

[Administrative Order 173]

METAL, PLASTICS, MACHINERY, INSTRUMENT,
AND ALLIED INDUSTRIESAPPOINTMENT OF INDUSTRY COMMITTEE
NO. 53

1. By virtue of and pursuant to the authority vested in me by the Fair Labor Standards Act of 1938, I, L. Metcalfe Walling, Administrator of the Wage and Hour Division, U. S. Department of Labor, do hereby appoint and convene for the metal, plastics, machinery, instrument, and allied industries (as such industry is defined in paragraph 2) an industry committee composed of the following representatives:

For the public: George E. Osborn, Chairman, Palo Alto, California; Clarence Ayres, Austin, Texas; Robert P. Brecht, Philadelphia, Pennsylvania; George J. Burke, Ann Arbor, Michigan; Frank T. Carlton, Cleveland, Ohio; Ralph S. Foss, New York, New York; John Ise, Lawrence, Kansas; H. C. Nixon, Nashville, Tennessee; James S. Robbins, Washington, D. C.; Erwin H. Schell, Cambridge, Massachusetts; Tipton R. Snavelly, Charlottesville, Virginia; John I. Yellott, Chicago, Illinois.

For the employees: Joseph Beach, Washington, D. C.; Edward D. Bieretz, Washington, D. C.; Paul Christopher, Knoxville, Tennessee; George Q. Lynch, Washington, D. C.; Joseph McDonagh, Washington, D. C.; Russ Nixon, Washington, D. C.; Ben Riskin, Washington, D. C.; Joseph Scanlon, Pittsburgh, Pennsylvania; Boris Shishkin, Washington, D. C.; J. Raymond Walsh, Washington, D. C.; Charles W. Wilkerson, Cincinnati, Ohio; James Wishart, Detroit, Michigan.

For the employers: B. S. Berlin, Trenton, New Jersey; A. F. Trombore, Milwaukee, Wisconsin; W. A. DeRidder, Oakland, California; Ralph E. Herman, New Haven, Connecticut; Clark Hodder, Ashland, Massachusetts; J. H. McDuffee, Toledo, Ohio; William B. Neal, Gadsden, Alabama; E. B. Sherwin, North Chicago, Illinois; A. L. Smith, Birmingham, Alabama; J. L. Turner, Wheeling, West Virginia; Hans H. Wanders, South Boston, Massachusetts; August J. Zimmerman, Rochester, New York.

Such representatives having been chosen with due regard to the geographical regions in which such industry is carried on.

2. For the purpose of this order the terms "metal, plastics, machinery, instrument, and allied industries" mean:

The production of metals and the manufacture of any product or part made of metal or plastics; and the manufacture from any material of machinery, instruments, tools, electrical goods, transportation equipment, and ordnance: *Provided, however,* The definition shall not include:

1. The mining or milling of metalliferous ores.

2. The production of any basic material other than metal.

3. The further processing of any basic material other than metal or plastics; *Provided, however,* That such processing when

performed by an establishment producing from such material a product of this industry or subassembly of such product shall be included within this definition.

4. Any product, the manufacture of which is covered by the definition of an industry for which the Administrator has already issued a wage order or appointed an industry committee.

3. The definition of the metal, plastics, machinery, instrument, and allied industries covers all occupations in the industry which are necessary to the production of the articles covered by the definition, including clerical, maintenance, shipping, and selling occupations: *Provided, however,* That this definition does not cover clerical, maintenance, shipping, and selling occupations when carried on in a wholesaling or selling department, physically segregated from the other departments of a manufacturing establishment the greater part of the sales of which wholesaling or selling department are sales of articles which have been purchased for resale: *And provided, further,* That where an employee covered by this definition is employed during the same workweek at two or more different minimum rates of pay, he shall be paid the highest of such rates for such workweek unless records concerning his employment are kept by his employer, in accordance with applicable regulations of the Wage and Hour Division.

4. Any person who, in the opinion of the Committee, having a substantial interest in the proceeding and who is prepared to present material pertinent to the question under consideration, may, with the approval of the committee, appear on his own behalf or on behalf of any other person.

5. The industry committee herein created shall meet at 10:00 a. m. on February 16, 1943 in the East Ballroom of the Hotel Astor, New York, New York, and, in accordance with the provisions of the Fair Labor Standards Act of 1938 and rules and regulations promulgated thereunder, shall proceed to investigate conditions in the industries and recommend to the Administrator minimum wage rates for all employees thereof who within the meaning of said Act are "engaged in commerce or in the production of goods for commerce," excepting employees exempted by virtue of the provisions of section 13 (a) and employees coming under the provisions of section 14.

Signed at New York, New York this 27th day of January 1943.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 43-1480; Filed, January 28, 1943;
1:04 p. m.]

BOARD OF ECONOMIC WARFARE.

WILL THOMAS COMPANY

ORDER DENYING LICENSING PRIVILEGES

Pursuant to Part 807 of the regulations adopted under section 6 of the Act of July 2, 1940 as amended, the Chief of the Trade Intelligence Division of the

Export Control Branch, Office of Exports, charged Will Thomas Company, Will Thomas, Partner, and Israel Torrico, Partner, hereinafter referred to as appellants, with violations of §§ 801.2 and 802.10 (a) of the regulations issued in part under the authority of said section in matters relating to export control and within the jurisdiction of the Board of Economic Warfare. The appellants filed a written answer to the charges above set out.

The Compliance Commissioner, duly designated under § 807.1 of the aforesaid regulations, reviewed the record and filed his findings of fact and recommendations in the matter. The Compliance Commissioner found and concluded that the appellants, Will Thomas Company, Will Thomas, partner, and Israel Torrico, partner, violated section 6 of the Act of July 2, 1940 and the Export Control regulations of the Board of Economic Warfare, by filling orders for ladies' nylon hose in excess of one dollar per pair and shipping the same in nine parcels, each of the approximate value of \$25.00, without the required individual license, between the dates of July 6, 1942, and July 14, 1942, to various consignees in La Paz, Bolivia, for the account of one party.

Upon consideration of the record, findings of fact and recommendations in the matter, the Chief of Office, Office of Exports, Board of Economic Warfare, denied all export license privileges to appellants and any person, association or organization acting on behalf of or for the account of them, until March 18, 1943.

Appellants were duly notified of said order and within ten days of said notice and pursuant to § 807.11 of the aforesaid regulations, duly filed a written appeal to the Assistant Director in charge of the Office of Exports. The undersigned, Assistant Director, has considered the record in this matter and has concluded that the facts and conclusions of the Compliance Commissioner are supported by the record. He has determined, however, that the disciplinary action ordered by the Chief of Office of the Office of Exports should be modified by limiting the suspension until the first day of February, 1943. *Now, therefore, it is determined and ordered, That:*

Will Thomas Company, Will Thomas, partner, and Israel Torrico, partner, and any person, association or organization acting on behalf of or for the account of them are denied the privilege of obtaining individual export license and the use of any general or unlimited license for any exportation from the United States until the first day of February, 1943.

(Sec. 6, 54 Stat. 714, Pub. Laws 75 and 638, 77th Cong.; Order No. 3, Delegation of Authority No. 25, 7 F.R. 4951)

HECTOR LAZO,
Assistant Director,
in Charge of Exports,
Office of Exports.

JANUARY 22, 1943.

[F. R. Doc. 43-1513; Filed, January 29, 1943;
10:45 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 6486]

WOKO, INCORPORATED

NOTICE OF HEARING

In re application of WOKO, Incorporated (WOKO). Dated September 28, 1942, for renewal of license (main and auxiliary). Class of service, broadcast; class of station, broadcast; location, Albany, New York; operating assignment specified: frequency, 1460 kc; power, 500 w night; 1 kw day; auxiliary, 500 w night and day; 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 reasons:

1. To determine whether the representations and statements made to the Commission or its predecessors, the Federal Radio Commission, by the licensee, its officers, directors, stockholders, or agents, with respect to the ownership or transfer of, subscription to, or consideration paid for the stock of WOKO, Inc., truly and accurately reflect the facts.

2. To determine all the circumstances and conditions under which the stock of WOKO, Inc., has been issued, transferred or assigned.

3. To determine whether or not the applicant is qualified to continue the operation of Station WOKO.

4. To determine whether, in view of the facts adduced under the foregoing issues, public interest, convenience and necessity would be served by a grant of this application.

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: WOKO, Incorporated, Radio Station WOKO, Radio Center, 8 Elk Street, Albany, New York.

Dated at Washington, D. C., January 26, 1943.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 43-1483; Filed, January 28, 1943; 2:39 p. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 592]

HUNGARIAN REFERENCE LIBRARY

Under the authority of the Trading with the Enemy Act, as amended, and No. 21—4

Executive Order No. 9095, as amended, and pursuant to law, the undersigned after investigation:

1. Finding that the Hungarian National Museum, an agency administered by the Ministry of Worship and Public Education of the Kingdom of Hungary, is a national of a designated enemy country (Hungary);

2. Finding, therefore, that all that certain library and office furniture and objects of art, and that certain collection of books, manuscripts and newspaper clippings known as the Feleky Collection (more commonly known as the Hungarian Reference Library) owned by the aforesaid Hungarian National Museum, are property within the United States owned or controlled by a national of a designated enemy country (Hungary);

3. Determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of the aforesaid designated enemy country (Hungary);

4. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

5. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 2 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on December 30, 1942.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-1505; Filed, January 29, 1943; 9:30 a. m.]

[Vesting Order 715]

CONTRACT RIGHTS OF EMIL PAULS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Emil Pauls, whose last known address is Magdeburg, Germany, is a national of a foreign country (Germany);

2. Finding that said Emil Pauls is the owner of the interest described in subparagraph 3 hereof;

3. Finding, therefore, that the property described as follows:

The interest of the aforesaid Emil Pauls in and to the contract by and between him and Ralph C. Buser, Jr., 1012 Stephen Girard Building, Philadelphia, Pennsylvania, whereby the said Emil Pauls acquired the right to receive 85% of the profits derived from the licence, sale or other exploitation of the United States Letters Patent Nos. 2,146,240 and 2,146,241,

is property payable or held with respect to patents or rights related thereto in which an interest is held by, and such property itself constitutes an interest held therein by, a national of a foreign country (Germany);

4. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

5. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 3, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on January 18, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-1506; Filed, January 29, 1943; 9:30 a. m.]

[Vesting Order 736]

ESTATE OF JOYCE SAMPSON BALLERINI

In re: Estate of Joyce Sampson Ballerini, deceased—File D-38-276; E. T. sec. 12.

Under the authority of the Trading with the Enemy Act as amended, and Executive Order 9095 as amended, and

pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by George A. Hopkins, Executor and Trustee of the estate of Joyce Sampson Ballerini, deceased, acting under the judicial supervision of the Surrogate's Court, New York County, New York.

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Italy, namely,

National:

Elisio Ballerini..... Italy.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind of character whatsoever of Elisio Ballerini in and to the estate of Joyce Sampson Ballerini, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: January 23, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-1523; Filed, January 29, 1943;
11:18 a. m.]

[Vesting Order 768]

ESTATE OF IRENE ANN COLLEONI

In re: Estate of Irene Ann Colleoni, deceased—File D-38-357; E. T. sec. 570.

Under the authority of the Trading with the Enemy Act as amended and Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by William H. Jeffers and Alfred L. Rose, trustees, acting under the judicial supervision of the Surrogate's Court, New York County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Italy, namely,

National:

Leone Colleoni..... Italy.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Italy; and

Having made all determinations and taken all action after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Leone Colleoni in and to the trust estate created under the Last Will and Testament of Irene Ann Colleoni, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: January 27, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-1524; Filed, January 29, 1943;
11:18 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 1-2640]

COMSTOCK TUNNEL AND DRAINAGE COMPANY

ORDER GRANTING APPLICATION TO WITHDRAW FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 25th day of January, A. D. 1943.

The Comstock Tunnel and Drainage Company pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to withdraw its common stock, \$1 par value, from listing and registration on the San Francisco Mining Exchange; and

After appropriate notice, a hearing having been held in this matter; and

The Commission having considered said application together with the evidence introduced at said hearing, and having due regard for the public interest and the protection of investors;

It is ordered, That said application be and the same is hereby granted, effective at the close of the trading session on February 4, 1943.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 43-1483; Filed, January 28, 1943;
2:39 p. m.]

[File No. 1-1730]

CHAPMAN'S ICE CREAM COMPANY

ORDER GRANTING APPLICATION TO WITHDRAW FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 25th day of January, A. D. 1943.

The Chapman's Ice Cream Company pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to withdraw its common stock, no par value, from listing and registration on the Los Angeles Stock Exchange; and

After appropriate notice, a hearing having been held in this matter; and

The Commission having considered said application together with the evidence introduced at said hearing, and having due regard for the public interest and the protection of investors;

It is ordered, That said application be and the same is hereby granted, effective at the close of the trading session on February 4, 1943.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 43-1481; Filed, January 28, 1943;
2:39 p. m.]