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Regulations

TITLE 7—AGRICULTURE

Chapter VII—Agricultural Adjustment Agency

[ACP—1943—Insular]

PART 702—INSULAR AGRICULTURAL CONSERVATION PROGRAM*

1943 INSULAR REGION BULLETIN

Payments and grants of aid will be made for participation in the 1943 Agricultural Conservation Program in Alaska, Hawaii, and Puerto Rico (hereinafter referred to as the 1943 program) in accordance with the provisions of this bulletin and such modifications thereof as may hereafter be made.

Sec.
702.401 Production practices.
702.402 Rice.
702.403 Tobacco.
702.404 Division of payments and deductions.
702.405 Increase in small payments.
702.406 Payments limited to $10,000.
702.407 Deductions incurred on other farms.
702.408 General provisions relating to payments.
702.409 Application for payment.
702.410 Appeals.
702.411 Definitions.
702.412 Authority, availability of funds, and applicability.

AUTHORITY: §§ 702.401 to 702.412, inclusive, issued under sections 7 to 17, as amended, 49 Stat. 1148, 1915; 50 Stat. 329; 52 Stat. 31, 204, 205; 53 Stat. 550, 573; 54 Stat. 216, 728; 55 Stat. 257, 860; 16 U. S. C. (1940 ed.) 590g–590q; 56 Stat. 761; E.O. 9322 as amended by E.O. 9334.

§ 702.401 *Production practices*—(a) *Allowance in connection with production practices.* The production practice allowance for a farm is the maximum amount of payment which will be made for carrying out on the farm the production practices specified in paragraphs (c) (d) and (e) of this section.

(1) This allowance for any farm will be the sum of the following: except, that payment for performance under Practice No. 1 in each area will not be affected by the limitations in this paragraph.

(i) $4.00 per acre, not in excess of 10 acres; and $1.00 per acre, in excess of 10 acres, of cropland in the farm in excess of the largest acreage devoted to sugarcane at any one time in 1943.

(ii) 40 cents per acre, not in excess of 1,000 acres, and 10 cents per acre, in excess of 1,000 acres, of pasture land included in the farm but not included in the cropland, or, in Hawaii, of range land (for which the Territory tax-assessment valuation is 50 cents or more per acre) included in the farm but not included in the cropland.

(b) *Payment in connection with production practices.* Payment will be made, within the limit of the production practice allowance established for the farm in accordance with paragraph (a) of this section, for carrying out in the calendar year 1943 any of the production practices listed in paragraphs (c) (d) and (e) at the rates specified, provided the practice is carried out by methods and with kinds of seeds, trees, and other materials that conform to good farming practice, and in accordance with the specifications listed herein and any additional specifications that may be issued by the regional director to assure that the practices will be performed in workmanlike manner and in accordance with good farming practices for the locality.

No payment will be made with respect to practices carried out with labor and materials (other than trees) furnished entirely by any Federal or Territorial agency or any agency of Puerto Rico. If a portion of the labor, seed or other materials (except trees) used in carrying out any practice is furnished by a Federal or Territorial agency or any agency of Puerto Rico and this portion represents one-half or more of the total cost of carrying out the practice, no payment will be made with respect to it; if this portion represents less than one-half of the total cost of carrying out the practice, payment will be made with respect to one-half of it: *Provided,* That labor, seed, trees, and materials furnished to the Territories of Alaska or Hawaii or to Puerto Rico, or a political subdivision or agency thereof, by any agency of either Territory or of

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*Subject matter assigned to Parts 702, 703, and 704 will hereafter be consolidated under Part 702.

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Puerto Rico, respectively, or furnished under the Agricultural Demonstration Project of the Works Project Administration, or furnished for use in carrying out Production Practice No. 1 for Puerto Rico, shall not be deemed to have been furnished by a "Federal or Territorial agency or any agency of Puerto Rico" within the meaning of this paragraph.

(c) *Schedule of production practices for Alaska.* (1) Planting food crops for human consumption of the types specified by the regional director: $5.00 per acre.

(2) Interplanting protective nondepleting cover crops with other crops: $2.00 per acre.

(3) Planting protective nondepleting cover crops in rotation with other crops: $3.00 per acre.

(4) Using protective nondepleting cover crops for green manuring: $4.00 per acre.

(5) Planting perennial varieties of protective nondepleting cover crops on properly prepared land for permanent pasture or for cutting green for livestock feed: $4.00 per acre.

(6) Strip-cropping land of 2 percent or more slope along lines deviating not more than 2 percent from contour lines with protective nondepleting cover crops or perennial varieties of crops which will prevent soil washing: $1.00 per acre.

(7) Seeding pasture land with good seed of adapted varieties of perennial grasses or legumes which do not require preparation of a seed bed: $0.20 per pound of seed sown.

(8) Applying crop residue on the surface of soil subject to serious wind erosion to promote the establishment of a permanent vegetative cover: $0.10 per cubic yard.

(9) Planting and cultivating land of 2 percent or more slope along lines deviating not more than 2 percent from contour lines.

(i) When the land is planted to truck crops: $2.00 per acre.

(ii) When the land is planted to other crops: $0.50 per acre.

(10) Listing land along lines deviating not more than 2 percent from contour lines for fallowing or for planting protective nondepleting cover crops: $0.50 per acre.

(11) Constructing permanent ditching on land of 6 percent or more average slope, with suitable outlets, for the diversion of surface water to prevent soil washing. No credit will be given for ditches of more than 4 percent slope nor for any temporary field ditching.

(i) When constructed on land where the topography, stoniness, or size of fields requires that the ditching be constructed entirely by hand labor: $0.80 per 100 linear feet.

(ii) When constructed on other land: $0.40 per 100 linear feet.

(12) Constructing a sufficient amount of continuous terrace to give adequate protection against erosion. No credit will be given for more than 500 feet of terrace per acre: $1.00 per 100 linear feet of terrace.

(13) Constructing and maintaining check dams in gullies: $0.10 per linear foot.

(14) Establishing a good stand of erosion-resistant perennial grasses in gullies: $0.02½ per 100 square feet.

(15) Applying ground limestone or its equivalent. No credit will be given for the application of more than 2 tons per acre: $6.00 per ton.

(16) Applying 48 percent superphosphate or 50 percent muriate of potash,

or both, or their equivalent, to, or in connection with the seeding of protective nondepleting cover crops. No credit will be given for the application of more than 200 pounds per acre: $2.25 per 100 pounds.

(17) Planting land entirely to forest trees or windbreak trees: $5.00 per acre.

(18) Planting forest trees on the sides or crests of gulches or on erosion scars: $0.02 per tree.

(d) *Schedule of production practices for Hawaii.* (1) Planting food crops for human consumption on at least 30 percent of the cropland on the farm (excluding sugarcane and orchards) with a minimum requirement of ¼ acre and a maximum requirement of 50 acres devoted to this practice once during 1943, *Provided,* That the food crops planted are of the types specified by the regional director: $5.00 per acre for the first 10 acres and $4.00 per acre for the next 40 acres (within 30 percent of the cropland) with a minimum of $5.00 and a maximum of $210.00. No credit will be given for farms having more than 500 acres of cropland.

(2) Interplanting protective nondepleting cover crops with other crops: $2.00 per acre.

(3) Planting protective nondepleting cover crops in rotation with other crops: $3.00 per acre.

(4) Using protective nondepleting cover crops for green manuring: $4.00 per acre.

(5) Planting perennial varieties of protective nondepleting cover crops on properly prepared land for permanent pasture or for cutting green for livestock feed: $4.00 per acre.

(6) Seeding depleted range land with good seed of adapted varieties of perennial grasses or legumes which do not require preparation of a seed bed.

(i) For Koa Haole (Lucaena glauca) seed: $0.10 per pound.

(ii) For other varieties of seed: $0.20 per pound.

(7) Planting slips or stools of adapted varieties of perennial grasses on depleted range land: $2.00 per acre.

(8) Applying crop residue on the surface of soil subject to serious wind erosion to promote the establishment of a permanent vegetative cover: $0.10 per cubic yard.

(9) Furrowing range land along lines deviating not more than 3 percent from contour lines, with furrows not less than 8 inches in width and 4 inches in depth: $0.05 per 100 linear feet. No credit will be given for more than 4,000 linear feet per acre.

(10) Clearing range land heavily infested with range-destroying plants: $5.00 per acre.

(11) Clearing range land lightly infested with range-destroying plants: $2.00 per acre.

(12) Mowing or employing other approved means to prevent the reinfestation of cleared range land. No credit will be given for mowing if the plants mowed are used for hay or sold for any purpose: $0.25 per acre for each operation within limits set by the State office.

(13) Removing all livestock from range land which was pastured in 1942 (including range land which was withheld from use in 1942 for the purpose of eradicating range-destroying plants) for a continuous period of more than four months, the months for which payment is made to be within the calendar year 1943. Credit will be given for not more than eight months and only under the following conditions:

(i) This practice shall not be applicable to more than 25 percent of the range land included in the farm;

(ii) On lands on which cattle or horses are grazed, the area to be kept free of grazing is fenced and the fence is maintained sufficiently to prevent the entry of livestock;

(iii) On lands used exclusively for grazing sheep, either the area to be kept free of grazing is fenced and the fence maintained sufficiently to prevent the entry of livestock or the entry of livestock is prevented by herding;

(iv) The remaining range land in the farm is not pastured to such extent as will decrease the stand of grass or injure the forage, tree growth, or watershed;

(v) This practice shall not be applicable to land which normally is used for other purposes during the period in which livestock are excluded: $0.10 per acre for each month, in excess of four, during which livestock are removed.

Developing Stock Water on Range Land

Payment will be made with respect to the following water-development practices number (14) (15) (16) and (17) *Provided,*

(i) Carrying out the practice results in supplying ample water, at points remote from the ranch headquarters, for the number of livestock using the adjoining range during the grazing season;

(ii) The purpose of the development is solely to bring about a distribution of stock on the range that will conserve and restore the vegetative cover thereof;

(iii) No part of the water impounded or supplied is used for irrigating purposes.

(14) Drilling or digging wells, provided a windmill or power pump is installed and the water is conveyed to a tank or storage reservoir. The drilling of an artesian well will qualify for payment provided adequate stock water is made available during the grazing season and the water is conveyed to a tank or trough.

(i) When well casing is four inches or more in diameter: $2.00 per linear foot of well depth.

(ii) When well casing is less than four inches: $1.00 per linear foot of well depth.

(15) Developing springs or seeps, provided the source is protected from trampling and the water is conveyed to a tank or storage reservoir.

(i) When material excavated is soil or gravel: $0.30 per cubic foot.

(ii) When material excavated is rock: $0.50 per cubic foot. The maximum payment for any single development shall be $100.00.

(16) Constructing permament watersheds of galvanized iron or other approved material for accumulating rainwater for range livestock, provided other methods of furnishing or accumulating water are not available and the water is conveyed to a tank or storage reservoir: $0.02½ per square foot of shed constructed.

(17) Constructing water storage tanks of redwood, steel, or other approved material on adequate foundations or constructing reservoirs lined with concrete or stone set in mortar: $0.50 per 100 gallons of capacity.

(18) Planting and cultivating land of 2 percent or more slope along lines deviating not more than 2 percent from contour lines. No credit will be given either on land under irrigation unless it is planted to truck crops or on land of more than 6 percent slope unless adequate ditching or terracing protection is provided in accord with specifications covering practices (19) (20) or (24).

(i) When the land is planted to truck crops: $2.00 per acre.

(ii) When the land is planted to other crops: $0.50 per acre.

(19) Protecting fallowed land with furrows averaging not more than 10 feet apart and not less than 8 inches in width and 4 inches in depth, deviating not more than 2 percent from contour lines, or, in areas subject to wind erosion, at approximately right angles to the direction of the prevailing winds. No credit will be given on land of 6 percent or more average slope unless it is protected from erosion by adequate ditching or terracing: $1.00 per acre.

(20) Constructing permanent ditching on land of 3 percent or more average slope, with suitable outlets, for the removal of surface runoff water to prevent soil washing. No credit will be given for ditches of more than 4 percent slope, unless protected by adequate vegetative cover.

(i) When constructed on land where the topography, stoniness, or size of fields requires that the ditching be constructed entirely by hand labor: $0.25 per cubic yard of water-carrying capacity.

(ii) When constructed on other land: $0.40 per 100 linear feet of ditching.

(21) Constructing temporary ditching on fields of 6 percent or less average slope, with suitable outlets, for the diversion of surface water to prevent soil washing. No credit will be given for ditches of more than four percent slope.

(i) When constructed on land where the topography, stoniness, or size of fields requires that the ditching be constructed entirely by hand labor: $0.04 per cubic yard of water-carrying capacity.

(ii) When constructed on other land: $0.05 per 100 linear feet of ditching.

(22) Lining ditches, carrying water on a grade of 2 percent or more. Credit will be given for irrigation ditches used only for irrigation of truck or forage crops; ditches constructed in accordance with the specifications of practice (20) and ditches for the discharge of water from systems of contour cultivation, ditching, or terracing.

(i) When the ditch surface is lined with concrete or stone set in mortar: $0.06 per square foot of ditch surface lined.

(ii) When the ditch surface is lined with plaster; or concrete, iron, or com-

position pipe is used: $0.03 per square foot of ditch surface lined or of the inside surface of pipe used, respectively.

(23) Establishing a protective sod lining in ditches used for removing excess water from systems of contour cultivation, ditching, or terracing: $0.25 per 100 square feet of ditch surface.

(24) Constructing a sufficient amount of continuous terrace to give adequate protection against erosion. No credit will be given for more than 500 feet of terrace per acre: $1.00 per one hundred linear feet of terrace.

(25) Constructing and maintaining check dams in gullies: $0.10 per linear foot.

(26) Establishing a good stand of erosion-resistant perennial grasses in gullies: $0.02½ per 100 square feet.

(27) Applying ground limestone or its equivalent. No credit will be given for the application of more than 2 tons per acre: $6.00 per ton.

(28) Applying 48 percent superphosphate or 50 percent muriate of potash, or both, or their equivalent, to, or in connection with the seeding of protective nondepleting cover crops. No credit will be given for the application of more than 200 pounds per acre: $2.25 per 100 pounds.

(29) Planting land entirely to forest trees or windbreak trees: $5.00 per acre.

(30) Planting forest trees on the sides or crests of gulches or on erosion scars or, if planted in sufficient numbers to insure a complete forest stand at maturity in areas having a partial, but inadequate stand of trees: $0.02 per tree.

(31) Planting shade trees in established coffee groves by planting seedling trees or cuttings: $0.10 per tree.

(32) Constructing and maintaining during 1943 individual terraces or catch pits among coffee trees: $0.04 per terrace or catch pit.

(33) Constructing and maintaining during 1943 individual terraces among fruit or nut trees: $0.08 per terrace.

(34) Applying coffee pulp around coffee trees. No credit will be given for the application of more than 5 tons per acre: $1.00 per ton (unfermented weight)

(e) *Schedule of production practices for Puerto Rico.* (Minimum performance under this practice is a prerequisite to any payment under the 1943 Agricultural Conservation Program for Puerto Rico.)

(1) Planting of food crops for human consumption on an acreage equal to 30 percent of the cropland on the farm (excluding sugarcane and orchards) with a minimum requirement of ¼ acre and a maximum requirement of 50 acres devoted to this practice during the calendar year of 1943: *Provided,* That the food crops planted are of the types specified by the regional director and are planted in the proportions specified by him.—$5.00 per acre for the first 10 acres and $4.00 per acre for the next 40 acres (within 30 percent of the cropland) with a minimum of $5.00 and maximum of $210.00. No credit will be given for farms having more than 500 acres of cropland; and no credit will be given for acreages planted to foodstuffs to meet the condition included in Sugar Determination No. 156.

§ 702.402 *Rice*—(a) *State allotment.* The State allotment of rice for Hawaii is 900 acres.

(b) *Farm allotments.* The State office shall establish rice acreage allotments in accordance with the provisions of this subsection and instructions issued by the Agricultural Adjustment Agency.

(1) A rice acreage allotment shall be determined for each producer who is participating in the production of rice in 1943 and who participated in the production of rice in one or more of the five years 1938 to 1942, inclusive, on the basis of his past production of rice adjusted to the available acreage adapted to the production of rice, taking into consideration crop-rotation practices, soil fertility and other physical factors affecting the production of rice, including the labor and equipment available to him for the production of rice.

(2) An acreage not to exceed 3 percent of the State rice acreage allotment shall be apportioned among producers who are participating in the production of rice in 1943 for the first time since 1937 on the basis of the applicable standards of apportionment set forth under subparagraph (1) of this paragraph (b) Except, that the rice acreage allotment to any producer who is participating in the production of rice in 1943 for the first time since 1937 shall not exceed 75 percent of the rice acreage allotment that would have been made to him had he participated in the production of rice in one or more of the five years 1938 to 1942, inclusive.

(3) The farm rice acreage allotment will be the sum of the allotments established for all producers participating in the production of rice on the farm. The sum of the farm allotments shall not exceed the State allotment.

(c) *Normal yield.* The State office shall determine for each farm participating in the 1943 program in the State a normal yield for rice in accordance with the provisions of this subsection and instructions issued by the Agricultural Adjustment Agency.

(1) Where reliable records of the actual yield of rice per acre for the five years 1938 to 1942, inclusive, are presented by the farmer or are available to the State office, the normal yield of rice for the farm shall be the average of these yields.

(2) If for any year of this five-year period records of the actual yield are not available or there was no actual yield because rice was not planted on the farm in that year, the State office shall ascertain from all the available facts, including the yield customarily made on the farm, weather conditions, type of soil, drainage, production practices, and general fertility of the land, the yield which was or could reasonably have been expected on the farm for that year, and the yield so determined shall be used as the actual yield for that year under subparagraph (1) of this paragraph (c)

(3) If the average of the normal yields for all farms participating in the 1943 program in the State (weighted by the rice acreage allotments therein) exceeds the average yield per acre for the State during the five years 1938 to 1942, inclusive, established by the Administrator, the normal yields for these farms, determined under subparagraphs (1) and (2) of this paragraph (c) shall be reduced pro rata so that the average of the normal yields shall not exceed the State average yield.

(d) *Payment in connection with rice acreage allotment.* Payments will be made at the rate of 2.0 cents per 100 pounds (rough rice) of the normal yield of the farm for each acre in the rice acreage allotment.

(e) *Deduction in connection with rice acreage allotment.* The payment computed for any farm under §§ 702.401 and 702.402 shall be subject to a deduction of ten times the payment rate for each acre by which the acreage of rice planted is less than its rice allotment, but not to exceed the maximum rice payment computed for the producer on that farm.

§ 702.403 *Tobacco*—(a) *State allotment.* The State allotment of tobacco for Puerto Rico will be established by the Administrator.

(b) *Farm allotments.* The State office shall establish tobacco acreage allotments in accordance with the provisions of this subsection and instructions issued by the Agricultural Adjustment Agency.

(1) A tobacco acreage allotment for the 1943–44 crop shall be determined for each farm for which a tobacco acreage allotment was, or could have been, established under the 1942 Agricultural Conservation Program on the basis of the tobacco acreage allotment which was, or could have been, established for the farm under the 1942 Agricultural Conservation Program, the land, labor, and equipment available for the production of tobacco, crop-rotation practices, and the soil and other physical factors affecting the production of tobacco.

(2) The tobacco acreage allotment for any farm on which tobacco is produced in the 1943–44 tobacco season for which no allotment can be established under subparagraph (1) of this paragraph (b) shall be determined on the basis of the land, labor, and equipment available for the production of tobacco, crop-rotation practices, and the soil and other physical factors affecting the production of tobacco.

(3) The sum of the farm acreage allotments shall not exceed the State allotment.

(c) *Normal yield.* The State office shall determine for each farm for which an acreage allotment is established under subsection (b) of this section a normal yield for tobacco in accordance with instructions issued by the Agricultural Adjustment Agency.

(1) If the average of the normal yields established for all farms (weighted by the tobacco acreage allotments therein) exceeds the adjusted average yield (farm weight) per acre for the State during the five crop years 1938–1939 to 1942–43, inclusive, the normal yields for these farms shall be reduced pro rata so that the average of the normal yields shall not exceed this figure. The adjusted average

yield will be established by the Administrator prior to the 1943–44 tobacco season.

(d) *Payment in connection with tobacco acreage allotment.* Payment will be made on the basis of the normal yield (farm weight) of the farm for each acre in the tobacco acreage allotment: *Provided,* That, where the tobacco acreage allotment for the farm has not been planted in full, no payment will be made unless an acreage equal to the tobacco acreage allotment or the unplanted part thereof (in addition to the minimum requirement under Practice No. 1) has been planted to one or more of the food crops specified by the regional director under § 702.401 (e) (1) (Minimum performance under Practice No. 1 for Puerto Rico is a prerequisite to any payment under the tobacco provision of the 1943 Agricultural Conservation Program for Puerto Rico.)

(e) *Deduction for excess tobacco acreage.* The payment computed for any farm under §§ 702.401 and 702.403 shall be subject to a deduction based on the normal yield (farm weight) of the farm for each acre planted to tobacco in excess of the tobacco acreage allotment established for the farm. The rate of deduction will be established by the Administrator prior to the beginning of the 1943–44 tobacco season.

§ 702.404 *Division of payments and deductions*—(a) *Payments in connection with production practices.* The amount of payment earned in connection with production practices carried out on the farm shall be made to the landlord, tenant, or sharecropper who carried out the production practices thereon. If more than one such person contributes to the carrying-out of production practices on the farm in 1943, the payment shall be divided in proportion to the contribution made by each person contributing to the practices carried out on the farm in 1943. All persons contributing to any practice carried out on a particular acreage shall be deemed to have contributed equally to the carrying out of that practice unless they establish to the satisfaction of the State office that their respective contributions thereto were not in equal proportion, in which event the participation shall be determined by the proportion which the State office finds each person contributed thereto. Contribution of land shall not be considered as contributing to the carrying out of a practice.

(b) *Payments and deductions in connection with rice and tobacco acreage allotments.* The net payment or net deduction computed for any farm with respect to the rice or tobacco acreage allotment shall be divided among the landlords, tenants, and sharecroppers in the same proportion (as indicated by their acreage shares expressed in terms of either acreages or percentages) that these persons are entitled at the time of harvest to share in the proceeds (other than a fixed commodity payment) of the rice crop grown on the farm in 1943 or the tobacco crop grown on the farm in the 1943–44 tobacco season: *Provided,* That, if rice is not grown on the farm in 1943 or tobacco is not grown on the farm in the 1943–44 tobacco season, the net payment or net deduction shall be divided among the landlords, tenants, and sharecroppers in the proportion that the State office determines that these persons would have shared in the proceeds of the rice or tobacco crop if the entire acreage in the rice or tobacco acreage allotment had been planted and harvested, for rice, in 1943, or, for tobacco, in the 1943–44 tobacco season: *Provided further* That, if because of crop failure the harvested acreage of tobacco is less than the planted acreage of the crop and the State office finds, in accordance with instructions issued by the Agricultural Adjustment Agency, that use of the harvested acreage as a basis for the division of the net payment or net deduction would result in a materially different division from that which would result from the use of the planted acreage, the net payment or net deduction shall be divided among the landlords, tenants, and sharecroppers in the proportion that the State office determines that these persons would have shared in the proceeds of the tobacco crop if the entire acreage planted to the crop in the 1943–44 tobacco season had been harvested: *Provided further* That in cases where landlords, tenants, or sharecroppers, after planting but prior to harvest, lose their interest in a rice or tobacco crop by reason of acquisition of title to or lease of the farm for use in connection with the national war effort, the net payment (less any compensation for the loss of payment) or the net deduction computed with respect to the crop shall be divided among such persons in the same proportion that the State office determines that such persons would have been entitled, as of the time of harvest, to share in the proceeds of the crop except for such acquisition of title or lease.

(c) *Proration of net deductions.* If the sum of the net payments computed for all persons on a farm exceeds the sum of the net deductions computed for all persons on the farm, the sum of the net deductions computed for all persons on the farm shall be prorated among the persons on the farm for whom a net payment is computed, on the basis of the computed net payments. If the sum of the net deductions computed for all persons on a farm equals or exceeds the sum of the net payments computed for all persons on the farm, no payment will be made with respect to this farm and the amount of the net deductions in excess of the net payments shall be prorated among the persons on the farm for whom a net deduction is computed, on the basis of the computed net deductions.

§ 702.405 *Increase in small payments.* The total payment computed under §§ 702.401 to 702.403, inclusive, for any person with respect to any farm shall be increased as follows:

(a) Any payment amounting to 71 cents or less shall be increased to $1.00;

(b) Any payment amounting to more than 71 cents but less than $1.00 shall be increased by forty percent;

(c) Any payment amounting to $1.00 or more shall be increased in accordance with the following schedule:

Amount of payment computed:	*Increase in payment*
$1.00 to $1.99	$0.40
$2.00 to $2.99	.80
$3.00 to $3.99	1.20
$4.00 to $4.99	1.60
$5.00 to $5.99	2.00
$6.00 to $6.99	2.40
$7.00 to $7.99	2.80
$8.00 to $8.99	3.20
$9.00 to $9.99	3.60
$10.00 to $10.99	4.00
$11.00 to $11.99	4.40
$12.00 to $12.99	4.80
$13.00 to $13.99	5.20
$14.00 to $14.99	5.60
$15.00 to $15.99	6.00
$16.00 to $16.99	6.40
$17.00 to $17.99	6.80
$18.00 to $18.99	7.20
$19.00 to $19.99	7.60
$20.00 to $20.99	8.00
$21.00 to $21.99	8.20
$22.00 to $22.99	8.40
$23.00 to $23.99	8.60
$24.00 to $24.99	8.80
$25.00 to $25.99	9.00
$26.00 to $26.99	9.20
$27.00 to $27.99	9.40
$28.00 to $28.99	9.60
$29.00 to $29.99	9.80
$30.00 to $30.99	10.00
$31.00 to $31.99	10.20
$32.00 to $32.99	10.40
$33.00 to $33.99	10.60
$34.00 to $34.99	10.80
$35.00 to $35.99	11.00
$36.00 to $36.99	11.20
$37.00 to $37.99	11.40
$38.00 to $38.99	11.60
$39.00 to $39.99	11.80
$40.00 to $40.99	12.00
$41.00 to $41.99	12.10
$42.00 to $42.99	12.20
$43.00 to $43.99	12.30
$44.00 to $44.99	12.40
$45.00 to $45.99	12.50
$46.00 to $46.99	12.60
$47.00 to $47.99	12.70
$48.00 to $48.99	12.80
$49.00 to $49.99	12.90
$50.00 to $50.99	13.00
$51.00 to $51.99	13.10
$52.00 to $52.99	13.20
$53.00 to $53.99	13.30
$54.00 to $54.99	13.40
$55.00 to $55.99	13.50
$56.00 to $56.99	13.60
$57.00 to $57.99	13.70
$58.00 to $58.99	13.80
$59.00 to $59.99	13.90
$60.00 to $185.99	14.00
$186.00 to $199.99	(1)
$200.00 and over	(2)

[1] Increase to $200.00.
[2] No increase.

§ 702.406 *Payments limited to $10,000.* The total of all payments made in connection with programs for 1943 under section 8 of the Soil Conservation and Domestic Allotment Act to any individual, partnership, or estate with respect to farms, ranching units, and turpentine places located within a single State, Territory, or possession, shall not exceed the sum of $10,000. The total of all payments made in connection with such program to any person other than an individual, partnership, or estate with respect to farms, ranching units, and turpentine places in the United States (including Alaska, Hawaii, and Puerto Rico) shall not exceed the sum of $10,000.

All or any part of any payment which has been or otherwise would be made to any person under the 1943 program may

be withheld or required to be returned if he has adopted or participated in adopting any scheme or device, including the dissolution, reorganization, revival, or formation of any corporation, partnership, estate, trust, or any other means, which was designed to evade, or would have the effect of evading, the provisions of this section.

§ 702.407 *Deductions incurred on other farms.* If the deductions computed under §§ 702.402 and 702.403 with respect to any farm exceed the payment computed under §§ 702.401, 702.402, and 702.403 for full performance on the farm, a landlord's or tenant's share of the amount by which the deduction exceeds the payment shall be deducted from the payments which would otherwise be made to him with respect to any other farms in Hawaii or Puerto Rico (considering only farms located in the same one of these areas) if the State office concerned finds that the crops grown and practices adopted on the farm or farms with respect to which the deductions are computed substantially offset the contribution to the program made on the other farms.

§ 702.408 *General provisions relating to payments*—(a) *Payment restricted to effectuation of purposes of the program.* All or any part of any payment which is made or otherwise would be made to any person under the 1943 program may be withheld or required to be returned (1) if he adopts or had adopted any practice which tends to defeat any of the purposes of the 1943 or previous agricultural conservation programs, (2) if, by means of any corporation, partnership, estate, trust, or any other device, or in any manner whatsoever, he has offset, or has participated in offsetting, in whole or in part, the performance for which the payment is otherwise authorized, or (3) if, with respect to grazing land, forest land, or woodland owned or controlled by him, he adopts or has adopted any practice which the regional director finds is contrary to sound conservation practices.

Payments other than payments in connection with production practices will be made only with respect to farms which are being operated in 1943.

(b) *Payment computed and made without regard to claims.* Any payment or share of payment shall be computed and made without regard to questions of title under Territorial law, or the laws of Puerto Rico, without deduction of claims for advances (except as provided in paragraph (d) of this § 702.408 and for indebtedness to the United States subject to setoff under orders issued by the Administrator) and without regard to any claim or lien against any crop, or proceeds thereof, in favor of the owner or any other creditor.

(c) *Changes in leasing and cropping agreements, reduction in number of tenants, and other devices.* If on any farm in 1943 any change of the arrangements which existed on the farm in 1942 is made between the landlord or operator and the tenants or sharecroppers and this change would cause a greater proportion of the payments to be made to the landlord or operator under the 1943 program than would have been made to him for performance on the farm under the 1942 program, payments to the landlord or operator under the 1943 program with respect to the farm shall not be greater than the amount that would have been paid to him if the arrangements which existed on the farm in 1942 had been continued in 1943, unless the State office certifies that the change is justified and approves it.

If on any farm the number of sharecroppers or share tenants in 1943 is less than the average number on the farm during the years 1940 to 1942, inclusive, and the reduction would increase the payments that would otherwise be made to the landlord or operator, payments to the landlord or operator shall not be greater than the amount that would otherwise be made, unless the State office certifies that the reduction is justified and approves it.

If the State office finds that any person who files an application for payment pursuant to the provisions of the 1943 program has employed any other scheme or device (including coercion, fraud, or misrepresentation) the effect of which would be or has been to deprive any other person of any payment under any agricultural conservation program to which the latter would normally be entitled, the Administrator may withhold in whole or in part, from the person participating in or employing such a scheme or device, or require him to refund, in whole or in part, the amount of any payment which has been or would otherwise be made to him in connection with the 1943 program.

(d) *Assignments.* Any person who may be entitled to any payment in connection with the 1943 program may assign his interest in the payment, in whole or in part, as security for cash loaned or advances made for the purpose of financing the making of a crop in 1943. No assignment of this kind will be recognized unless it is made in writing on Form ACP-69 in accordance with the instructions (ACP-70-Revised) issued by the Agricultural Adjustment Agency and unless such assignment is entitled to priority as determined under the instructions governing the recording of such assignments issued by the Agricultural Adjustment Agency.

Nothing contained in this paragraph (d) shall be construed to give an assignee a right to any payment other than that to which the farmer is entitled nor shall the Administrator or any disbursing agent be subject to any suit or liability if payment is made to the farmer without regard to the existence of an assignment.

(e) *Deductions in case of erroneous notice of acreage allotment.* Notwithstanding the deduction provisions of §§ 702.403 and 702.404, in any case where, through error in a State office, the producer was officially notified of an allotment for a commodity larger than the finally approved allotment for that commodity and the State office involved finds that the producer, acting upon information contained in the erroneous notice, planted an acreage to the commodity in excess of the finally approved allotment, the producer will not be considered to have exceeded the allotment for such commodity unless he planted an acreage to the commodity in excess of the acreage stated in the notice erroneously issued, and the deduction for excess acreage will be made only with respect to the acreage in excess of that stated in the notice erroneously issued.

§ 702.409 *Application for payment*—(a) *Persons eligible to file applications.* An application for payment with respect to a farm may be made by any person for whom, under the provisions of § 702.404, a share in the payment with respect to the farm may be computed and (1) who at the time of harvest is entitled to the whole of or a share in any of the crops grown, or its proceeds, or livestock produced on the farm under a lease or operating agreement or as owner-operator, or (2) who is owner or operator of the farm and participates thereon in 1943 in carrying out approved production practices.

(b) *Time and manner of filing application and information required.* Payment will be made only upon application submitted through the respective State offices on or before March 31, 1944, except that the timely filing of an application by one person on a farm shall constitute a timely filing on behalf of all persons on that farm. Payment may be withheld from any person who fails to file any form or furnish any information required with respect to any farm which he is operating or renting to another person for a share of the crops grown thereon or for cash or standing rent. Any application for payment may be rejected if any form or information required is not submitted to the State office within the time fixed by the regional director. At least two weeks' notice to the public shall be given of the expiration of a time limit for filing prescribed forms or required information, any time limit to be such as affords a full and fair opportunity to those eligible to file the form or information within the period prescribed. Notice shall be given by mailing it to the office of each county agricultural extension agent and making copies of it available to the press.

(c) *Application for other farms.* If a person has the right to receive all or a portion of the crops, or proceeds therefrom, produced on more than one farm in Alaska, Hawaii, or Puerto Rico (considering only farms located in one of these areas) and makes application for payment with respect to one of these farms, he must make application for payment with respect to all these farms which he operates or rents to other persons and on which rice is planted in 1943 or tobacco is planted in the 1943-44 tobacco season and a deduction is computed.

(d) All calculations involving land area in Puerto Rico will be made on the basis that one cuerda equals 0.97 acre.

§ 702.410 *Appeals.* Any person may, within fifteen days after notice thereof is forwarded to or made available to him, request the State office in writing to reconsider its recommendation or determination with respect to any of the

following matters affecting any farm in which he has an interest: (a) eligibility to file an application for payment; (b) acreage allotment or normal yield of rice or tobacco; measurement; or production practice allowance; (c) the division of payment; or (d) any other matter affecting the right to or the amount of his payment with respect to the farm. The State office shall notify him of its decision in writing within fifteen days after receipt of a written request for reconsideration. If he is dissatisfied with the decision of the State office, he may within fifteen days after the decision is forwarded to or made available to him, request the regional director to review the decision of the State office.

§ 702.411 *Definitions.* For the purposes of the 1943 program, unless the context otherwise requires;

"Administrator" means the War Food Administrator.

"Regional Director" means the director of the division of the Agricultural Adjustment Agency in charge of the agricultural conservation program in the Insular Region.

"Insular Region" means the area included in the territory of Alaska, the territory of Hawaii, and Puerto Rico.

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

"Person" means an individual, partnership, association, corporation, trust, or estate, and, wherever applicable, a State, Territory, or possession, or a political subdivision or agency thereof.

"Landlord or owner" means a person who owns land and either rents it to another person or operates it himself.

"Operator" means a person who controls land through lease or other arrangement and operates it on and for his own account.

"Sharecropper" means a person who works a farm in whole or in part under the general supervision of the operator and is entitled to receive for his labor a share of a crop produced thereon or the proceeds thereof.

"Tenant" means a person other than a sharecropper who rents land from another person (for cash, a fixed commodity payment or a share of the proceeds of the crops) and is entitled under a written or oral lease or agreement to receive all or a share of the proceeds of the crops produced thereon.

"Farm" means all tracts of cropland, pasture land, and other farm land in Alaska, Hawaii or Puerto Rico (considering tracts located in only one of these areas) operated by one or more persons in 1943 as a single farming unit, with cropping practices, work stock, farm machinery, management, and labor substantially separate from that for any other such unit, and including any other land which serves as a watershed for the supply of water for the farm and on which any applicable production practice is performed.

"Cropland" means farm land which is tilled annually or in a regular rotation or is devoted to bearing or non-bearing orchards other than abandoned orchards.

"Orchards" means the acreage in planted fruit trees, nut trees, coffee trees, banana plants, or vineyards.

"Pasture land" means farm land on which the predominant growth is forage suitable for grazing and on which the number and spacing of any trees or shrubs is such that the land could not fairly be considered as woodland.

"Range land" means any land which produces or can produce forage suitable for grazing by range livestock without cultivation or general irrigation.

"Tobacco season" means the period beginning on September 1 of one calendar year and ending on March 31 of the succeeding calendar year.

"Protective nondepleting cover crops" means any of the following: all grasses, field peas, cow peas, pigeon peas, soy beans, velvet beans, sword beans, crotalaria, alfalfa, vetch, clover, lespedeza, lupines, koa haole (Lucaena glauca)

§ 702.412 *Authority, availability of funds and applicability*—(a) *Authority.* This program is approved pursuant to the authority vested in the War Food Administrator under sections 7 to 17, inclusive, of the Soil Conservation and Domestic Allotment Act (49 Stat. 1148, 16 U.S.C. 1940 ed. 590g to 590q) as amended, and E.O. 9322 as amended by E.O. 9334. In connection with the effectuation of the purposes of section 7 (a) of said Act for 1943, the payments provided for herein will be made for participation in the 1943 program.

(b) *Availability of funds.* The provisions of the 1943 program are necessarily subject to all legislation affecting the program as the Congress of the United States may hereafter enact; the making of the payments herein provided are contingent upon whatever appropriation the Congress may hereafter provide for the purpose; and the amounts of payments will necessarily be within the limits finally determined by the appropriation, its apportionment under the provisions of the Soil Conservation and Domestic Allotment Act, as amended, and the extent of national participation. As an adjustment for participation, the rates of payment and deduction with respect to any commodity or item of payment may be increased or decreased from the rates set forth herein by as much as 10 percent.

(c) *Applicability.* The provisions of the 1943 program contained herein, except where the context otherwise indicates, are applicable only to the Territories of Alaska and Hawaii and to Puerto Rico. They do not apply to any department or bureau of the United States Government or any corporation wholly owned by the United States, or to lands owned by the United States which were acquired or reserved for conservation purposes or which are to be retained permanently under Government ownership.

The program is applicable to land owned by corporations which are only partly owned by the United States, such as Federal Land Banks and Production Credit Associations.

The program is also applicable to land owned by the United States or by corporations wholly owned by the United States which is farmed by private persons if such land is to be temporarily under such Government or corporation ownership and was not acquired or reserved for conservation purposes. Such land shall include only that administered by the Farm Security Administration, the Reconstruction Finance Corporation, the Home Owners' Loan Corporation; or the Federal Farm Mortgage Corporation, unless the Agricultural Adjustment Agency finds that land administered by other agencies complies with all of the foregoing provisions for eligibility.

Issued at Washington, D. C., this 19th day of July 1943.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 43-11672; Filed, July 20, 1943; 11:34 a. m.]

Chapter XI—War Food Administration

[FDO 55, Amdt. 1]

PART 1405—FRUITS AND VEGETABLES

CALIFORNIA PLUMS

Food Distribution Order No. 55, § 1405.7, issued by the War Food Administrator on June 7, 1943 (8 F.R. 7626) is amended as follows:

1. By deleting from (a) (3) thereof the words "in the current of interstate or foreign commerce, or so as directly to burden, obstruct, or affect such commerce" and inserting in lieu thereof the words "from a point within the State of California to a point outside said State."

2. By inserting in (b) (2), immediately following the words "Branch Office, War Food Administration, 331 Federal Building, P. O. Box 230, Sacramento, California," the words "or to the program manager at such place as he shall designate and of which he shall give public notice."

3. By relettering paragraphs (c) (d) (e) (f) (g) (h) and (i) of said section as paragraphs (d) (e) (f) (g) (h) (i) and (j) respectively.

4. By inserting as paragraph (c) of said section the following:

(c) *Administration.* (1) The Director shall designate a person to act as "program manager" under this order, and shall fix the amount of his salary. Insofar as he performs functions for the United States, the program manager will act under his appointment as collaborator without compensation from the United States, which appointment will be otherwise provided. The program manager shall be subject to removal by the Director at any time, and all his acts shall be subject to the continuing right of the Director to disapprove of the same at any time. Upon such disapproval, his acts shall be deemed null and void except insofar as any other person has acted in reliance thereon or in compliance therewith prior to such disapproval. The program manager is authorized and directed to:

(i) Receive and examine the inspection certificates; compile records of shipments; assemble data with respect to the growing, shipping, and marketing conditions affecting plums; and furnish to the Director such available information as may be requested.

(ii) Keep books and records which will clearly reflect all of his acts and transactions, which books and records shall be subject at any time to examination by the Director.

(iii) Collect the assessments as provided in this order from those persons required by the order to pay such assessments.

(iv) Deliver to the Director promptly after his designation a bond, in an amount and with surety thereon satisfactory to the Director, conditioned upon the faithful performance of his duties under this order.

(v) Employ and fix the compensation of such persons as may be necessary to enable him to perform his duties hereunder.

(vi) Obtain a bond with reasonable surety thereon covering each employe of his office who handles funds under the order.

(vii) Investigate and report to the Director any violation of this order.

(viii) Submit to the Director for approval a budget of expenses hereunder of the program manager and the Advisory Committee.

(ix) Pay out of the funds collected by him as program manager the cost of his bond and of the bonds of his employees, his own compensation and that of his employees, the per diem allowance and traveling expenses of the Advisory Committee, and all other expenses necessarily incurred by him in the performance of his duties hereunder.

(x) Cause his books of account to be audited whenever requested by, and submit a copy of such audit to, the Director.

(2) The Director shall designate seven persons to act on an "Advisory Committee" and an alternate member for each of the members. Any such alternate shall act only in event that the member for whom he is alternate is unable to act. The program manager shall be an additional member ex officio and shall act as chairman of the Advisory Committee. Each member of the committee shall be subject to removal by the Director at any time. The Advisory Committee shall meet at the call of the chairman, or at the call of any four members thereof. The Committee members shall be paid their actual traveling expenses, and each member, except the Program Manager, shall be paid $5.00 for each day of attendance at a committee meeting. The Advisory Committee shall counsel with the program manager, and shall recommend to the Director such amendments to this order and such changes in the operation thereof as it deems advisable.

(3) Each person who ships plums shall pay to the program manager on demand made by the program manager from time to time the sum of one cent for each hundredweight of plums shipped by such person after May 1, 1943. Any money so collected and remaining in the possession of the program manager upon the termination of this order shall be distributed in such manner as the Director may order.

This amendment shall become effective the 21st day of July 1943.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F. R. 3807; E.O. 9334, 8 F.R. 5423)

Issued this 19th day of July 1943.

MARVIN JONES,
War Food Administrator

[F. R. Doc. 43-11673; Filed, July 20, 1943; 11:34 a. m.]

[Suspension Order Docket No. FDA-NE-11]

PART 1590—SUSPENSION ORDERS

OLYMPIC CONFECTIONERY

Gust Psychos, an individual doing business as Olympic Confectionery, 103 North Main Street, Coudersport, Pennsylvania (hereinafter referred to as "respondent") was duly served with a statement of charges and procedure, in which it was alleged that respondent had violated Food Distribution Order 13 (8 F.R. 2530) issued by the Secretary of Agriculture on February 2, 1943, and made effective by him on February 3, 1943, by selling and delivering cream, the milk fat content of which was in excess of 19 per cent. The respondent, in a letter which has been considered as his answer, admitted the commission of the violations alleged in the statement of charges and stated that he did not wish to be heard thereon. The respondent and his employee also executed sworn statements admitting the sales and deliveries of cream in violation of Food Distribution Order 13, as alleged in the statement of charges. Sworn statements executed by a special agent of the Compliance Branch, Food Distribution Administration, War Food Administration, and another investigator corroborate the admissions of the respondent and his employee. An analysis by a commercial testing laboratory of the cream involved in this matter revealed that the milk fat content thereof was 41 per cent.

Upon the basis of these sworn statements, the analysis, and the admissions contained in the answer, the War Food Administrator, acting under authority conferred upon him by Executive Order No. 9334 (8 F.R. 5423) hereby determines, that:

(a) Respondent is a producer as that term is defined in Food Distribution Order 13, doing business as Olympic Confectionery, at 103 North Main Street, Coudersport, Pennsylvania.

(b) Respondent sold and delivered cream, on or about May 2, 1943, at his place of business, known as Olympic Confectionery, 103 North Main Street, Coudersport, Pennsylvania, the milk fat content of which was 41 per cent, in violation of said Food Distribution Order 13, which provides that no producer may deliver cream having a milk fat content in excess of 19 per cent.

Because of the great scarcity of dairy products, including cream, in the normal channels of distribution for the fulfillment of the requirements of the United States for defense, for private account, and for export, and because of the importance of having dairy products, including cream, distributed in a manner to assure an adequate supply and efficient distribution thereof for war and essential civilian needs, the aforesaid violation by the respondent has impeded the war effort and has, therefore, been contrary to public interest. It also appears that further violations by the respondent are likely unless appropriate action is taken.

It is therefore ordered, That:

§ 1590.2 *Suspension order against Gust Psychos, an individual doing business as Olympic Confectionery.* (a) The respondent, his agents, successors, or assigns shall not, in any manner, either directly or indirectly, (1) deliver cream to any person; or (2) accept delivery of cream from any person.

(b) No person shall, in any manner, directly or indirectly, deliver cream to the respondent, his agents, successors, or assigns.

(c) Nothing contained in this order shall be deemed to relieve the respondent, his agent, successors, or assigns from any restriction, prohibition or provision contained in any order or regulation of the War Food Administrator, except insofar as the same may be inconsistent with the provisions hereof.

(d) The term "person" as used in this order, means any individual, partnership, association, business trust, corporation, or any organized group of persons whether incorporated or not.

(e) Any terms used in this order which are defined in Food Distribution Order 13 (8 F.R. 2530) issued by the Secretary of Agriculture on February 2, 1943, and made effective by him on February 3, 1943, shall have the meaning therein given to them, unless otherwise distinctly expressed or manifestly incompatible with the intent thereof.

(f) This order shall become effective 12:01 a. m., e. w. t., July 29 1943, and, unless sooner terminated, shall expire 11:59 p. m., e. w. t., August 27, 1943.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423)

Issued this 19th day of July 1943.

MARVIN JONES,
War Food Administrator

[F. R. Doc. 43-11674; Filed, July 20, 1943; 11:34 a. m.]

TITLE 10—ARMY WAR DEPARTMENT

Chapter VII—Personnel

PART 77—MEDICAL AND DENTAL ATTENDANCE

INDIVIDUAL SURGICAL AND ORTHOPEDIC APPLIANCES

Paragraph (g) of § 77.3 is rescinded, the regulations contained therein having been superseded in amendment of Army Regulation 40-505.

§ 77.3 *Civilian medical attendance for military patients at public expense.* * * *

(g) *Individual surgical and orthopedic appliances.* [Rescinded]

(R.S. 161; 5 U.S.C. 22) [Par. 3*h*, AR 40-505, 1 September 1942, as amended by C4, 3 July 1943]

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

[F. R. Doc. 43-11645; Filed, July 20, 1943; 9:47 a. m.]

TITLE 28—JUDICIAL ADMINISTRATION

Chapter I—Department of Justice

[Order 3695, Supp. 3]

PART 5—ADMINISTRATION OF FOREIGN AGENTS REGISTRATION ACT

EXEMPTION OF CERTAIN NEWS SERVICES, RADIO SERVICES, ETC.

JULY 17, 1943.

Pursuant to the authority vested in me by the Foreign Agents Registration Act of 1938, as amended (Public Law 532, 77th Congress, 2d Session) paragraph (b) of Rule 303 (§ 5.303 (b)) of the rules and regulations prescribed on June 23, 1942 (7 F.R. 4717) to carry out the provisions of said Act is amended to read as follows:

(b) Any person who is an agent of a news service, radio news service, photo news service, or press service or association, organized under the laws of or having its principal place of business in a foreign country, or who is an agent of a newspaper, magazine, periodical or other publication published by a foreign principal, shall be regarded as exempt under the provisions of section 3 (d) with respect to his activities as such agent if, and so long as, his "political activity" as defined in § 5.100, is confined to:

(1) Gathering and reporting information which is reasonably adapted to being, and which he intends to be, used by his principal purely for news purposes, and not for the purpose of disseminating political propaganda;

(2) Broadcasting or writing for publication within the United States, concerning which the Foreign Agent Registration Section has previously been notified in writing, or the making of extemporaneous oral communications, which broadcasts, writings, or communications are not intended for the purpose of disseminating political propaganda;

Provided, however That such agent shall not be regarded as exempt under the provisions of section 3 (d) if:

(i) Any of the activities of the agent are performed for or directed by any foreign government or foreign political party·

(ii) The foreign principal is owned or subsidized, in whole or in part, by, or any of its activities are directed by, any foreign government or foreign political party·

(iii) The foreign principal is any such service or association organized under the laws of, or having its principal place of business in, or any such publication printed in, any foreign country with which the United States is at war, or any foreign country allied with, or occupied or dominated by, any such country; or

(iv) The agent engages in any activity set out in paragraph (a) (8) (iv) or (viii) of § 5.100.

FRANCIS BIDDLE,
Attorney General.

[F. R. Doc. 43-11612; Filed, July 19, 1943; 1:46 p. m.]

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

PART 321—MINIMUM PRICE SCHEDULE, DISTRICT NO. 1

[Docket No. A-2059]

ORDER GRANTING RELIEF

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 1 for the establishment of price classifications and minimum prices for the coals of certain mines; for the changing of shipping points of certain other mines.

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

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

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

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

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

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the rules and regulations governing practice and procedure before the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

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

Dated: July 6, 1943.

[SEAL] DAN H. WHEELER,
Director.

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

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

FOR ALL SHIPMENTS EXCEPT TRUCK

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

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

Mine index No.	Code member	Mine name	Sub-district No.	Seam	Shipping point	Railroad	Freight origin group No.	1	2	3	4	5
2741	Brady, George	Summit #3	12	E	Juneau, Pa.[2]	B&O						
					Glen Campbell, Pa.	PRR	[3]63	(†)	(†)	G	G	G
4031	Coal River Collieries, Inc.	Bluetown #1	4	E	Hawthorn, Pa.	PRR	75	(†)	(†)	G	(†)	(†)
4032	Coal River Collieries, Inc.	Bluetown #2	4	D	Hawthorn, Pa.	PRR	75	(†)	(†)	G	(†)	(†)
3401	Etherson, T. J.	Etherson	6	E	Juneau, Pa.[2]	B&O						
					Glen Campbell, Pa.	PRR	[3]63	(†)	(†)	F	(†)	(†)
3034	Kerr, James R.	J. R. Kerr #1	12	C'	Glen Campbell, Pa.	PRR	50	(†)	(†)	G	(†)	(†)
4035	Kerr, James R.	J. R. Kerr #2	12	D	Glen Campbell, Pa.	PRR	50	(†)	(†)	G	(†)	(†)
3503	Lamkie Brothers (W. H. Lamkie)[1]	Lamkie #9[1]	12	E	Glen Campbell, Pa.[2]	PRR	[3]50	G	G	G	G	G
4001	Neff, Edward	Neff	32	B	Fourtwell, Pa.	B&O	100	(†)	(†)	E	(†)	(†)
3057	Skonier Brothers (A. J. Skonier)	Charles P. Miles	18	D	Irvona, Pa.	PRR	50	(†)	(†)	F	(†)	(†)
4051	Stefanko, John E., Jr.	Stefanko	34	A'	Dunlo, Pa.	PRR	43	(†)	(†)	F	(†)	(†)
4040	Stoker Coal Company, The (John R. Torquato)	Stoker Coal Co. No. 1	34	A'	Dunlo, Pa.	PRR	43	(†)	(†)	F	(†)	(†)
2609	Sunderland & Pearce (M. T. Pearce)	Sun	12	D	Juneau, Pa.[2]	B&O						
					Glen Campbell, Pa.	PRR	[3]63	G	G	G	G	G
3877	Thompson, Orin S.	Deer Creek #1	8	B	Blaker, Pa.	PRR	45	(†)	(†)	D	(†)	(†)
4033	Tomer, Raymond V.	Tomer No. 1	16	D	Dixonville, Pa.	CT&D	50	(†)	(†)	F	(†)	(†)

[1] Indicates change in name.
[2] Indicates change in shipping point.
[3] Indicates change in F. O. G.
†Indicates no classifications effective for these size groups.

NOTE.—The above prices are applicable only via the respective freight origin groups, shipping points and railroads shown for the respective mines. Freight origin groups, shipping points and railroads previously assigned to these mines are no longer applicable.

FOR TRUCK SHIPMENTS

§ 321.24 *General prices*—Supplement T

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

Code member index	Mine index No.	Mine	Sub-district No.	County	Seam	All lump coal double screened top size 2" and over	Double screened top size 2" and under	Run of mine modified R/M	2" and under slack	¾" and under slack
						1	2	3	4	5
Coal River Collieries, Inc	4031	Bluetown #1	4	Clarion	E	260	235	235	220	210
Coal River Collieries, Inc	4032	Bluetown #2	4	Clarion	D	260	235	235	220	210
Houston & Dunmeyer Coal Co., (Eddie Houston).	4022	Houston & Dunmeyer	41	Somerset	Pittsburgh	(†)	(†)	240	(†)	(†)
Kerr, James R	4035	J. R. Kerr #2	12	Indiana	D	(†)	(†)	235	(†)	(†)
Kunkle, Roy & Floyd (Roy Kunkle)	4037	Kunkle	15	Indiana	D	(†)	(†)	240	(†)	(†)
Lamkie Brothers (W. H. Lamkie) [1]	3503	Lamkie #9 [1]	12	Indiana	E	(†)	(†)	235	(†)	(†)
Stefanko, John E., Jr	4051	Stefanko	34	Cambria	A'	(†)	(†)	240	(†)	(†)
Stoker Coal Company, The (John R. Torquato).	4040	Stoker Coal Co. No. 1	34	Cambria	A'	(†)	(†)	240	(†)	(†)
Tomer, Raymond V	4033	Tomer No. 1	15	Indiana	D	(†)	(†)	240	(†)	(†)

†Indicates no prices effective for these size groups.
[1] Indicates change in name.

[F. R. Doc. 43-11572; Filed, July 19, 1943; 10:27 a. m.]

[Docket No. A-1548, Part II]

PART 333—MINIMUM PRICE SCHEDULE, DISTRICT NO. 13

MEMORANDUM OPINION AND ORDER OF DIRECTOR

Memorandum opinion and order of the Director in the matter of the petition of District Board No. 13 for the establishment of price classifications and minimum prices for the coals of the Carr No. 2 Mine (Mine Index No. 1273) of W. C. Carr, and for the coals of the Tennessee Valley Mine (Mine Index No. 276) of R. D. Campbell for all shipments except truck.

This proceeding was instituted upon a petition[1] filed with the Bituminous Coal Division on July 22, 1942, by District Board 13, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, requesting the establishment of price classifications and minimum prices for the coals of certain mines in District No. 13 for which classifications and effective minimum prices have not previously been established. The petition herein proposes the establishment of price classifications and minimum prices for the coals of the Carr No. 2 Mine (Mine Index No. 1273) of W C. Carr,[2] and the Tennessee Valley Mine (Mine Index No. 276), of R. D. Campbell, for all shipments except truck.

Pursuant to appropriate order, and after notice to interested persons, a hearing in this matter was held on September 29, 1942, before Travis Williams, a duly designated Examiner of the Division, at a hearing room thereof in Washington, D. C. Interested persons were afforded an opportunity to be present, adduce evidence, cross-examine witnesses, and otherwise be heard. District Board 13 appeared. The parties waived the preparation and filing of a Report by the Examiner and the record was thereupon submitted to me for consideration.

The Carr No. 2 Mine[3] is a small mine recently opened, producing approximately 50 tons daily, and operating in the Wadsworth Seam in St. Clair County, Alabama. Its coal moves to the southeastern market areas of central Tennessee, north Alabama and northwest Georgia. According to N. E. Cross, Secretary of District Board 13, and the only witness at the hearing, there are no other mines in St. Clair County operating in the Wadsworth Seam which ship by rail. There are, however, certain mines in Shelby County operating in the Wadsworth Seam, which ship by rail, and the price classifications and minimum prices proposed for the Carr No. 2 Mine are the same as those previously established for the Shelby County mines operating in the Wadsworth Seam. The record further discloses that the Wadsworth Seam in St. Clair County is approximately of the same quality as the Wadsworth Seam in Shelby County.[5] The witness maintained that the differential between truck and rail prices in Size Groups 13 and 23 as proposed for the Carr No. 2 Mine is the same as that heretofore established for the Shelby County mines, operating in the Wadsworth Seam. Finally, the witness testified that the Carr No. 2 Mine is located about six miles from Odenville, the Odenville, the proposed shipping point, which was established as the point of origin by the Interstate Commerce Commission,[6] and that the prices proposed for railroad locomotive fuel were the same as those established for the Brookston Mine (Mine Index No. 55) in St. Clair County, which is the only other mine connected with the Seaboard railroad.[7]

The uncontroverted evidence establishes that the coals of the Carr No. 2 Mine of St. Clair County are of similar quality and analytical content, move to similar market areas, and enjoy similar market acceptability as do the coals of the Shelby County mines operating in the Wadsworth Seam referred to above. I find, therefore, that the price classifications and minimum prices for the Carr No. 2 Mine should be correlated with the price classifications and minimum prices of these Shelby County mines.

The petition also requests price classifications and minimum prices for the coals of the Tennessee Valley Mine (Mine Index No. 276) of R. D. Campbell, located in Jackson County, Alabama.[8] This mine produces approximately 25,000 tons annually, and is located near the Tennessee-Alabama borderline. Originally it was coordinated in price for

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[1] By an order dated August 20, 1942, granting temporary relief and conditionally providing for final relief, petitioner was granted the relief requested for all mines, except, among others, the Carr No. 2 Mine (Mine Index No. 1273) and the Tennessee Valley Mine (Mine Index No. 276) for which this proceeding was severed and scheduled for hearing.

[2] The schedules of effective minimum prices for District No. 13 refer to the code member as W. C. Carr (Carr Coal Co.).

[3] Also referred to in the record as the Gillison Coal Company Mine.

[4] Ann Blair Mine (Mine Index No. 134) of Neill Coal Company, and Pen's Wadsworth and Pen's Wadsworth #2 Mines (Mine Index Nos. 514 and 1424) of the Pen Coal Company.

[5] The foregoing is confirmed by the fact that proximate analyses of mine run coal of the Carr No. 2 Mine in St. Clair County and that of the Pen Coal Company's Mine in Shelby County indicate these following similarities, i. e., in moisture (1.40 and 1.17), volatile (33.60 and 35.95), fixed carbon (57.50 and 56.20), and ash (7.50 and 7.67). Although sulphur content and B. t. u.'s were not available for the Pen Coal Company's Mine, the witness asserted that the coals of the respective mines were also similar in these qualities.

[6] Supplement No. 29 to I.C.C., A8010.

[7] Prices for vessel fuel were proposed to equal those of the Cahaba mines, such as Mine Index Nos. 9, 11, 12, 17, 58 and 69.

[8] The schedule of effective minimum prices for District No. 13 refers to this mine as the Tenn. Valley Mine (Mine Index No. 270) of R. D. Campbell (Tennessee Valley Coal Co.). Although originally designated as operating in the Talley Seam, it has since been ascertained that this mine operates in the Battle Creek Seam.

truck shipment with Subdistrict 2 truck mines in the same vicinity. The proposal to classify this mine for rail shipment depends on different factors. The record discloses that the coals of this mine are produced from the seam generally mined in Subdistrict 3. It appears further that these coals move over the N. C. & St. L. Railroad which connects the principal mines of Subdistrict 3, the Tennessee-Georgia area of District 13, and that freight rates from Bass, the principal shipping point, to the probable destination of this coal, are substantially similar to the freight rates of these Subdistrict 3 mines.[9] Inasmuch as the coals of the Tenn. Valley Mine will come into competition with the coals of the Subdistrict 3 mines rather than with those of the Subdistrict 1 mines, it was proposed that the Tenn. Valley Mine be classified for rail shipment the same as the Subdistrict 3 mines operating in the same seam. In the opinion of the witness, the requested relief will not disturb the coordinated relationship of District 13 coals. In the circumstances thus disclosed, I find that the Tenn. Valley Mine should be classified for rail shipment the same as Subdistrict 3 mines operating in the Battle Creek Seam.

In order, therefore, to reflect, as nearly as possible, the true value of the coals of the Carr No. 2 Mine and the Tenn. Valley Mine, and to preserve, as nearly as may be, existing fair competitive opportunities of producers in District 13, I find (1) that price classifications and minimum prices for the coals of the Carr No. 2 Mine should be established to equal those of similarly sized coals of Shelby County mines operating in the Wadsworth Seam; and (2) that the price classifications and minimum prices of the coals of the Tenn. Valley Mine should be established to equal those of similarly sized coals of Subdistrict 3 mines operating in the Battle Creek Seam. I find further that the foregoing price classifications and minimum prices comply with the standards set forth in sections 4 II (a) and (b) of the Act, and are required to effectuate the purposes thereof.

Upon the basis of the above findings of fact, and upon the entire record in this proceeding,

It is hereby ordered, That effective fifteen (15) days from the date hereof, § 333.6 (*General prices*) § 333.7 (*Special prices*—(a) *Prices for shipment to all railroads and for exclusive use of railroads*), § 333.7 (*Special prices*—(c) *Prices for shipment by railroad, applicable to all coal sold for steamship vessel fuel*) and § 333.25 (*Special prices*—(b) *Prices for shipment to all railroads for locomotive fuel, station heating, power plants and other uses*) in the schedule of effective minimum prices for District No. 13 for all shipments except truck is amended to include the price classifications and minimum prices for the coals of the Carr No. 2 Mine (Mine Index No. 1273) of W. C. Carr (Carr Coal Co.), St. Clair County, Alabama, and of the Tenn. Valley Mine (Mine Index No. 276) of R. D. Campbell (Tennessee Valley Coal Co.), Jackson County, Alabama, as set forth in Supplements R-I, II, III and IV, which supplements are hereinafter set forth and hereby made a part hereof.[10]

Dated: July 13, 1943.

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

[9] For example, to the east, to Chattanooga, and to the west, to Huntsville, the rates are the same as those of the Whitwell Mine (Mine Index No. 95) of the Tennessee Products Corporation in Subdistrict 3.

[10] The price classifications and minimum prices therein contained shall reflect the increase in prices for District 13 directed by the order in General Docket No. 21, effective October 1, 1942.

DISTRICT NO. 13

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

§ 333.6 *General prices*—Supplement R-I

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

Mine index No.	Code number	Mine	Subdistrict	Seam	Freight zone group
	ST. CLAIR COUNTY, ALA.				
[1]1273	Carr, W. C. (Carr Coal Co.)	Carr #2	1	Wadsworth	70
	JACKSON COUNTY, ALA.				
[2]276	Campbell, R. D. (Tennessee Valley Coal Co.	Tennessee Valley	1	Battle Creek	100

[1] Shipping point: Odenville, Ala., Railroad: S. A. L. This mine shall have in Size Groups 13 and 23, on each respective price table, the same prices as are listed thereon for Mine Index No. 125 (Neill Coal Co., Ann Blair mine, Price Schedule No. 2) as listed in Group No. 6.

[2] Shipping point: Bass, Ala., Railroad: N. C. & St. L. On each respective price table for subdistrict 3 mines, Mine Index No. 276 shall be priced the same as the coals included in Group No. 3, and the price instructions, exceptions, and size groups applicable to subdistrict 3 mines shall apply to the coals of Mine Index No. 276.

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

[The following prices apply on coal for use in railroad locomotives and powerhouse plants. For station heating, use in dining cars, or other uses than stated above, commercial prices as listed in other sections of this price schedule, shall apply]

For all mines in Subdistrict No. 1			For all sizes customarily furnished railroads for locomotive fuel			
Mine index number	Central [1] of Georgia	Seaboard [1] Air Line Railway	St. Louis and San Francisco Railroad for consignment West of the Mississippi River	St. Louis and San Francisco Railroad for consignment East of the Mississippi River	A. B. & C. Railroad	All other railroads not specifically shown
1273		273	270	270		270

[1] Prices listed for Central of Georgia and Seaboard Air Line Railways shall also apply to controlled subsidiaries whose purchases of coal are directly made by the controlling system.

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

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

Mine index No.	Size groups and prices applicable for steamship vessel fuel				
	Mine group	14, 15, 16, 17, 18	12	13	23
1273	Cahaba	270		300	

§ 333.25 *Special prices*—(b) *Prices for shipment to all railroads for locomotive fuel, station heating, power plants and other uses*—Supplement R-IV

[For mines in subdistrict No. 3]

Mine Index No.	Size	Price
276	For all sizes except screenings.	250
	Screenings with top size not more than 2"	245

[F. R. Doc. 43-11288; Filed, July 14, 1943; 10:43 a. m.]

[Docket No. A-1497]

PART 335—MINIMUM PRICE SCHEDULE, DISTRICT NO. 15

MEMORANDUM OPINION AND ORDER MODIFYING ORDER

Memorandum opinion and order modifying order dated May 13, 1943, in the matter of the petition of District Board No. 15 for revision of the effective minimum prices for certain coals produced in District No. 15.

On June 7, 1943 the petitioner herein filed an application for modification of the order issued in this docket on May 13, 1943, 8 F.R. 6921. Said application alleged that said order failed to give consideration to a change in the base price on certain sizes that became effective on October 1, 1942 in General Docket No. 21, that it failed to give consideration to the order dated July 29, 1942, 7 F.R. 6253, and the order dated August 22, 1942, 7 F.R. 6931, in Docket No. A-1533; that it failed to apply the freight rates made effective by order of Interstate Commerce Commission and Ex Parte No. 148 to minimum prices heretofore established; that it disturbed classification and coordination between and among minimum prices on coals for Marketing Area No. 75; petitioner requested that the order dated May 13, 1943 be modified to provide prices for Market Area No. 75 in accordance with "Appendix A" attached to said application.

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

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

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

It is ordered, That effective June 12, 1943 and pending final disposition of the above-entitled matter temporary relief is granted as follows: § 335.7 (*General prices; domestic, commercial and industrial coal schedule*) is amended by adding thereto Supplement R, which supplement is hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the rules and regulations governing practice and procedure before the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

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

Dated: July 7, 1943.

[SEAL] DAN H. WHEELER, *Director*

DISTRICT NO. 15

NOTE: The material contained in this supplement is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 335, Minimum Price Schedule for District No. 15 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 335.7 *General prices; domestic, commercial and industrial coal schedule*—Supplement R

Domestic, commercial and industrial coal schedule—Part I. Minimum prices f. o. b. mine for coal shipped by rail to Market Area No. 75—Greater Kansas City. Following prices on Sizes 1 to 10, inclusive, from Production Group No. 1 are for unwashed coals. When washed add 7 cents per ton. Subject to Price Instructions and Exceptions §335.1]

Production group No.	Domestic and commercial														Industrial			
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	12	13	14	15
	Fcy. lump	Lump	Furn. or egg	Egg nut	Fcy. nut	Std. nut	#2 nut	Ch. nut	M/R	Nut run	Spec. stok.	Raw P. P. scgs.	Wash. scgs.	Raw scgs.	Raw P. P. scgs.	Wash. scgs.	Raw scgs.	Raw dust
1	250	250	250	250	265	250	235	215	215	200	*194*	*179*	*179*	150	*146*	*146*	120	40
2	258	258	258	258	250	235	220	200	215	185	205	190	190	155	155	155	135	40
3	258	258	258	258	253	238	223	203	215	188	188	173	173	113	138	138	78	40
4	292	292	292	292	277	262	247	227	x	212	*226*	*211*	-------	132	*178*	-------	97	40
5	290	290	290	290	277	262	247	227	x	212	*226*	*211*	x	132	*178*	x	97	40
6	283	283	283	283	x	x	x	x	x	x	x	x	x	x	x	x	x	x
7	325	325	325	300	x	275	x	155	240	115	x	x	x	90	x	x	x	x
8	275	275	275	250	x	225	x	155	240	115	x	x	x	80	x	x	x	x
10	200	200	200	180	x	160	x	130	180	115	*94*	x	x	65	x	x	x	x
11	204	204	204	199	x	160	x	130	159	115	*94*	x	x	65	x	x	x	x

To destinations in this Market Area, Production Group 1, unwashed "A" Grade coals establish the base, except to destinations within the Market Area where Production Group 2 active rail-shipping mines have intra-state mileage rates, or specific point to point rates, either of which are less than the published and effective group rates. To such destinations within the Market Area, Production Group 2 establishes the base.

NOTE: Items that are italicized are the items in which the changes occur.

[F. R. Doc. 43-11573; Filed, July 19, 1943; 10:27 a. m.]

[Docket No. A-1533]

PART 335—MINIMUM PRICE SCHEDULE, DISTRICT NO. 15

MEMORANDUM OPINION AND ORDER MODIFYING ORDER

Memorandum opinion and order modifying order dated May 13, 1943, in the matter of the petition of District Board No. 15 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 15.

On June 7, 1943 the petitioner herein filed application for modification of the order previously issued in this docket on May 13, 1943, 8 F.R. 6723. Said application alleged that the Order dated May 13, 1943, failed to give consideration to a change in the base price of certain sizes that became effective October 1, 1942, in General Docket No. 21, that it

failed to give consideration to orders in this docket dated August 22, 1942, 7 F.R. 6931 and September 14, 1942, 7 F.R. 7519; that said order disturbed classification and coordination between and among minimum prices in District No. 15 and that it fails to apply to minimum prices heretofore established the freight rates made effective May 15, 1943 by order of Interstate Commerce Commission in Ex Parte No. 148; petitioner requested that the order dated May 13, 1943 be modified to provide prices for Marketing Area No. 75 in accordance with Appendix A attached to said application;

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

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

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

It is ordered, That effective June 12, 1943 and pending final disposition of the above-entitled matter temporary relief is granted as follows: § 335.7 (*General prices; domestic, commercial and industrial coal schedule*) is amended by adding thereto Supplement R, which supplement is hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the rules and regulations governing practice and procedure before the Bituminous Coal Division in Proceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

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

Dated: July 6, 1943.

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

DISTRICT NO. 15

NOTE: The material contained in this supplement is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 335, Minimum Price Schedule for District No. 15 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCKS

§ 335.7 *General prices; domestic, commercial and industrial coal schedule*—Supplement R.

Section in the schedule of effective minimum prices	To market area No.	From producing group No.	Domestic and commercial coal group 13, washed screenings	Industrial coal group 13, washed screenings
335.7	75	4	*211*	*173*
335.7	78	4	192	

NOTE.—Items that are italicized are the items in which the changes occur.

[F. R. Doc. 43-11574; Filed, July 19, 1943; 10:27 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[No. 107]

EMPLOYEE NOTIFICATION FORM

ORDER REVISING FORM

By virtue of the provisions of the Selective Training and Service Act of 1940 (54 Stat. 885, 50 U.S.C., Sup. 301-318, inclusive) E.O. No. 8545, 5 F.R. 3779, E.O. No. 9279, 7 F.R. 10177, and the authority vested in me by the Chairman of the War Manpower Commission in Administrative Order No. 26, 7 F.R. 10512, I hereby prescribe the following change in DSS forms:

Revision of DSS Form 82, entitled "Employee Notification Form," effective immediately upon the filing hereof with the Division of the Federal Register.[1]

The foregoing revision became a part of the Selective Service Regulations effective as of March 1, 1943.

LEWIS B. HERSHEY, *Director.*

JULY 19, 1943.

[F. R. Doc 43-11635; Filed, July 20, 1943; 8:59 a. m.]

[No. 108]

PROPERTY LIST

ORDER DISCONTINUING FORM

By virtue of the provisions of the Selective Training and Service Act of 1940 (54 Stat. 885, 50 U.S.C., Sup. 301-318, inclusive) E.O. No. 8545, 5 F.R. 3779, E.O. No. 9279, 7 F.R. 10177, and the authority vested in me by the Chairman of the War Manpower Commission in Administrative Order No. 26, 7 F.R. 10512, I hereby prescribe the following change in DSS forms:

Discontinuance of DSS Form 253, entitled "Property List," effective immediately upon the filing hereof with the Division of the Federal Register.

The foregoing discontinuance shall become a part of the Selective Service Regulations effective immediately upon the filing hereof with the Division of the ruptcy, receivers and other kinds of liqu- Federal Register.

LEWIS B. HERSHEY, *Director.*

JULY 16, 1943.

[F. R. Doc. 43-11633; Filed, July 20, 1943; 8:59 a. m.]

[1] Form filed as part of the original document.

Chapter IX—War Production Board

Subchapter B—Executive Vice Chairman

AUTHORITY: Regulations in this subchapter issued under 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), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176.

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

[Priorities Reg. 13 as Amended July 19, 1943]

Section 944.34 *Priorities Regulation 13* is hereby amended to read as follows:

§ 944.34 *Priorities Regulation No. 13*—(a) *Purpose of this regulation.* This regulation, in general, describes the rules under which materials may be sold by persons who are not in the regular business of selling such materials. While most sales of this kind will be sales of frozen, idle, or extra materials, the regulation is broader in its scope. For example, a person who has idle materials on hand because his business has been converted to war work, or because the business he used to carry on has been stopped or limited by War Production Board orders, or whose contract has been cancelled or changed, may sell off the idle or excess materials only under the rules in this regulation and, if he follows this regulation, he does not have to look to any other order or regulation except in a few cases which are described below. This regulation also controls liquidation sales, bankruptcy sales, general auction sales, and other sales which are not considered sales in the regular course of business.

(b) *Special definitions used in this regulation.* This regulation deals only

with "special sales" of "industrial materials." As used in the regulation, those terms have the following meanings:

(1) "Special sale" means a sale of material by a person who does not, in the regular course of his business, sell that material in that form. A sale by a retailer or a wholesaler of items from his stocks is not a special sale because that is what the retailer or wholesaler makes a regular business of doing. For the same reason, a sale by a manufacturer of the product he makes is not a special sale. But if a manufacturer sells the raw material he has bought to use in making his regular product, it is a special sale because selling raw material is not his regular business. Or if a contractor has bought material to build a building and cannot finish it and sells off the materials, that is a special sale because his business is building houses, not selling lumber and nails and pipe. Liquidation sales by trustees in bankdators (unless they are continuing to operate a business) and general auctioneers are special sales as they are considered not to be regularly in the business of selling any particular products.

(2) "Industrial material" means the kind of material products are made out of, or which are put together to make other products. The definition includes simple material forms like pipe, metal sheet and rod, wire, lumber, chemicals and yarn. It includes both new and used materials. It does not include assembled parts or products, like motors, valves or drums or anything which has already been put together so that it is no longer in a simple form. Also, the definition does not cover any of the following:

(i) *Scrap.* There are special orders covering certain types of scrap and, except in those cases, scrap may be sold to a scrap dealer.

(ii) *Foods for humans or animals, medicines, tobacco, oils and fats.* These products are regulated by the War Food Administration or are rationed by another government agency and so the orders of the War Production Board do not apply.

(iii) *Tools.* This regulation does not cover cutting tools, hand tools or any other tools. There are special orders covering such items.

(iv) *Finished products of the kind that are sold at retail and that are bought to be used just as they are, and not to be used in making something else.* For example, an ash tray, or a towel or sheet, or a metal sign or a lightning rod is used just as it is and is not used to make another product. But nails or wire or pipe or chemicals or a bolt of cloth are bought to be used in making something else and to be put together with other things, and they are covered by the regulation.

(c) *Kinds of special sales of industrial materials which may be made.* If a person wants to make a special sale (as described above) of an industrial material (as described above) the rules in this regulation apply and only these rules. There is no need to look at any other order or regulation, and these rules must be followed, no matter how the material was bought, and no matter what any other order or regulation provides. The only exceptions to this rule are stated in paragraph (f) (2) The types of special sales which may be made are the following:

(1) *Steel and Iron reported to Steel Recovery Corporation.* If the industrial material is iron or steel that has been reported as idle or excess inventory to the War Production Board, in care of the Steel Recovery Corporation in Pittsburgh, it may not be sold without permission from a regional office of the War Production Board or from the War Production Board office at Steel Recovery Corporation. Each regional office can only give permission to sell iron and steel which is located in that region, so, if application is made to a regional office, it must be made to the head office of the region in which the iron or steel is located. Either the buyer or the seller may apply for permission, in person, or by writing or telephoning. The permission can be given only if the person applying gives exact details of the proposed sale, including the names of the buyer and seller, the serial number and item number on the seller's report form, and an exact description of the weight, size, analysis, finish and form of the material and, if the buyer is using a CMP allotment to buy the material, the CMP symbol and number which he will use. The application should also tell what the iron or steel will be used for. It is necessary to keep close track of these sales so that the master record of idle and excess iron and steel can be kept up to date and material will not be listed as available if it has already been sold.

(2) *Materials on List A.* If the industrial material that the seller wants to sell is one of the materials listed on List A attached to this regulation or is made out of one or more of those materials (and is not iron or steel which has been reported as idle or excess inventory as described in subparagraph (1) of this paragraph) the following are the only kinds of sales that can be made, and if the sale is permitted under any one of the following subparagraphs, it may be made:

(i) A holder may sell freely to one of the following Government corporations, or to anyone buying as agent for one of them: Commodity Credit Corporation, Defense Supplies Corporation, Metals Reserve Company, or Rubber Reserve Company.

(ii) A holder may sell if he has been given permission by the War Production Board to make the particular sale. This kind of permission can usually be given only by the War Production Board in Washington. Requests should be addressed to the Redistribution Division of the War Production Board and form WPB-1161 (PD-470) should be used in making the request. That form shows the kind of information which is needed before permission can be given. Copies of the form can be obtained in district or regional offices of the War Production Board.

(iii) A holder may sell freely to anyone if he has a total of less than $100 worth of the particular material sold, unless it is one of the materials listed on the attached List B. In deciding whether the holder has $100 worth, he must count all material of the same type and composition. For example, all bare copper wire, or all cattle hides, or all cotton duck. This paragraph does not mean that a person may sell freely lots worth less than $100 if he has more than that amount. It only allows the sale if all he has of that kind of material is worth less than $100.

(iv) If the material is copper, copper base alloy aluminum or steel in a form described as a "controlled material" in CMP Regulation 1, the holder may sell it to fill an authorized controlled material order or to a buyer who gives him an order bearing a CMP allotment symbol and number and this certification:

The undersigned certifies that he is entitled under CMP regulations to place an authorized controlled material order for the above material.

Or the certification may be the optional form set out in CMP Regulation 7.

(v) Sales may be made in accordance with List A. That list has four columns showing classes of buyers who might want to buy materials. Opposite each material on the list in each column is shown whether, and under what conditions, sales can be made to the class of buyer described in the heading of the column.

(3) *Special orders.* If the War Production Board, by an order or in any other way, has ruled that all persons engaged in a particular business may sell or exchange materials between themselves, they can do so (unless the material is iron or steel covered by paragraph (c) (1)) and the other parts of this regulation do not forbid it.

(4) *Materials not on List A.* If the holder's industrial material is not on List A, he may sell freely to anyone.

(d) *Transfers within a company.* If a company wants to move material from one branch or subsidiary to another, but the transfer is not a sale because no money changes hands, the company should determine whether the branch or subsidiary which holds the material could sell it to the other for cash under this regulation. If so, the transfer may be made under this regulation even though it is not a sale.

(e) *Replacing material sold.* If a person sells material under this regulation to someone who gives him a priority rating or a CMP allotment symbol or number, the seller cannot use the rating or allotment to replace the material he has sold. The effect of the rating or symbol or number stops when the seller receives it.

(f) *Sales not covered by this regulation.* (1) If a sale is not a "special sale" (as described in paragraph (b) (1)) or if the item to be sold is not an "industrial material" (as described in paragraph (b) (2)) this regulation does not govern the sale and any other orders or regulations apply. There are special orders which deal with some kinds of equipment, and there are general rules in § 944.11 of Priorities Regulation No. 1. Any field office of the War Production Board can give information about these orders.

(2) If another order or regulation expressly mentions Priorities Regulation No. 13 and says that this regulation does not apply to a particular type of sale, then that order or regulation takes the place of this regulation. There are very few of those orders, principally relating to chemicals, and there are special rules which have been laid down for certain aircraft materials. Otherwise, there is no necessity of referring to any other order or regulation if the making of a special sale of an industrial material is involved. If any seller is allowed to make a sale under this regulation, the buyer is permitted to buy and accept delivery, except that:

(i) The buyer may not violate any regulation or order controlling the quantity of material which he may have or buy or receive or the amount of any product he may make or the use that he may make of any particular material. All the prohibitions in orders against the use of materials for particular purposes remain in effect.

(ii) If any order or regulation provides that a buyer of material must make any report or furnish any information either to the War Production Board or to the seller, this regulation does not excuse him from these requirements.

(iii) If any holder of material knows that a person who wants to buy it will use it for a prohibited purpose or would have more of the material than he is permitted to have, the sale cannot be made.

(g) *What records and reports must be kept and made.* (1) Anyone who has reported copper or copper base alloy to the War Production Board, care of Copper Recovery Corporation, New York, and who sells or transfers an item that he has reported must immediately tell Copper Recovery Corporation about the sale so that its records can be kept accurate by taking that item off its list of available material. The report should show clearly the item or lot number on the form on which the seller reported the material. A simple way of giving notice is to send a copy of the invoice of sale.

(2) Any person making a sale under this regulation must keep sufficient records so that he can show that the sale was permitted under this regulation, but no reports of sales need be made except for copper and copper base alloys under the paragraph above, or unless List A has a note requiring reports.

(h) *Listing materials with the War Production Board.* If anyone has any extra, idle or frozen material that he wants to sell, he should tell his nearest War Production Board office about the material and they will try to help him.

(i) *Letters and questions.* Any letters or questions about this regulation should be sent either to the Redistribution Division of the War Production Board in Washington, marked "Ref: P. R. 13" or to any of the field offices of the War Production Board, marked for the attention of the Redistribution Manager.

(j) The reporting requirements in this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 19th day of July 1943.

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

LIST A

NOTE: Schedule A redesignated List A; introductory explanation amended; items "Aluminum," "Copper," "Iron," "Steel and Wrought Iron" in Part I amended; items "Ethyl acetate," "Isopropyl acetate" in Part II amended; items "Acetaldehyde," "Alcohols, denaturants," "Congo Copal," "Methyl isobutyl ketone," "Staybelite," "Tapioca flour," added to Part II; items "Nitrocellulose, soluble," "Paraffin, chlorinated" revoked from Part II; items "Jewel bearing material," "Kapok (new)" amended in Part III; items "Broom corn," "Coir fiber and products," "Horse mane hair" added to Part III; July 19, 1943.

Explanation. This list is described in paragraph (c) (2) (v) of the regulation. In column (1) are listed the scarce materials that are restricted under the regulation. Columns (2), (3), (4) and (5) each applies to a type of possible buyer. Opposite each material in each column is shown the conditions under which a special sale of the particular material may be made to the person described in the heading of the column.

Column (2) applies to persons who make or produce material in the form in which the holder bought it. If the holder bought copper wire, column (2) refers to a wire mill, which makes copper wire. If he bought a chemical, it refers to a company who makes or produces that kind of chemical.

Column (3) refers to persons who have a permitted use for the kind of material the holder has. If the holder has some leather to sell, column (3) would cover anyone else who has a permitted use for that kind of leather in making a product.

Column (4) refers to persons who buy new or used, rejected or second-grade materials and who rework them or make them over into something that is as good as new or can be used as if it were new. If the holder has some solvent that he has used until it is dirty or no longer usable, and some other person is in the business of cleaning the solvent so as to make it usable again, that other person would be a "reprocessor" Also, a secondary smelter who melted metal into alloy forms would be a reprocessor in column (4).

Column (5) relates to persons who are wholesalers dealing in the material the holder has, like a wholesaler in chemicals or textiles. Column (6) contains notes which should be read whenever a star (*) shows on the list.

If the list shows "No" it means that the holder cannot sell to the class of person mentioned in the column head without special permission of the War Production Board except when a note in Column (6) allows certain kinds of sales. Paragraph (c) (2) (ii) of the body of the regulation tells how to get permission.

If the list shows "PR" followed by a letter and number, like "PR AA-5" it means that the holder can sell to anyone who can give him an AA-5 priority rating for the sale, or a higher rating.

If the list shows "W.O.P." it means the holder can sell to the person at the head of the column without any priority rating or allocation.

If the list shows "X" it means that there are no persons who fall in the description at the top of the column so far as that particular material is concerned.

As pointed out in the body of the regulation, no one may buy if in doing so he would break any rule about the amount of a material he may have, and no buyer may use material for a forbidden use. Also, the buyer must make any reports that are required by any order.

Industrial material	Classes of buyers to whom special sales of industrial materials may be made in accordance with this list, subject to paragraph (f) (2) of this regulation				Remarks
	Persons who produce material in the form in which the holder bought it.	Users permitted to buy and use under existing WPB Orders	Reprocessors who are permitted to buy	Wholesale dealers who sell the material in the form held by holder	
(1)	(2)	(3)	(4)	(5)	(6)
PART I—METALS AND METALLIC ORES					
Alloy steel (see Steel).					
Alumina	No	No	No	No	
Aluminum:***					
In controlled material form	W. O. P.	No.*	W. O. P.**	W. O. P.**	*Only to fill OMP orders under paragraph (c) (2) (iv) of the regulation. **Only to approved reprocessors and wholesale dealers. Lists available at WPB offices. ***Listed on List B and is therefore excluded from paragraph (c) (2) (iii).
Not in controlled material form	W. O. P.	No	W. O. P.**	W. O. P.**	
Antimony:					
Antimony*	W O. P.	W O. P.**	W O. P.**	W. O. P.	*Includes ores and concentrates, metal, liquated antimony and any alloy containing 60% or more of antimony by weight. ** A buyer may purchase not more than 2,240 lbs. of contained antimony in any one month.
Chemicals (see Chemicals).					
Antimonial lead (see Lead).					
Babbitt (see Tin).					
Bauxite	No	No	No	No	
Beryllium*	W. O. P.	No	No	W O. P.	*Includes ores, concentrates, and metal beryllium.
Bismuth	W. O. P.	No	No	W O. P.	
Brass (see Copper).					
Brass mill and wire mill products (see Copper).					
Bronze (see Copper).					
Cadmium:					
Cadmium*	No	No	No	No	*Includes metallic cadmium in all forms, residues, dross, and other cadmium bearing material.
Chemicals (see Chemicals)					
Calcium:					
Calcium metal*	W O. P.	No	X	No	*Includes any product containing 85% or more of calcium.
Chemicals (see Chemicals)					
Calcium-silicon*	W. O. P.	No	X	W O. P.	*Electric furnace product containing from 28 to 35% calcium and from 60 to 65% silicon.
Carbon steel (see Steel).					
Cast Iron products (see Iron).					
Chromium*	W O. P.	No	X	W. O. P.	*Includes ores, concentrates, metal, chromium containing materials commercially suitable for alloying and chromium refractory products and materials.
Cobalt*	W O. P.	No	No	W O. P.	*Includes ores, concentrates, crudes, residues, and all material from which cobalt is commercially recoverable.
Copper:					
In the case of all sales, made under this regulation, of copper or copper base alloy items which have previously been reported to War Production Board, care of Copper Recovery Corporation, 200 Madison Ave., New York, N. Y., the seller must send a copy of the invoice or other notice of sale to that address, showing clearly the item or lot number on the seller's report form.					
Copper ingots and refinery shapes	W. O. P.	No**	X	No**	**Only to persons holding allocation certificates or specific authorization to buy.
Copper base alloy ingots (40% or more copper by weight.	W O. P.	No**	X	No**	
In controlled material forms:					
Brass mill products	W O. P.	No*	No**	No**	*Only to fill OMP orders under paragraph (c) (2) (iv) of the regulation.
Wire mill products (bare or insulated)	W O. P.	No*	No**	No**	
Copper and copper base alloy foundry products	No**	No*	X	No**	
Not in controlled material form***	W. O. P.	PR AA-5	PR AA-5	PR AA-5	***Such as semi-fabricated or fabricated unassembled parts or products.

Industrial material	Classes of buyers to whom special sales of industrial materials may be made in accordance with this list, subject to paragraph (f) (2) of this regulation				Remarks
	Persons who produce material in the form in which the holder bought it.	Users permitted to buy and use under existing WPB Orders	Representers who are permitted to buy	Wholesale dealers who sell the material in the form held by holder	
(1)	(2)	(3)	(4)	(5)	(6)
PART I—METALS AND METALLIC ORES—Continued					
Cryolite	No	No	No	No	
Electrical resistance material*	No	No	W. O. P.**	No	*Material in form of ribbon or wire in which nickel or chromium or both are used to create electrical resistance for development of heat. This material listed on List B and is therefore excluded from paragraph (c) (2) (iii). **Only used material.
Ferroalloys* (other than ferrocolumbium).					*May be sold as provided for principal non-ferrous element.
Ferrocolumbium*	W. O. P.	W. O. P.**	X	X	*Includes any alloy containing 48% or more of columbium. **Only in quantities of 100 lbs. or less may be sold to any one buyer in any month.
Inconel (see Nickel).					
Iridium	W. O. P.	No	No	No	
Iron:					
These provisions apply only to iron which has *not* been reported to War Production Board, care Steel Recovery Corporation, 5835 Baum Boulevard, Pittsburgh, Pa. Iron so reported may only be sold pursuant to paragraph (c) (1) of this regulation.					
Alloy iron castings*	W. O. P.	PR A-1-k	W. O. P.	X	*Does not include materials commonly known as "ferro-alloys"
Malleable iron castings	W. O. P.	PR A-9	W. O. P.	W. O. P.	
Pig iron*	No	No	No	No	*Subject to allocation under M-17.
Wrought iron and wrought iron products (See Steel and Wrought Iron).					
Cast iron products	W. O. P.	PR A-9	W. O. P.	W. O. P.	
Lead:					
Lead	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Antimonial lead	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Lithium:					
Lithium ore	W. O. P.	No	No	No	
Lithium chemicals (see Chemicals).					
Magnesium	W. O. P.	W. O. P.	W. O. P.	No	*Only to approved representers. Lists available at WPB offices.
Mercury:					
Mercury	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Mercury chemicals (see Chemicals).					
Molybdenum*	W. O. P.	No	W. O. P.	W. O. P.	*Includes ores, concentrates, metal, ferro-molybdenum and material from which molybdenum is commercially recoverable.
Monel (see Nickel).					
Nickel:					
Nickel pig, ingot, cathode, pellet, shot and anode	W. O. P.	No	No	W. O. P.	
Other nickel* (including monel and inconel)	W. O. P.	PR AA-5	No	W. O. P.	*Includes any other alloyed or unalloyed metallic nickel, ferro nickel, matte and materials from which nickel is commercially recoverable.
Chemicals (see Chemicals).					
Nickel steel (see Steels).					
Osmium*	W. O. P.	W. O. P.	W. O. P.	W. O. P.	*Can be used only in electrical contacts.
Pig iron (see Iron).					
Platinum:					
Platinum	W. O. P.	W. O. P.	W. O. P.	W. O. P.	*Cannot be used for jewelry.
Chemicals (see Chemicals).					
Rhodium:					
Rhodium	W. O. P.	W. O. P.*	W. O. P.	W. O. P.	*Cannot be used for jewelry.
Chemicals (see Chemicals).					
Silver:					
Foreign silver	W. O. P.	PR A-1-o	W. O. P.	W. O. P.	
Domestic silver	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Solder	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Stainless steel (see Steels).					
Steel and Wrought Iron:					
Steel and wrought iron which has been reported as idle or excess inventory to Steel Recovery Corporation, Pittsburgh, Pa.	No*	No*	No*	No*	*Only with special authorization of a WPB regional office or Steel Recovery Branch in Pittsburgh under paragraph (c) (1) of the regulation.
Steel and wrought iron which has *not* been reported to Steel Recovery Corporation, Pittsburgh, Pa..					
In controlled material form:					
Rails and track accessories*	No	No	No	No**	*See L-88.
Tin plate, terne plate and tin mill black plate.	W. O. P.	No**	No**	No**	*Subject to the limitations of M-21-e.
All other controlled material forms of steel and wrought iron.	W. O. P.	No**	No**	No**	**Only to fill CMP orders under paragraph (c) (2) (iv) of the regulation.
Not in controlled material form:*					
Steel	W. O. P.	PR AA-5	PP AA-5	PR AA-5	*See CMP Reg. 1 for list of controlled material forms.
Wrought Iron	W. O. P.	PR A-9	W. O. P.	W. O. P.	
Tantalum*	No	No	X	No	*Includes ores, ferro-tantalum, concentrates and materials containing commercially recoverable tantalum.
Terne plate (see Steels).					
Tin:					
Tin	No	No	No	No	
Babbitt	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Tin solder (see Solder).					
Tin bearing alloys	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Foil	W. O. P.	W. O. P.	W. O. P.	W. O. P.	

Industrial material	Classes of buyers to whom special sales of industrial materials may be made in accordance with this list, subject to paragraph (f) (2) of this regulation				Remarks
	Persons who produce material in the form in which the holder bought it	Users permitted to buy and use under existing WPB Orders	Reprocessors who are permitted to buy	Wholesale dealers who sell the material in the form held by holder	
(1)	(2)	(3)	(4)	(5)	(6)
PART I—METALS AND METALLIC ORES—Continued					
Tin mill black plate (see Steel).					
Tin plate (see Steel).					
Tool steel (see Steel).					
Tungsten*	W O. P	No	W O. P	W O. P	*Includes ores, concentrates, powder, metal in all forms, ferro-tungsten, and other materials containing commercially recoverable tungsten.
Uranium*	W O. P	No	W O. P	W O. P	*Includes metal, crude ores, residues, matte and any alloy or mixture containing 1/10 of 1% or more uranium by weight
Vanadium*	W O. P	No	W O. P	W O. P	*Includes ores, concentrates, metal, ferro-vanadium, and material containing commercially recoverable vanadium.
Welding rods and electrodes	W O. P	PR AA-5	X	W O. P	
Wrought iron (see Iron).					
Zinc:					
Zinc	W O. P	PR AA-5	W O. P	W O. P	
Chemicals (see Chemicals).					
Dust	W. O. P	W O. P.	W O. P	W O. P	*Only for use on military orders.
PART II—CHEMICALS					
Acetaldehyde	W. O. P	W. O. P	W. O. P	W. O. P	
Acetate, vinyl (and polymers of)	W. O. P	No	X	No	
Acetic anhydride*	W O. P	No	X	W. O. P	*Also called ethanoic anhydride, acetyl oxide and acetic oxide.
Acids.					
Acetic	W O. P	W O. P	X	W O. P	
Adipic*	W O. P	W O. P	X	W O. P	*Includes all derivatives except "Nylon."
Arsenious*	W O. P	W. O. P	W. O. P	W. O. P	*Also called arsenic trioxide and white arsenic.
Naphthenic	W O. P	No	X	W. O. P	
Sulfamic*	W. O. P	W. O. P	W O. P	W. O. P	*Including fire retardant derivatives.
Sulfuric	W. O. P	W O. P	W O. P	W O. P	
Tannic U. S. P	W O P	W O. P.	X	W O. P	*Use certification required.
Acrylic monomer*	No	No	X	No	*Unpolymerized esters of acrylic and methacrylic acids.
Acrylic resins*	No	No	X	No	*Polymerized form of esters of acrylic and methacrylic acids in forms specified in M-260.
Acrylonitrile*	W. O. P	W O. P	X	W. O. P	*Also called vinyl cyanide.
Agar	W O. P	W O. P	X	W O. P	
Alcohols:					
Butyl*	W O. P	No	X	W O. P	*Includes isobutyl, secondary butyl, and tertiary butyl.
Capryl*	W O. P	No	X	W O. P	*Also called methyl hexyl carbinol or 2-Octanol.
Ethyl	W O. P	W O. P	X	W O. P	
Hexahydric*	W O. P	No	X	W O. P	*As defined in M-270.
Isopropyl*	W O. P	No	X	W O. P	*Also called secondary propanol.
Methyl (methanol)	W O. P	No	X	W O. P	
Alcohols, denaturants:					
Acetaldol	W. O. P	W. O. P	X	W. O. P	
Dehydrol	W. O. P	W. O. P	X	W. O. P	
G. C. 78	W. O. P	W. O. P	X	W. O. P	
St. 115	W. O. P	W. O. P	X	W. O. P	
Alkanolamines	W O. P	No	X	W O. P	
Aluminum hydrate	No	No	No	No	
Aluminum chloride, anhydrous	W O. P	W O. P	X	W O. P	
Ammonia:					
By-product ammonia*	W O. P	No	X	W O. P	*Includes salts and solutions.
Sulphate of ammonia*	W O. P	No	X	W O. P	*Containing 20.5% nitrogen or less.
Synthetic ammonia*	W O. P	No	X	W O. P	*Includes salts and solutions.
Ammonium sulfamate	W O. P	W O. P	W. O. P	W O. P	
Aniline, aniline oil, and aniline salts	W O. P	No	X	W O. P	
Antimony sulphide	W O. P	W O. P.	W O. P.	W O. P	*A buyer may purchase in any one month not more than 2240 lbs. of contained antimony.
Antimony oxide	W O. P	W O. P.	W. O. P.	W. O. P	*A buyer may purchase in any one month not more than 2240 lbs. of contained antimony.
Antimony chemicals, other	W O. P	W O. P	X	W O. P	
Aromatic petroleum solvents* (excluding toluol and benzol).	W O. P	No	X	W O. P	*Includes solvents or naphthas of petroleum origin containing more than 30% of aromatic hydrocarbons and all grades of Xylol.
Barbasco root	W O. P	W. O. P	W. O. P	W O. P	
Benzene	W O. P	No	No	W O. P	
Benzene containing-oils	W. O. P	No	No	W O. P	
Beryllium chemicals	W O. P	No	No	W O. P	
Butadiene	W O. P	W O. P	X	W O. P	
n-butanol	W O. P	No	X	W O. P	
Butyl alcohol	W O. P	No	X	W O. P	
Butyl phthalyl butyl glycollate	W O. P	W. O. P	X	W O. P	
Cadmium chemicals	W O. P	No	No	W O. P	
Calcium carbide	W O. P	W. O. P	X	W. O. P	
Calcium hypochlorite, high test*	W O. P	No	X	No	*Available chlorine content 65% or more by weight.
Carbolates, containing 10% or more of phenols (see Phenols).					
Carbon black, furnace type	W O. P	W O. P	X	W O. P	
Carbon tetrachloride	W O. P	PR A-10	W. O. P	W O. P	
Casein	W. O. P	No	No	No	
Castor oil phthalate	W. O. P	W. O. P	X	W. O. P	
Cellulose acetate*	W O. P	W O. P	X	X	*In primary unfabricated forms.
Cellulose acetate butyrate*	W. O. P	W. O. P	X	X	*In primary unfabricated forms.
Cellulose ester flake*	W. O. P	No	No	No	*Including cellulose acetate flake, cellulose acetate butyrate flake, cellulose acetate propionate flake.

Industrial material	Classes of buyers to whom special sales of industrial materials may be made in accordance with this list, subject to paragraph (f) (2) of this regulation				Remarks
	Persons who produce material in the form in which the holder bought it	Users permitted to buy and use under existing WPB Orders	Representers who are permitted to buy	Wholesale dealers who sell the material in the form held by holder	
(1)	(2)	(3)	(4)	(5)	(6)
PART II—CHEMICALS—Continued					
Cellulose nitrate, plasticized*	W. O. P.	W. O. P.	X	X	*In primary unfabricated forms, except that used in explosives and protective coatings.
Charcoal	W. O. P.	W. O. P.	X	W. O. P.	
Chlorate and perchlorate chemicals*	W. O. P.	No	No	W. O. P.	*Includes potassium, sodium and barium chlorates; potassium and ammonium perchlorates; perchloric acid; and any other chlorate or perchlorate chemical.
Chlorethylene	W. O. P.	PR A-10	W. O. P.	W. O. P.	
Chloride of lime*	W. O. P.	W. O. P.	X	W. O. P.	*Calcium hypochlorite with available chlorine content of from 20 to 65% by weight.
Chlorine	W. O. P.	No	X	W. O. P.	
Chlorinated hydrocarbon refrigerants*	W. O. P.	W. O. P.	X	W. O. P.	*Methane and ethane refrigerants as specified in M-23.
Chlorinated hydrocarbon solvents	W O. P.	PR A-10	W. O. P.	W. O. P.	
Chlorinated rubber (see Rubber, Part III).					
Cobalt oxide	W. O. P.	No	X	W. O. P.	
Congo Copal	W. O. P.	W. O. P.	X	W. O. P.	
Copper carbonate	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Copper chloride	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Copper cyanide	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Copper nitrate	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Copper oxide	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Copper sulphate	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Cotton pulp, chemical	W. O. P.	No	X	W. O. P.	
Cresols: ortho, meta, and para	W. O. P.	No	No	W. O. P.	
Cube root	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Cyanamid	W. O. P.	No	X	W. O. P.	
Derris root	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Diamyl phthalate	W. O. P.	W. O. P.	X	W. O. P.	
Di-butoxy ethyl phthalate	W. O. P.	W. O. P.	X	W. O. P.	
Dibutyl phthalate	W. O. P.	W. O. P.	X	W. O. P.	
Dicapryl phthalate	W. O. P.	W. O. P.	X	W. O. P.	
Dichlorethyl ether	W. O. P.	No	No	No	
Dicyandiamide	W. O. P.	No	X	W. O. P.	
Di-cyclohexyl phthalate	W. O. P.	W. O. P.	X	W. O. P.	
Diethanolamine	W. O. P.	No	X	W. O. P.	
Diethyl phthalate	W. O. P.	W. O. P.	X	W. O. P.	
Di 2-ethyl hexyl phthalate	W. O. P.	W. O. P.	X	W. O. P.	
Di-ethoxy ethyl phthalate	W. O. P.	W. O. P.	X	W. O. P.	
Di-methylcyclohexyl phthalate	W. O. P.	W. O. P.	X	W. O. P.	
Dimethyl phthalate	W. O. P.	W. O. P.	X	W. O. P.	
Diphenylamine*	W. O. P.	No	X	W. O. P.	*Also called phenylaniline.
Dyestuffs, organic	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Ethyl acetate	W. O. P.	W. O. P.*	W. O. P.	W. O. P.	*A buyer may buy without specific authorization in any one month not more than an aggregate of 54 gallons of ethyl acetate and isopropyl acetate.
Ethyl cellulose	No	No	X	No	
Ethyl chloride	W. O. P.	W. O. P.	X	W. O. P.	
Ethylene dichloride	W. O. P.	PR A-10	W. O. P.	W. O. P.	
Ethyl phthalyl ethyl glycollate	W. O. P.	W. O. P.	X	W. O. P.	
Formaldehyde	W. O. P.	No	X	W. O. P.	
Furfural	W. O. P.	No	X	W. O. P.	
Glycols*	W. O. P.	No	X	W. O. P.	*Includes ethylene, diethylene, triethylene, and propylene.
Guanidine	W. O. P.	No	X	W. O. P.	
Hexamethylenetetramine	W. O. P.	No	X	W. O. P.	
Hydrogenated castor oil phthalate	W. O. P.	W. O. P.	X	W. O. P.	
Isobutyl castor oil phthalate	W. O. P.	W. O. P.	X	W. O. P.	
Isopropyl acetate	W. O. P.	W. O. P.*	W. O. P.	W. O. P.	*A buyer may buy without specific authorization in any one month not more than an aggregate of 54 gallons of isopropyl acetate and ethyl acetate.
Lithopone	W. O. P.	W. O. P.	X	W. O. P.	
Lithium chemicals*	W. O. P.	No	No	W. O. P.	*Excluding crude lithium sodium phosphate.
Manitol	W. O. P.	No	X	W. O. P.	
Melamine	W. O. P.	No	X	W. O. P.	
Mercury chemicals	W. O. P.	W. O. P.	X	W O. P.	
Methacrylic acid (see acrylic monomer and acrylic resins).					
Methanol	W. O. P.	No	X	W. O. P.	
Methyl ethyl ketone	W. O. P.	No	X	W O. P.	
Methyl Isobutyl ketone	W. O. P.	W. O. P.	X	W. O. P.	
Methyl phthalyl ethyl glycollate	W. O. P.	W. O. P.	X	W. O. P.	
Mineral oil polymers	W. O. P.	W. O. P.	X	W. O. P.	
Monoethanolamine	W. O. P.	No	X	W. O. P.	
Naphthalene	W. O. P.	No	W. O. P.	W. O. P.	
Naphthanates*	W. O. P.	No	X	W. O. P.	*Excluding crude or refined sodium naphthanate intended for manufacture of other naphthenates.
Naphthenic acid	W. O. P.	No	X	W. O. P.	
Nickel chemicals*	W. O. P.	No	No	W. O. P.	*Salts, oxides, and carbonates.
Oleum	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Paraformaldehyde	W. O. P.	No	X	W. O. P.	
Pentaerythritol	W. O. P.	No	X	W. O. P.	
Perchlorate chemicals	W. O. P.	No	No	W. O. P.	
Perchlorethylene	W. O. P.	PR A-10	W. O. P.	W. O. P.	
Perchloric acid	W. O. P.	No	No	W. O. P.	
Petroleum sulfonates*	W. O. P.	W. O. P.	X	W. O. P.	*As defined in M-193. Includes products known variously to the trade as mahogany soap, mahogany sulfonate, sodium sulfonate, soap base, oil or water-soluble sulfonates and their metallic salts whether in crude or refined form.

Industrial material	Classes of buyers to whom special sales of industrial materials may be made in accordance with this list, subject to paragraph (f) (2) of this regulation				Remarks
	Persons who produce material in the form in which the holder bought it	Users permitted to buy and use under existing WPB Orders	Reprocessors who are permitted to buy	Wholesale dealers who sell the material in the form held by holder	
(1)	(2)	(3)	(4)	(5)	(6)
PART II—CHEMICALS—Continued					
Phenols (tar acids)*	W. O. P.	No	No	W. O. P.	*Includes: phenol, cresols and Xylenols and mixtures thereof.
Phosphorus (yellow and white)	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Phthalic anhydride	W. O. P.	W. O. P.	X	W. O. P.	
Plasticisers:					
Phosphate*	No	No	X	No	*Tricresyl and triphenyl.
Phthalate*	W. O. P.	W. O. P.	X	W. O. P.	*As defined in M-203.
Plastics, cellulose*	W. O. P.	No	W. O. P.	W. O. P.	*In primary unfabricated forms.
Plastics, other:					
Polymerized:					
Laminated or cast phenolic condensation products in sheet, tube or rod form.	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Unpolymerized:					
Heat reactive synthetic resins and compounds in primary forms.	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Platinum chemicals	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Polyvinyl acetal	W. O. P.	No	X	W. O. P.	
Polyvinyl butyral resin	W. O. P.	No	X	W. O. P.	
Polyvinyl formal	W. O. P.	No	X	W. O. P.	
Potash*	W. O. P.	W. O. P.	X	W. O. P.	*Includes muriate of potash, sulphate of potash, sulphate of potash-magnesia, and run-of-the-mine potash of the specifications given in M-291.
Potassium tantalum fluoride	No	No	X	No	
Pyrethrum	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Pyridine	W. O. P.	No	No	W. O. P.	
Resin:					
Natural*	W. O. P.	W. O. P.	X	W. O. P.	*As defined in M-50 (does not include shellac or pine resin or products made therefrom).
Para-phenyl-phenol	W. O. P.	No	X	W. O. P.	
Phenolic	W. O. P.	W. O. P.	X	W. O. P.	
Phthalic alkyd	W. O. P.	W. O. P.	X	W. O. P.	
Synthetic, other	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Rhodium chemicals	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Rotenone	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Rubber, synthetic (see Rubber, Part III).					
Shellac	W. O. P.	No	X	W. O. P.	
Sodium nitrate	W. O. P.	W. O. P.	X	W. O. P.	
Sorbitol (d): (see Hexahydric alcohol).					
Staybelite	W. O. P.	No	X	No	
Styrene*	W. O. P.	W. O. P.	X	W. O. P.	*In primary unfabricated forms.
Synthetic resins: (see Resins).					
Synthetic rubber (see Rubber, Part III).					
Tantalum chemicals*	No	No	X	No	*Potassium tantalum fluoride, tantalum oxide, tantalum carbide.
Tapioca flour	W. O. P.	No	X	W. O. P.	
Timbo root	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Toluene (toluol)*	W. O. P.	No	No	W. O. P.	*As defined in M-34.
Tributyl glycerol triphthalate	W. O. P.	W. O. P.	X	W. O. P.	
Triethanolamine	W. O. P.	No	X	W. O. P.	
Tuba root	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Uranium chemicals	W. O. P.	No	W. O. P.	W. O. P.	
Vanadium chemicals*	W. O. P.	No	W. O. P.	W. O. P.	*As defined in M-23-a.
Vat dyes (see Dyestuffs).					
Vinyl Polymers*	W. O. P.	No	X	W. O. P.	*Plasticised or unplasticised polymers and copolymers of vinyl acetate, vinyl chloride and polyvinyl alcohol and includes their condensation products.
Xylenols	W. O. P.	No	No	W. O. P.	
Xylol	W. O. P.	No	X	W. O. P.	
Zinc oxide	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Zinc sulphide pigments	W. O. P.	W. O. P.	X	W. O. P.	
PART III—MISCELLANEOUS					
Agave fibre:					
Suitable for cordage	No	No	X	No	
Not suitable for cordage	No	W. O. P.	X	No	
Asbestos fibre	W. O. P.	W. O. P.	X	W. O. P.	
Asbestos textiles	W. O. P.	W. O. P.	X	W. O. P.	
Balsa	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Bristles, pigs', and hogs'* (two inches and over)	W. O. P.	PR A-10	W. O. P.	W. O. P.	*New or reclaimed.
Broom Corn	W. O. P.	W. O. P.	X	W. O. P.	
Burlap*	W. O. P.	W. O. P.	X	W. O. P.	*As defined in M-47, other Burlap same as jute products.
Cantala (see Agave fibre).					
Cattlehides, calf and kip skins (raw)	W. O. P.	W. O. P.	X	W. O. P.	
Cattle tail hair*	W. O. P.	W. O. P.	W. O. P.	W. O. P.	*New or reclaimed.
Coir fibre and products	W. O. P.	W. O. P.	X	W. O. P.	
Coke, petroleum	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Cork:					
Raw	W. O. P.	No	X	W. O. P.	
Manufactured and by-product	W. O. P.	W. O. P.	No	No	
Corundum*	W. O. P.	No	No	W. O. P.	*Emery, ruby, and sapphire not included.
Cotton duck (see Duck).					
Cotton, American extra staple, reserved*	W. O. P.	W. O. P.	X	W. O. P.	*As defined in M-117.
Cotton, Egyptian, reserved*	W. O. P.	W. O. P.	X	W. O. P.	*As defined in M-117. Use certification required.
Cotton linters*	W. O. P.	No	X	W. O. P.	*Produced after August 1, 1942.
Deerskins*	W. O. P.	W. O. P.	X	W. O. P.	*Suitable for military use.
Diamonds, industrial*	W. O. P.	PR A-1-j	PR A-1-j	PR A-1-j	*Report sales as required by M-100.
Diamond dies	W. O. P.	No	No	No	
Duck, Cotton*	W. O. P.	PR A-1-k**	X	W. O. P.	*Width 15" to 87" **No rating required for those stocks released by Army or Navy.

Industrial material	Classes of buyers to whom special sales of industrial materials may be made in accordance with this list, subject to paragraph (f) (2) of this regulation				Remarks
	Persons who produce material in the form in which the holder bought it	Users permitted to buy and use under existing WPB Orders	Representers who are permitted to buy	Wholesale dealers who sell the material in the form held by holder	
(1)	(2)	(3)	(4)	(5)	(6)
PART III—MISCELLANEOUS—Continued.					
Flax fibre and flax fibre products*	W. O. P.	W. O. P.	W. O. P.	W. O. P.	*As defined in M-224.
Goose and duck feathers*	W. O. P.	W. O. P.	W. O. P.	W. O. P.	*Only new feathers.
Graphite, strategic grades*	No	No	No	No	*As defined in M-61.
Hemp seeds*	W. O. P.	W. O. P.	X	W. O. P.	*As defined in M-82.
Hemp, Sunn*	W. O. P.	W. O. P.	X	W. O. P.	*As defined in M-157.
Hennequen (see Agave fibre).					
Horsehide*	W. O. P.	W. O. P.	X	W. O. P.	*Suitable for military use.
Horse Mane Hair	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Hull fibre*	W. O. P.	No	X	W. O. P.	*Produced after August 1, 1942.
Istle, raw*	W. O. P.	W. O. P.	X	W. O. P.	*Unprocessed istle.
Jewel bearings	W. O. P.	No	No	W. O. P.	
Jewel bearing material*	W. O. P.	No	No	W. O. P.	*Natural spinel not included.
Jute:					
Raw jute	W. O. P.	W. O. P.	X	W. O. P.	
Jute products*	W. O. P.	W. O. P.	X	W. O. P.	*As defined in M-70.
Kapok (new)	W. O. P.	W. O. P.	X	W. O. P.	
Kyanite, Indian crude and calcined*	No	No	No	No	*Includes andalusite and sillimanite.
Leather, sole*	W. O. P.	W. O. P.	W. O. P.	W. O. P.	*Suitable for military use.
Logs (see Woods).					
Loofa sponges*	W. O. P.	PR A-1-a	X	W. O. P.	*Suitable for military use.
Maguey (see Agave fibre).					
Mahogany (see Woods).					
Manila fibre and cordage:					
Cordage*	W. O. P.	W. O. P.	No	W. O. P.	*As defined in M-33.
Fibre*	No	No	No	No	*As defined in M-33. May be sold W. O. P. to the U. S. Navy.
Mica.					
Strategic	W. O. P.	W. O. P.	X	W. O. P.	
Splittings	W. O. P.	W. O. P.	X	W. O. P.	
Nutgalls	W. O. P.	W. O. P.	X	W. O. P.	*Use certification required.
OD wool clips (see Wool).					
Paint, aluminum	W. O. P.	No	No	W. O. P.	
Phosphate rock	W. O. P.	W. O. P.	X	W. O. P.	
Plywood (see Woods).					
Quartz crystals	X	No	No	No	
Rattan (see Woods).					
Rayon yarn, high tenacity*	W. O. P.	No	No	No	*As defined in paragraph (d) of M-37-d.
Rayon yarn, reserved	No	No	No	No	
Rubber:					
Latex and crude	No	No	No	No	
Balata	No	No	No	No	
Compounded latex	No	No	No	No	
Chlorinated	W. O. P.	No	No	X	
Synthetic	W. O. P.	No	No	X	
Reclaimed	W. O. P.	W. O. P.*	W. O. P.*	No	*With approval of Rubber Reserve Company.
Rubber products:					
Cement	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Elastic thread	No	No	X	No	
Elastic fabrics	No	No	X	No	
Yarn	No	No	X	No	
Other products	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Silk:					
Raw	X	No	X	No	
Waste, noils, etc.*	No	W. O. P.**	W. O. P.**	W. O. P.	*As defined in M-28. **Use certification required.
Sisal (see Agave fibre).					
Sole leather (see Leather).					
Wood pulp	No	No	X	No	
Woods:					
Balsa	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Logs:					
Douglas Fir	W. O. P.	W. O. P.	X	W. O. P.	
Noble Fir	No	No	No	No	
Sitka Spruce	No	No	No	No	
Western Hemlock, aircraft	No	No	No	No	
White Oak	W. O. P.	W. O. P.	X	W. O. P.	
Mahogany:					
Firsts, Seconds, Selects	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Wormy grades (pattern stock)	W. O. P.	PR AA-1	PR AA-1	W. O. P.	
No. 1, common and poorer	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Plywood:					
Softwood	W. O. P.	PR AA-5	X	W. O. P.	
Hardwood	W. O. P.	W. O. P.	X	W. O. P.	
Rattan, round	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Rattan, slab	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Wool:					
Wool	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
OD Clips	W. O. P.	W. O. P.	W. O. P.	W. O. P.	

LIST B

NOTE: Schedule B redesignated List B July 19, 1943.

This lists those materials which are excluded from paragraph (c) (2) (iii). Sales may be made only in accordance with paragraphs (c) (2) (i), (ii), (iv), (v), and (c) (3).

(1) Electrical resistance material (material in form of ribbon or wire in which nickel or chromium or both are used to create electrical resistance for development of heat).

(2) Aluminum.

[F. R. Doc. 43-11632; Filed, July 19, 1943; 4:22 p. m.]

PART 1010—SUSPENSION ORDERS

[Amdt. 1 to Suspension Order S-263]

DARTBOARD EQUIPMENT CO.

J. W Tempest and T. W Tempest, doing business as Dartboard Equipment Company, 306 Cherry Street, Philadelphia, Pennsylvania, have appealed from the provisions of Suspension Order S-263, issued April 3, 1943. After a review of the case it has been determined by the Chief Compliance Commissioner that the appeal be denied but that Suspension Order S-263 be modified so as to expire at an earlier date than now is specified.

In view of the foregoing, paragraph (e) of § 1010.263 Suspension Order S-263, issued April 3, 1943, is hereby amended to read as follows:

(e) This order shall take effect on April 5, 1943 and shall expire on August 5, 1943, at which time the restrictions contained in this order shall be of no further effect.

Issued this 19th day of July 1943.

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

[F. R. Doc. 43-11633; Filed, July 19, 1943; 4:22 p. m.]

PART 1010—SUSPENSION ORDERS

[Amdt. 1 to Suspension Order S-318]

THE MAY COMPANY

The May Company has appealed from the provisions of Suspension Order S-318, issued May 12, 1943. After the respondent had presented its appeal and argument in person, including presentation of additional evidence, the Chief Compliance Commissioner, after reviewing the case, has denied the appeal, except that he has directed that paragraph (a) of the suspension order be modified so as to remove maintenance and repair items from the prohibitive terms of the order.

In view of the foregoing, paragraph (a) of § 1010.318, Suspension Order S-318, issued May 12, 1943, is hereby amended to read as follows:

(a) Neither The May Company, its successors or assigns, nor any other person, shall order, purchase, accept delivery of, withdraw from inventory or in any manner secure or use material or construction plant in order to begin construction or to continue construction on the premises situated at Eighth and Broadway in Los Angeles, California, operated by The May Company as a department store, except as specifically authorized in writing by the War Production Board.

Issued this 19th day of July 1943.

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

[F. R. Doc. 43-11634; Filed, July 19, 1943; 4:22 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-366]

RICHTER METALCRAFT CORPORATION

The respondent, Richter Metalcraft Corporation, a New York corporation, now located at 160 East First Street, Mount Vernon, New York, is a manufacturer of electrical items, primarily desk lamps and lighting fixtures.

During the period from November 14, 1942 to January 8, 1943, the respondent produced approximately 418 electric heaters to fill orders or contracts having a preference rating lower than A-2. This constituted a violation of Order L-65 as amended September 30, 1942.

As a result of having been engaged for ten years in the manufacture of lighting fixtures, and of the wide publicity given to restrictions on the production of electrical equipment and appliances for nonessential uses, the Richter Metalcraft Corporation must be considered as having known of the restrictions of Order L-65 on the manufacture of electric heaters.

The respondent's actions have hampered and impeded the war effort of the United States by diverting scarce materials to uses not authorized by the War Production Board. In view of the foregoing; *It is hereby ordered,* That:

§ 1010.366 *Suspension Order S-366.* (a) Deliveries of material to Richter Metalcraft Corporation, its successors or assigns, shall not be accorded priority over deliveries under any other contract or order, and no preference ratings shall be assigned, applied or extended to such deliveries by means of preference rating certificates, preference rating orders, general preference orders or any other orders or regulations of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(b) No allocation or allotment shall be made to Richter Metalcraft Corporation, its successors or assigns, of any material or product, the supply or distribution of which is governed by any order of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(c) Nothing contained in this order shall be deemed to relieve Richter Metalcraft Corporation, its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except in so far as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on July 20, 1943 and expire on October 20, 1943.

Issued this 13th day of July 1943.

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

[F. R. Doc. 43-11669; Filed, July 20, 1943; 11:21 a. m.]

PART 1150—HONEY

[Revocation of General Preference Order M-118]

§ 1150.1 *General Preference Order M-118, as amended,* is hereby revoked, the said order having been superseded by Food Distribution Order 47, War Food Administration. This action shall not be construed to affect in any way any liability or penalty accrued or incurred under said Order M-118.

Issued this 20th day of July 1943.

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

[F. R. Doc. 43-11670; Filed, July 20, 1943; 11:21 a. m.]

PART 3100—FURNACE TYPE CARBON BLACK

[Allocation Order M-244, as Amended July 20, 1943]

The order title "General Preference Order M-244" is hereby amended to read "Allocation Order M-244"

Section 3100.1 is hereby amended to read as follows:

The fulfillment of the requirements for the defense of the United States has created a shortage in the supply of furnace type carbon black for defense, for private account and for export; and the following order is deemed necessary in the public interest and to promote the national defense:

§ 3100.1 (*Allocation Order M-244*)—(a) *Definitions.* (1) "Furnace type carbon black" means the black produced by the thermal decomposition of hydrocarbons and includes the soft and semi-reinforcing blacks, but excludes the channel carbon blacks and lamp blacks.

(2) "Supplier" means any person who produces furnace type carbon black, or who purchases furnace type carbon black for resale as furnace type carbon black.

(b) *Restrictions on delivery and acceptance of delivery.* (1) No supplier shall deliver furnace type carbon black to any other person, or divert furnace type carbon black to his own use, except as specifically authorized in writing by the War Production Board, upon application pursuant to Appendix A annexed.

(2) No person shall accept delivery of 5,000 pounds or more of furnace type carbon black in the aggregate from all suppliers during any calendar month, except as specifically authorized in writing by the War Production Board, upon application pursuant to Appendix B.

(3) No person shall accept delivery of between 100 and 5,000 pounds of furnace type carbon black in the aggregate from all suppliers during any calendar month, or place any purchase order for such delivery, unless and until he shall have furnished each supplier with a use certificate pursuant to Appendix C annexed.

(c) *Restrictions on use.* No person shall use furnace type carbon black, except as follows:

(1) In compounding rubber; or

(2) As specifically authorized in writing by the War Production Board, upon application pursuant to Appendix B annexed; or

(3) For any purpose, if the furnace type carbon black was in the user's inventory on October 16, 1942.

The use of furnace type carbon black in compounding rubber shall not be limited to the compounding of any particular type of rubber for any particular end use described in an application filed pursuant to Appendix B or C annexed, if, in view of changing circumstances, such limited use would not be practicable.

(d) *Special directions.* The War Production Board, at its discretion, may at any time issue special directions to any person with respect to:

(1) Use, delivery or acceptance of delivery of furnace type carbon black; or

(2) Production of furnace type carbon black; or

(3) Preparation and filing of forms and certificates required by Appendices A, B and C annexed.

(e) *Notification of customers.* Each supplier is requested to notify his regular customers as soon as possible of the requirements of this order, but failure to receive such notice shall not excuse any person from complying with the terms hereof.

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

(2) *Intra-company deliveries.* The prohibitions and restrictions of this order with respect to deliveries shall apply only to deliveries to other persons, notwithstanding the provisions of Section 944.12 (intra-company deliveries) of Priorities Regulation No. 1, as amended, except in the case of suppliers diverting furnace type carbon black to their own use.

(3) *Approval of reporting requirements.* Forms WPB-2945 (formerly PD-600) and WPB-2947 (formerly PD-602) have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(4) *Previous applications and allocations.* The amendment to this order on July 20, 1943, does not affect authorizations issued under this order prior to that date, and does not require renewal of applications filed previous to that date.

(5) *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 priority assistance.

(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, Chemicals Division, Washington, D. C. Ref.. M-244.

Issued this 20th day of July 1943.

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

APPENDIX A

INSTRUCTIONS TO SUPPLIERS FOR FILING APPLICATIONS TO DELIVER, OR TO DIVERT TO THEIR OWN USE, FURNACE TYPE CARBON BLACK

Each supplier seeking authorization to deliver furnace type carbon black, or to divert furnace type carbon black to his own use, may file application on Form WPB-2947 (formerly PD-602) in the manner prescribed therein, subject to the following instructions for the purpose of this order:

Form WPB-2947 (formerly PD-602). Copies of Form WPB-2947 (formerly PD-602) may be obtained at local field offices of the War Production Board.

Time of filing. Applications shall be filed in time to ensure that copies will have reached the War Production Board on or before the 20th day of the month preceding the month for which authorization to deliver (or divert to use) is requested.

Number of copies. Four copies shall be prepared, of which one shall be retained by the applicant and three copies (one certified) shall be sent to the War Production Board, Chemicals Division, Washington, D. C., Reference M-244.

Number of sets. Each supplier shall file a separate set of applications for each different grade or type of furnace type carbon black, but may file a consolidated set of applications for all his plants and warehouses.

Heading. Under name of material, specify furnace type carbon black; under War Production Board order number, specify M-244; specify the grade or type in terms of producer's trade name; specify pounds as unit of measure; and otherwise fill in as indicated.

Table I. First, in Column 1, list customers who have filed WPB-2945 (formerly PD-600) forms with the applicant and in Column 1a specify "WPB-2945" or "PD-600"; second, list customers who have filed use certificates with the applicant, and in Column 1a enter the products and end uses stated in such certificates; third, specify in Column 1 "Aggregate uncertified small orders (100 pounds or less)", and leave Column 1a blank; fourth, the applicant may certify in Column 1 his own name, and in Column 1a each product and end use for which he requests authorization to divert furnace type carbon black to his own use (See instructions for Columns 3 and 4 in Appendix B). Fill in other columns as indicated.

Rolling stock. Leave columns blank relating to rolling stock.

Table II. Fill in as indicated, for the grade or type specified in the heading.

In Columns 10 and 13 enter only those stocks of furnace type carbon black not authorized for use or delivery on the dates specified.

Special instructions for small distributors. Any distributor may deliver furnace type carbon black on uncertified small orders of 100 pounds or less without application to, or specific authorization from, the War Production Board, if he himself acquired such furnace type carbon black on an uncertified small order of 100 pounds or less, or if he acquired it pursuant to specific authorization or Appendix C certificate for the purpose of filling uncertified small orders of 100 pounds or less.

APPENDIX B

INSTRUCTIONS FOR FILING APPLICATIONS FOR SPECIFIC AUTHORIZATION TO ACCEPT DELIVERY OF FURNACE TYPE CARBON BLACK (OR TO USE FURNACE TYPE CARBON BLACK FOR A PURPOSE OTHER THAN THE COMPOUNDING OF RUBBER)

Specific authorization by the War Production Board is required for acceptance of delivery of 5000 pounds or more of furnace type carbon black from all suppliers in any calendar month, for any purpose. Also, specific authorization is required for the use of any quantity of furnace type carbon black for any purpose other than the compounding of rubber.

Application for such specific authorization may be made on Form WPB-2945 (formerly PD-600), in the manner prescribed therein, subject to the following instructions for the purpose of this order:

Form WPB-2945 (formerly PD-600). Copies of Form WPB-2945 (formerly PD-600) may be obtained at local field offices of the War Production Board.

Time of filing. Applications shall be made in time to ensure that copies will have reached the supplier and the War Production Board on or before the 15th day of the month preceding the month for which authorization for use or acceptance of delivery is sought.

Number of copies. Five copies shall be prepared, of which one copy shall be retained by the applicant, one copy shall be forwarded to the supplier and three copies (one certified) shall be forwarded to the War Production Board, Chemicals Division, Washington, D. C., Reference M-244.

Number of sets. Application shall be made on separate forms for each different grade or type of furnace type carbon black, and separate sets shall be submitted for each delivery destination of the applicant.

Heading. Under name of chemical, specify furnace type carbon black; under War Production Board order number, specify M-244; under unit of measure, specify pounds; and otherwise fill in as indicated.

Table I. Specify in the heading the month and year for which authorization for use or acceptance of delivery is sought.

Column 1. Specify grade or type of furnace type carbon black in terms of the producer's trade name for the product.

Column 2. Specify separately the quantities (in pounds) required for each different grade or type of furnace type carbon black required for each different type of rubber or other primary product listed in Column 3 of the application.

Column 3. Specify primary products in terms of the following:

Crude rubber
Liquid latex
Whole tire reclaim
All other reclaim
Scrap rubber
Buna S
Buna N
Butyl
Thiokol
Neoprene
All others (specify)
Other primary products (specify)
Export (as furnace type carbon black)
Resale (as furnace type carbon black)
Inventory (as furnace type carbon black)

Column 4 (if the primary product is rubber). Opposite each different type of rubber specified in Column 3, specify in Column 4 the end use pattern in terms of the following code numbers, giving the percentage of furnace type carbon black requested for each different code number:

Use	War orders (code number)	Civilian orders (code number)
Passenger tires and tubes	20	50
Truck and bus tires & tubes	21	51
Farm tractors & implement tires and tubes	22	52
Tank blocks, treads & tracks	23	----------
Solids, industrial & truck solids and bogie wheels	24	54
Bicycle tires & tubes	25	55
Airplane tires & tubes	26	56
Passenger type camelback	27	57
Truck & bus camelback	28	58
Tires & tube repair material	30	60
Belting	31	61
Hose and tubing	32	62
Packing and gaskets	33	63
Other mechanical goods	34	64
Wire and cable	35	65
Footwear	36	66
Heels	37	67
Soles	38	68
Proofing, clothing and fabrics	40	70
Drug sundries	41	71
Bullet sealing fuel cells	42	----------
Life rafts, boats, vests	43	----------
Miscellaneous	44	73

The above code numbers are transcribed from WPB Form 76 (formerly PD-49), issued by the Office of Rubber Director.

Column 4 (if the primary product is not rubber). Opposite any primary product other than rubber in Column 3, specify in Column 4 the end use and the reasons why substitutions cannot be made for furnace type carbon black.

Opposite "Export" in Column 3, specify in Column 4 the name of the individual, company or governmental agency to whom or for whose account the furnace type carbon black will be exported, the country of destination, and the governing export license or contract number, unless Lend-Lease, in which case merely specify the Lend-Lease contract or serial number.

Opposite "Resale" in Column 3, suppliers shall write into Column 4, "upon further authorization" or "for uncertified small orders of 100 pounds or less"

Opposite "Inventory" in Column 3, write in Column 4 "to hold subject to further authorization"

Columns 9 and 10. Leave blank except for remarks, if any, in Column 10.

Table II. Fill in as indicated the grade for each grade or type of furnace type carbon black referred to in Column 1 of the application.

Table III. Fill in as indicated.

Table IV Leave blank.

APPENDIX C

INSTRUCTIONS FOR FILING CERTIFICATES WITH PURCHASE ORDERS FOR FURNACE TYPE CARBON BLACK, FOR PERSONS ORDERING BETWEEN 100 AND 5000 POUNDS PER MONTH FROM ALL SUPPLIERS

(1) Each person seeking delivery of between 100 and 5000 pounds of furnace type carbon black during September, 1943 or during any calendar month thereafter, for use in compounding rubber, shall, upon placing any purchase order for such delivery, furnish the supplier with a certificate specifying the type of rubber and end use for which the furnace type carbon black is sought.

(2) Such certificate shall be endorsed on or attached to the purchase order and shall be in substantially the following form, signed by an authorized official, either manually or as provided in Priorities Regulation No. 7:

(List of quantities in pounds of furnace type carbon black ordered for each primary product and end use specified—see instructions in Appendix B for Columns 3 and 4.)

The undersigned hereby certifies that the furnace type carbon black covered by the accompanying purchase order will be used in compounding rubber, and that the above detailed description of primary product and end use is accurate on the basis of present knowledge and belief of the undersigned.

---------- ----------
(Name of purchaser) (Address)

By ---------- ----------
(Signature and title of duly authorized Officer) (Date)

The above certificate shall constitute a representation to, but shall not be filed with, the War Production Board.

(3) A written purchase order placed by any department or agency of the United States Government pursuant to the Act of March 11, 1941, (Lend-Lease Act), provided such purchase order specifies the Lend-Lease contract or requisition number, shall constitute a purchase order certificate for the purpose of this order.

[F. R. Doc. 43-11671; Filed, July 20, 1943; 11:21 a. m.]

Chapter XI—Office of Price Administration

PART 1305—ADMINISTRATION

[Gen. RO 9,[1] Amdt. 1]

RATIONED FOODS FOR SERVICEMEN ON LEAVE OR FURLOUGH

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

The last sentence of paragraph (b) of § 1305.65 is amended to read as follows:

The application may be presented to any Board if the applicant himself applies for the certificates or other ration evidences. If the person named in the application (or a member of his household) applies for the certificates or other ration evidences, the application must be presented to the Board for the area where such person lives.

This amendment shall become effective July 24, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong., E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. 1, 7 F.R. 562; Sec. of Agr. Food Dir. 3, 8 F.R. 2005, Food Dir. 5, 8 F.R. 2251, Food Dir. 6, 8 F.R. 3471, Food Dir. 7, 8 F.R. 3471, Food Dir. 8, 8 F.R. 7093)

Issued this 19th day of July 1943.

PRENTISS M. BROWN,
Administrator

[F. R. Doc. 43-11601; Filed, July 19, 1943; 2:48 p. m.]

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

[RO 1A, Amdt. 39]

TIRES, TUBES, RECAPPING, AND CAMELBACK; SPARE TIRES

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

Ration Order No. 1A is amended in the following respects:

Section 1315.502 (c) is added to read as follows:

(c) *Spare tire.* That, if the applicant owns or controls serviceable tires available for use on the running wheels of the vehicle for which application is made, he does not own or control a tire which can be used or repaired for use as an emergency spare tire regardless of its condition. This provision shall not apply to the persons eligible under § 1315.503 (d) (1)

Section 1315.503 (d) (7) is added to read as follows:

(7) An applicant who is eligible for a spare tire may be issued no better than a certificate for a Grade III tire, unless he establishes eligibility under § 1315.503 (d) (1)

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

[1] 8 F.R. 7107.

[2] 7 F.R. 9160, 9392, 9724.

This amendment shall become effective July 24, 1943.

(Pub. Law 671, 76th Cong. as amended by Pub. Laws 89, 421 and 507, 77th Cong., E. O. 9125, 7 F.R. 2719, issued April 7, 1942, WPB Dir. No. 1, 7 F.R. 562, Supp. Dir. No. 1Q, 7 F.R. 9121)

Issued this 19th day of July 1943.

GEORGE J. BURKE,
Acting Administrator.

[F. R. Doc. 43-11602; Filed, July 19, 1943; 2:46 p. m.]

PART 1334—SUGAR, CONFECTIONERY AND SOFT DRINKS

[RPS 60,[1] Amdt. 10]

DIRECT CONSUMPTION SUGARS

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

Section 1334.51 (a) (1) is amended by adding thereto:

(1) * * * Except that for fine granulated sugar processed by said refineries and sold for delivery outside of the states of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, and Delaware the maximum basis price shall be $5.45 per 100 lbs. f. o. b. United States Seaboard Cane Sugar Refinery nearest freightwise to the point of delivery.

This amendment shall become effective July 19, 1943.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 19th day of July 1943.

GEORGE J. BURKE,
Acting Administrator.

[F. R. Doc. 43-11603; Filed, July 19, 1943; 2:46 p. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH

[MPR 286,[2] Amdt. 4]

CERTAIN SAUSAGE PRODUCTS FOR WAR PROCUREMENT AGENCIES

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

Section 1364.804 is amended to read as follows:

§ 1364.804 *Evasion.* The price limitations set forth in this Maximum Price Regulation 286 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of, or relating to any of the products listed herein, alone or in conjunction with any other commodity, or by way of commission, service, transportation, or other charge, or discount, premium, or other privilege, or by tying agreement or other trade understanding, or by any other means: *Provided,* That a payment by a buyer to a seller for icing services performed after June 13, 1943, and before delivery of sausage to a railroad whose charges are paid directly to such railroad by the buyer shall not be construed as an evasion of such price limitations if the charge for such icing services is no higher than the cost actually incurred by the seller in performing such services and no higher than the charge which could lawfully have been made by the railroad if such services had been performed by the railroad.

[1] 7 F.R. 1320, 2132, 2510, 5004, 6767, 8928, 8948, 8949; 8 F.R. 5803, 6044, 6424, 9283.

[2] 7 F.R. 10554; 8 F.R. 2167, 2350, 4040, 7031.

This amendment shall become effective as of June 13, 1943.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 19th day of July 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-11604; Filed, July 19, 1943; 2:47 p. m.]

PART 1380—HOUSEHOLD AND SERVICE INDUSTRY MACHINES

[Rev. MPR 139,[1] Amdt. 2]

USED HOUSEHOLD MECHANICAL REFRIGERATORS

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

A new paragraph (c) is added in section 8 to read as follows:

(c) The registration and licensing provisions of §§ 1499.15 and 1499.16 of the General Maximum Price Regulation continue to be applicable to every person selling the commodities for which a maximum price is established by this regulation.

This amendment shall become effective July 24, 1943.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 19th day of July 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-11605; Filed, July 19, 1943; 2:49 p. m.]

PART 1382—HARDWOOD LUMBER

[MPR 432]

MAPLE, BIRCH, AND BEECH FLOORING

In the judgment of the Price Administrator it is necessary and proper to establish specific maximum prices for the sale of maple, birch, and beech flooring. The Price Administrator has ascertained and given due consideration to the prices of

[1] 8 F.R. 3708, 5424.

maple, birch, and beech flooring prevailing between October 1 and October 15, 1941, and has made adjustments for such relevant factors as he has determined and deemed to be of general applicability. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation.

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

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

AUTHORITY: § 1382.302 issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

MAXIMUM PRICE REGULATION 432—MAPLE, BIRCH, AND BEECH FLOORING

Article I—Scope of the Regulation

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

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

SEC. 2. *What products, transactions, and persons are covered.* This regulation covers all direct-mill sales of maple, birch, and beech flooring graded as such under the effective Grading Rules of the Maple Flooring Manufacturers Association. The regulation applies regardless of the kind of mill or plant in which the flooring is produced, and regardless of whether the particular item is specifically priced in the price tables or not. Any person who makes a sale of this kind, for himself or others, is subject to this regulation.

Article II—Maximum Prices and Terms of Sale

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

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

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

SEC. 4. *Delivered prices.* The general rule is that the maximum delivered price shall be a price not higher than the f. o. b. mill maximum price plus the actual transportation charges paid or incurred by the seller in making shipment directly from the mill to the point of delivery required by the purchaser. However, it is permissible to quote and charge delivered prices based on the rail rate times the estimated weight as given in the following table:

Estimated weights	*Weight pounds per M'BM*
Tongued and grooved flooring:	
3/8 x 1½"	1000
3/8 x 2"	1000
½ x 1½"	1400
½ x 2"	1400
½ x 2¼"	1400
5/8 x 1½"	1600
5/8 x 2"	1600
5/8 x 2¼"	1600
25/32 x 1½"	2000
25/32 x 2"	2000
25/32 x 2¼"	2000
25/32 x 3¼"	2250
33/32 x 2"	2250
33/32 x 2¼"	2250
33/32 x 3¼"	2400
33/32 x 4"	2500
41/32 x 2¼"	2500
41/32 x 3¼"	2700
Jointed flooring:	
25/32 x 2½"	2250
25/32 x 3½"	2400
33/32 x 2½"	2500
33/32 x 3½	2600

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

(1) The requested price;

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

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

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

Article III—Specific Duties and Privileges and Prohibited Practices

SEC. 6. *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration to whom the authority to grant such authorization has been delegated. The authorization will be given by order, except that it may be given by letter or telegram when the contemplated revision will be the granting of an individual application for adjustment.

SEC. 7. *Petitions for adjustment or amendment*—(a) *Government contracts.* (1) The term "Government contract" is here used to include any contract with the United States or any of its agencies or with the government or any governmental agency of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to promote the Defense of the United States." The term also includes any subcontract under this kind of contract.

(2) Any person who has entered into or proposes to enter into a "Government contract" who believes that the maximum prices established by this regulation impede or threaten to impede production of maple, birch, or beech flooring essential to the war program, may file an application for adjustment in accordance with Procedural Regulation No. 6,[1] as amended, by the Office of Price Administration. As soon as the application is filed, contracts, deliveries, and payments may be made at the requested price, subject to refund if the requested price is disapproved or lowered. The seller must notify the buyer that the delivery is made subject to this refund.

(b) *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1[2] issued by the Office of Price Administration.

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

SEC. 9. *Records.* All sellers and all buyers of maple, birch, and beech flooring for direct-mill shipment must retain a copy of the invoice covering each transaction or maintain records in other form containing a complete de-

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

[1] 7 F.R. 5087, 5664; 8 F.R. 6173, 6174.

[2] 7 F.R. 8961; 8 F.R. 3313, 3533, 6173.

scription of the flooring, name and address of the other party to the transaction, date of sale, and the price paid, including any special addition for extra service, working, or specification. These records must be retained for two years, for inspection by the Office of Price Administration.

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

SEC. 11. *Imports.* The provisions of this regulation do not apply to the purchases, sales or deliveries of the commodities named in this regulation if they originate outside of and are imported into the continental United States. Sales, purchases and deliveries of such imported commodities are governed by the provisions of the General Maximum Price Regulation, and especially Revised Supplementary Regulation No. 12.

SEC. 12. *Relation to other regulations.* Any sale or delivery covered by this regulation is not subject to the General Maximum Price Regulation.[3]

Article IV—Price Tables

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

Thickness and width	Length	Maximum prices per MBM
25/32 x 2¼"		
First Grade	2-16'	$93.50
	4-16'	97.50
	2-5½'	87.50
	2-3½'	83.50
	7-21"	71.00
Second Grade	1½-16'	88.50
	4-16'	93.00
	1½-5½'	83.50
	1½-3½'	79.00
	7-21"	64.00
Third Grade	1-16'	73.00
	2-16'	75.00
25/32 x 1½"		
First Grade	2-16'	80.00
	4-16'	83.50
	2-5½'	73.50
	2-3½'	70.00
	7-21"	51.50
Second Grade	1½-16'	64.50
	1½-3½'	55.50
	7-21"	46.50
Third Grade	1-16'	50.00
25/32 x 2"		
First Grade	2-16'	83.50
	4-16'	88.50
	2-5½'	77.00
	2-3½'	74.00
	7-21"	57.00
Second Grade	1½-16'	78.00
	1½-5½'	68.50
	1½-3½'	65.50
	7-21"	53.50
Third Grade	1-16'	68.00
25/32 x 3¼"		
First Grade	2-16'	90.00
	2-3½'	80.50
	7-21"	67.50
Second Grade	1½-16'	85.50
	7-21"	69.00
Second and Better	1½-16'	87.00
Third Grade	1-16'	74.50
Third and Better	1-16'	80.50
3/8 x 1½"		
First Grade	2-16'	71.00
Second Grade	1½-16'	60.00
Third Grade	1-16'	27.50
3/8 x 2"		
First Grade	2-16'	76.00
Second Grade	1½-16'	65.00
Third Grade	1-16'	32.00
5/8 x 1½"		
First Grade	2-16'	67.50
Second Grade	1½-16'	58.00
Third Grade	1-16'	43.00

[3] 8 F.R. 3096.

TABLE 1—MAPLE FLOORING, TONGUED AND GROOVED, AND END MATCHED—Con.

Thickness and width	Length	Maximum prices per M BM
5/8 x 2¼"		
First Grade	2-16'	$82.00
Second Grade	1½-16'	74.00
Second and Better	1½-16'	84.00
Third Grade	1-16'	69.50
33/32 x 1½"		
First Grade	2-16'	83.50
Second Grade	1½-16'	66.50
Third Grade	1-16'	52.00
33/32 x 2"		
First Grade	2-16'	90.00
Second Grade	1½-16'	74.00
Third Grade	1-16'	69.50
33/32 x 2¼"		
First Grade	2-16'	97.50
Second Grade	1½-16'	92.50
	3-16'	99.00
	4-16'	97.50
Second and Better	1½-16'	95.00
Third Grade	1-16'	70.50
33/32 x 3¼"		
First Grade	2-16'	97.50
Second Grade	1½-16'	91.00
Second and Better	1½-16'	93.50
Third Grade	1-16'	73.50
41/32 x 2¼"		
First Grade	2-16'	101.50
Second Grade	1½-16'	91.00
Second and Better	1½-16'	99.50
Third Grade	1-16'	84.00
41/32 x 3¼"		
First Grade	2-16'	93.50
Second Grade	1½-16'	90.00
Second and Better	1½-16'	94.00
Third Grade	1-16'	84.00
53/32 x 2¼"		
Third and Better	1-16'	89.50

TABLE 1A—JOINTED MAPLE FLOORING

Thickness and width	Length	Maximum prices per MBM
25/32 x 2¼"		
First Grade	2-16'	$92.50
Second and Better	1½-16'	91.00
Third Grade	1-16'	83.50
Third and Better	1-16'	81.50
25/32 x 3¼"		
First Grade	2-16'	93.00
Second and Better	1½-16'	89.50
Third Grade	1-16'	72.50
Third and Better	1-16'	89.50
33/32 x 2¼"		
First Grade	2-16'	101.50
Second and Better	1½-16'	93.50
Third Grade	1-16'	70.50
Third and Better	1-16'	99.00
33/32 x 3¼"		
First Grade	2-16'	105.00
Second and Better	1½-16'	99.00
Third Grade	1-16'	75.00
Third and Better	1-16'	99.00

TABLE 2—BIRCH FLOORING, TONGUED AND GROOVED, AND END MATCHED

Thickness and width	Length	Maximum prices per M BM
25/32 x 1½"		
First Grade	2-16'	$71.00
	4-16'	74.00
	2-5½'	63.00
	2-3½'	60.50
	7-21"	45.00
Second Grade	1½-16'	60.00
	7-21"	49.00
Third Grade	1-16'	47.50
25/32 x 2"		
First Grade	2-16'	71.00
Second Grade	1½-16'	61.50
Third Grade	1-16'	55.50
25/32 x 2¼"		
First Grade	2-16'	84.00
	4-16'	89.00
	2-5½'	78.00
	2-3½'	76.00
	7-21"	62.00

TABLE 2—BIRCH FLOORING, TONGUED AND GROOVED, AND END MATCHED—Con.

Thickness and width	Length	Maximum prices per M BM
25/32 x 2¼"		
Second Grade	2-16'	$73.50
	4-16'	84.00
	1½-5½'	74.00
	1½-3½'	70.00
	7-21"	54.00
Third Grade	1-16'	64.00
	2-16'	67.50
25/32 x 3¼"		
First Grade	2-16'	81.00
	2-3½'	83.00
	7-21"	66.50
Second and Better	1½-16'	78.00
Second Grade	1½-16'	77.00
	7-21"	55.50
Third Grade	1-16'	67.00
3/8 x 1½"		
First Grade	2-16'	62.00
Second Grade	1½-16'	51.50
Third Grade	1-16'	21.50
3/8 x 2"		
First Grade	2-16'	67.00
Second Grade	1½-16'	55.00
5/8 x 1½"		
First Grade	2-3½'	51.00
	8-21"	33.00
5/8 x 2¼"		
First Grade	2-16'	72.00
Second Grade	1½-16'	67.00
Third Grade	1-16'	51.00

TABLE 2A—JOINTED BIRCH FLOORING

Thickness and width	Length	Maximum prices per MBM
25/32 x 3¼"		
First Grade	2-16'	$67.50
Second Grade	1½-16'	55.50
Third Grade	1-16'	54.50

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

Thickness and width	Length	Maximum prices per MBM
25/32 x 1½"		
First Grade	2-16'	$71.50
	2-5½'	69.50
	8-21"	43.50
Second Grade	1½-16'	56.50
Third Grade	1-16'	45.50
	1-3½'	44.00
25/32 x 2"		
First Grade	2-16'	73.00
Second Grade	1½-16'	64.00
Third Grade	1-16'	55.50
25/32 x 2¼"		
First Grade	2-16'	83.50
	2-5½'	75.00
	8-21"	62.00
Second Grade	1½-16'	77.50
	1½-5½'	74.00
Third Grade	1-16'	65.50
	1-5½'	63.00
	8-21"	47.00
25/32 x 3¼"		
Second and Better	1½-16'	77.00
Third Grade	1-16'	64.00

Effective date. This regulation shall become effective July 24, 1943.

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

Issued this 19th day of July 1943.

PRENTISS M. BROWN,
Administrator

[F. R. Doc. 43-11611; Filed, July 19, 1943; 2:49 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 11,[1] Amdt. 72]

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.*

Ration Order No. 11 is amended in the following respects:

1. Section 1394.5503 (f) is amended by substituting the phrase "Class 1 or Class 2 coupon sheet" for the phrase "coupon sheet."

2. Section 1394.5684 (b) is amended by adding after the period at the end of the paragraph the sentence, "Inventory coupons may be deposited on or before, but not after, August 31, 1943."

3. Section 1394.5705 (f) is amended by adding after the period at the end of the paragraph the sentence, "On and after September 1, 1943, all inventory coupons shall be void."

4. Section 1394.5707 (a) (3) is added to read as follows:

(3) On and after August 16, 1943, no fuel oil may be transferred in exchange for inventory coupons.

5. Section 1394.5723 (a) is amended by inserting after the period at the end of the first sentence the sentence, "On and after September 1, 1943, no exchange certificates shall be furnished in exchange for inventory coupons."

This amendment shall become effective on July 24, 1943.

(Pub. Law 471, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong., Pub. Law 421, 77th Cong., WPB Directive No. 1, 7 F.R. 562; Supp. Directive No. 1-0, as amended, 7 F.R. 8416; E.O. 9125, 7 F.R. 2719)

Issued this 19th day of July 1943.

PRENTISS M. BROWN,
Administrator

[F. R. Doc. 43-11606; Filed, July 19, 1943; 2:48 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5C,[2] Amdt. 67]

MILEAGE RATIONING: GASOLINE REGULATIONS

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

Ration Order 5C is amended in the following respects.

1. Section 1394.7551 (a) (57) is added to read as follows:

(57) "Earliest renewal date" means the first day following the last day of the period for which a particular ration was issued. It is the first day upon which a renewal of a ration may be valid for use.

2. Section 1394.7701 (b) is amended to read as follows:

(b) When issued as a supplemental ration, Class B, C, and D books shall contain the number of coupons specified in the tables set forth in § 1394.7705 (according to the type of book and the area in which it is issued) necessary to provide the mileage allowed by the Board. Each coupon in a Class B, Class C or supplemental Class D book shall have a value of one unit. Coupons in Class B, C and supplemental Class D books shall authorize the transfer of gasoline to consumers from the validity date, which shall be noted on the ration book by the issuing Board, until such rations or books expire or are revoked.

3. Section 1394.7705 (a) (1) (i) is amended to read as follows:

(i) In the event that the mileage allowed by the Board is 470 miles per month or less: One Class B book containing the number of coupons specified in Table I for the mileage allowed. The Board shall note the date of issuance on such book as the date on which it becomes valid, and an earliest renewal date three months from the date of issuance.

4. Section 1394.7705 (a) (1) (ii) is amended to read as follows:

(ii) In the event that the mileage allowed by the Board pursuant to § 1394.7704 (b) or § 1394.7707 exceeds 470 miles per month: One or more Class C books containing the number of coupons specified in Table II for the mileage allowed. The Board shall note the date of issuance on such books as the date on which they become valid, and an earliest renewal date three months from the date of issuance.

5. Section 1394.7705 (a) (2) (i) is amended to read as follows:

(i) In the event that the mileage allowed by the Board is 360 miles per month or less: One or two class B books containing the number of coupons specified in Table IA for the mileage allowed. The Board shall note the date of issuance on such books as the date on which they become valid, and an earliest renewal date four months from the date of issuance.

6. Section 1394.7705 (a) (2) (ii) is amended to read as follows:

(ii) In the event that the mileage allowed by the Board pursuant to § 1394.7704 (b) or § 1394.7707 exceeds 360 miles per month: One or more Class C books containing the number of coupons specified in Table IIA for the mileage allowed. The Board shall note the date of issuance on such books as the date on which they become valid, and an earliest renewal date three months from the date of issuance.

7. In § 1394.7705 (a) (3) the text and Table I preceding Table IA are amended to read as follows:

In the case of a motorcycle one or more Class D books (to be marked "supplemental") containing the number of coupons specified in Table I or in Table II to provide the mileage allowed by the Board. The Board shall note the date of issuance on such books as the date on which they become valid, and an earliest renewal date three months from the date of issuance.

TABLE I[3]—DETERMINATION OF AMOUNT OF SUPPLEMENTAL RATION

For passenger automobiles and motorcycles with an allowed mileage of more than 150 but not more than 470 miles per month

["B" coupons issued to passenger automobiles. "D" coupons issued to motorcycles]

Miles per month:	*"B" or "D" coupons for 3 months*
Up to 150	0
151-170	1
171-190	2
191-210	3
211-230	4
231-250	5
251-270	6
271-290	7
291-310	8
311-330	9
331-350	10
351-370	11
371-390	12
391-410	13
411-430	14
431-450	15
451-470	16

8. Section 1394.7705 (b) is amended to read as follows:

(b) The Board shall remove and cancel all coupons in Class B, C and D books in excess of the number to be issued hereunder.

9. Section 1394.7751 (b) is amended to read as follows:

(b) When issued as an Official or Fleet ration, Class B, C and D books shall contain the number of coupons specified in the tables set forth in § 1394.7705 and § 1394.7755 (according to the type of book and the area in which it is issued) necessary to provide the mileage allowed by the Board. Coupons in such books shall authorize the transfer of gasoline to consumers on and after the validity date, which shall be noted on such books by the issuing Board, until such rations or books expire or are revoked.

10. Section 1394.7755 (a) (1) (i) is amended to read as follows:

(i) In the event that the mileage allowed by the Board is 470 miles per month or less: one or two Class B books containing the number of coupons specified in Table III for the mileage allowed. The Board shall note the date of issuance on such books as the date on which they become valid, and an earliest renewal date three months from the date of issuance.

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

[1] 7 F.R. 8480, 8708, 8809, 8897, 9316, 9396, 9427, 9430, 9621, 9478, 10153, 10081, 10379, 10530, 10531, 10780, 10707, 11118, 11071; 8 F.R. 165, 237, 437, 369, 374, 535, 439, 444, 607, 608, 977, 1204, 1235, 1282, 1681, 1636, 1859, 2194, 2432, 2598, 2781, 2730, 2887, 2942, 2993, 2887, 3105, 3521, 3628, 3734, 3848, 3948, 4255, 4137, 4350, 4784, 4850, 5678, 6064, 6262, 6960, 7588, 6137, 9059.

[2] 7 F.R. 9135, 9787, 10147, 10016, 10110, 10338, 10706, 10786, 10787, 11009, 11070; 8 F.R. 179, 274, 369, 372, 607, 565, 1028, 1202, 1203, 1365, 1282, 1366, 1318, 1588, 1813, 1895, 2098, 2213, 2288, 2353, 2431, 2595, 2780, 2720, 3096, 3261, 3253, 3255, 3254, 3315, 3616, 4189, 4341, 4850, 4976, 5267, 5268, 5486, 5564, 5756, 6261, 6179, 6441.

[3] To be used only for vehicles entitled to basic rations.

11. Section 1394.7755 (a) (1) (ii) is amended to read as follows:

(ii) In the event that the mileage allowed by the Board pursuant to § 1394.7754 (b) exceeds 470 miles per month: one or more Class C books containing the number of coupons specified in Table IV for the mileage allowed. The Board shall note the date of issuance on such books as the date on which they become valid, and an earliest renewal date three months from the date of issuance.

12. Section 1394.7755 (a) (2) (i) is amended to read as follows:

(i) In the event that the mileage allowed by the Board is 360 miles per month or less: one or two Class B books containing the number of coupons specified in Table IA in § 1394.7705 (a) (3) for the mileage allowed. The Board shall note on such books the date of issuance as the date on which they become valid, and an earliest renewal date four months from the date of issuance.

13. Section 1394.7755 (a) (2) (ii) is amended to read as follows:

(ii) In the event that the mileage allowed by the Board pursuant to paragraph (b) of § 1394.7754 exceeds 360 miles per month: one or more class C books containing the number of coupons specified in Table IIA in § 1394.7705 (a) (3) for the mileage allowed. The Board shall note on such books the date of issuance as the date on which they become valid, and an earliest renewal date three months from the date of issuance.

14. Section 1394.7755 (a) (2) which begins with the phrase "In the case of motorcycles" is redesignated § 1394.7755 (a) (3) Table IIIA and Table IVA are deleted and the text and Table III preceding Table IIIA are amended to read as follows:

(3) In the case of motorcycles: One or more Class D books (to be marked "fleet" if issued for use with a fleet motorcycle and "official" if issued for use with an official motorcycle) containing the number of coupons specified in Table III or Table IV to provide the mileage allowed by the Board. The Board shall note on such books the date of issuance as the date on which they become valid, and an earliest renewal date three months from the date of issuance.

TABLE III [3]—DETERMINATION OF AMOUNT OF OFFICIAL OR FLEET RATION

For passenger automobiles and motorcycles with an allowed mileage of not more than 470 miles per month

["B" coupons issued to fleet passenger automobiles. "D" coupons issued to fleet motorcycles]

Miles per month:	"B" or "D" coupons for 3 months
1–20	1
21–40	2
41–60	3
61–80	4
81–100	5

[3] To be used only for official or fleet passenger automobiles and motorcycles and other specified passenger automobiles and motorcycles not entitled to basic rations.

TABLE III [3]—DETERMINATION OF AMOUNT OF OFFICIAL OR FLEET RATION—Continued

Miles per month:	"B" or "D" coupons for 3 months
101–120	6
121–140	7
141–160	8
161–180	9
181–200	10
201–220	11
221–240	12
241–260	13
261–280	14
281–300	15
301–320	16
321–340	17
341–360	18
361–380	19
381–400	20
401–420	21
421–440	22
441–460	23
461–470	24

15. In § 1394.7755 (b) the first sentence is amended to read as follows:

(b) The Board shall remove and cancel all coupons in Class B, C, and D books in excess of the number to be issued hereunder.

16. In § 1394.7757 (c) the last sentence is amended by substituting for the final clause "and the date on which it expires." the clause "and the earliest renewal date."

17. Section 1394.7758 (c) is amended to read as follows:

(c) If the Board finds the facts stated on the application to be true, it shall determine the allowed mileage for such vehicle in the manner provided in § 1394.7754 and shall issue a ration in accordance with the provisions of paragraphs (a) (b) and (c) and (e) of § 1394.7755 except as otherwise provided herein. The Board issuing the ration shall, at the time of issuance, note on the cover of the book the name and address of the person to whom the ration is issued. If the term of the lease remaining from the date of issuance of the ration is less than the valid period of the ration as determined in accordance with the provisions of paragraph (a) of § 1394.7755, the Board shall issue a ration containing coupons sufficient to allow the allowed mileage for the remaining term of the lease, and shall remove from the ration book or books issued all coupons in excess of such number. In such a case the ration shall expire on the date on which the lease terminates, and the Board shall not note an earliest renewal date on the book or books issued, but shall write on the outside front cover the date on which the lease terminates, and that the book or books will expire on that date.

18. Section 1394.7852 (b) is amended by adding the following sentence at the end of the present text:

The coupons contained in any such book issued shall be valid for transfers of gasoline to consumers from the date of issuance, which shall be noted on the book by the Board. They shall expire at the end of the period for which the ration is issued. The Board shall not note an earliest renewal date on the book or books issued, but shall write on the outside front cover the date on which the ration expires, and that the book or books will expire on that date.

19. Section 1394.7902 (a) is amended to read as follows:

(a) Class E and Class R coupon books shall be issued as non-highway rations. Coupons in Class E and Class R books shall each have a value of one unit, and shall be valid for the transfer of gasoline to a non-highway consumer from the validity date noted on such books by the Board until such rations or books expire or are revoked.

20. In § 1394.8004 (a) the last sentence is amended to read as follows:

The Board shall make a notation on the cover of such book (other than a Basic book) and on the application therefor, of the date on which it becomes valid and, as the case may be, either of its expiration date, or of its earliest renewal date.

21. Section 1394.8004 (b) is amended to read as follows:

(b) At the time of issuance of a Non-highway ration book, the Board shall make a clear notation on such book in ink, indelible pencil or by typewriter of the name and address of the applicant, the date when such ration shall become valid and the earliest renewal date. Such dates shall also be noted on the application.

22. Section 1394.8004 (f) is amended by substituting for the final phrase "and the date of expiration of such ration" the phrases "and either the date of expiration or the earliest renewal date of such ration"

23. Section 1394.8006 (b) is amended by substituting for the words "expiration date" the words "earliest renewal date"

24. Section 1394.8051 (a) is amended by substituting for the second sentence thereof the following two sentences:

Application for a renewal of a Basic or Special ration or a Transport ration for which no Certificate of War Necessity is required may be made at any time within thirty days prior to the expiration of such ration, or at any time thereafter. Application for a renewal of a Supplemental, Official, Fleet or Non-highway ration may be made within fifteen days before the earliest renewal date or at any time thereafter.

25. Section 1394.8051 (c) is amended to read as follows:

(c) When renewing a ration prior to the end of the period for which a current ration of the same class was issued, the Board shall note on the application and on the front cover of the coupon book (if any) representing such renewed ration the date on which such book shall become valid. Such date shall be the earliest renewal date of the current ration or the day following the expiration date.

26. Section 1394.8051 (d) is amended to read as follows:

(d) Except as provided in § 1394.8052 and § 1394.8053, no ration of any class may be renewed for use before (or may

be used before) the end of the period for which the preceding ration of the same class was issued.

27. In § 1394.8052 the head-note is amended to read as follows:

§ 1394.8052 *Issuance of further ration for use before end of period of current ration.* * * *

28. Section 1394.8052 (a) is amended by substituting for the phrase "the expiration of his current ration" at the end of the first sentence, the phrase "the end of the period for which his current ration was issued."

29. Section 1394.8052 (b) (2) is amended to read as follows:

(2) The reason or reasons why a further ration will be needed for use before the end of the period for which the current ration was issued.

30. Section 1394.8053 (a) is amended by substituting for the final words "the expiration of such current ration" the words "the end of the period for which such current ration was issued."

31. Section 1394.8053 (c) (3) is amended to read as follows:

(3) The reason or reasons why a further ration is sought for use before the end of the period for which the current ration was issued.

32. Section 1394.8054 (b) is amended to read as follows:

(b) Except as provided in paragraph (c) of this section, when granting a further ration pursuant to the provisions of § 1394.8052 or § 1394.8053 for use before the end of the period for which the current ration was issued, the Board shall require the surrender of such current ration and upon receiving the surrender thereof shall issue a new ration valid from the date of issuance.

33. Section 1394.8102 (a) is amended by substituting for the third sentence the following sentences:

All special rations (except rations issued for leave or furlough) and rations issued for leased vehicles pursuant to § 1394.7758 shall expire as noted on the books or applications. Any other ration shall expire on the date when a renewal of such ration becomes valid.

34. Section 1394.8153 (a) (3) is amended to read as follows:

(3) Transfer may be made only on and after the validity date noted on the cover of the book presented or, in the case of a Class A book, only during the period of validity of the coupon in exchange for which the transfer is to be made. Transfer, in the case of a Class T-1 or Class T-2 book, may be made only during the valid period noted on the cover of the book presented, except that from July 1, 1943 to July 25, 1943, inclusive, transfer may be made in the Restricted Area in exchange for a Class T coupon issued in that area for use during the second calendar quarter of 1943. Transfers in the case of special rations and rations issued for leased vehicles pursuant to § 1394.7758 may be made only during the valid period noted on the cover of the book presented.

This amendment shall become effective July 24, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 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 19th day of July 1943.

PRENTISS M. BROWN,
Administrator

[F. R. Doc. 43-11607; Filed, July 19, 1943; 2:47 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Seventh Rev. Zoning Order 1 Under RO 3 [1]]

SUGAR RATIONING REGULATIONS; ORDER ESTABLISHING ZONES

Pursuant to § 1407.168, the Sixth Revised Zoning Order No. 1 is amended to read as follows:

§ 1407.281 *Establishment of zones; authorization of certain deliveries, shipments and transfers.* (a) The following zones are hereby established:

Zone 1 shall include the States of Maine, Massachusetts New Hampshire, Rhode Island and Vermont.

Zone 2 shall include the States of Connecticut and New York; and Bergen, Essex, Hudson, Middlesex, Monmouth, Morris, Passaic, Sussex and Union Counties in the State of New Jersey.

Zone 3 shall include the States of Delaware and Pennsylvania and that part of the State of New Jersey not included in Zone 2.

Zone 3A shall include Ashland, Ashtabula, Athens, Belmont, Carroll, Columbiana, Coshocton, Crawford, Cuyahoga, Erie, Fairfield, Gallia, Geauga, Guernsey, Harrison, Hocking, Holmes, Huron, Jackson, Jefferson, Knox, Lake, Lawrence, Licking, Lorain, Lucas, Mahoning, Medina, Meigs, Monroe, Morgan, Morrow, Muskingum, Noble, Ottawa, Perry, Portage, Richland, Sandusky, Seneca, Stark, Summit, Trumbull, Tuscarawas, Vinton, Washington, Wayne and Wood Counties in the State of Ohio; and Brooke, Hancock, Ohio and Marshall Counties in the State of West Virginia.

Zone 4 shall include the State of Maryland, the District of Columbia; Berkeley, Grant, Hampshire, Hardy, Jefferson, Mineral and Morgan Counties in the State of West Virginia; Accomac, Arlington, Caroline, Charles City, Clarke, Culpeper, Elizabeth City, Essex, Fairfax, Fauquier, Frederick, Gloucester, Hanover, Henrico, Isle of Wight, James City, King and Queen, King George, King William, Lancaster, Loudoun, Madison, Mathews, Middlesex, Nausemond, New Kent, Norfolk, Northampton, Northumberland, Orange, Page, Prince George, Princess Anne, Prince William, Rappahannock, Richmond, Shenandoah, Southampton, Spotsylvania, Stafford, Surry, Sussex, Warren, Warwick, Westmoreland, and York Counties, and the independent cities of Alexandria, Fredericksburg, Hampton, Hopewell, Newport News, Norfolk, Portsmouth, Richmond, South Norfolk, Suffolk, Williamsburg and Winchester in the State of Virginia.

Zone 5 shall include the State of North Carolina and all points in the State of Virginia not included in Zone 4 and all points in the State of West Virginia not included in Zones 3A and 4.

Zone 6 shall include the States of Georgia and South Carolina.

Zone 7 shall include that part of the State of Florida which lies east of the Apalachicola River.

Zone 8 shall include the States of Arkansas, Alabama, Kentucky, Louisiana, Mississippi and Tennessee; that part of the State of Florida which lies west of the Apalachicola River; Alexander, Bond, Champaign, Christian, Clark, Clay, Clinton, Coles, Crawford, Cumberland, DeWitt, Douglas, Edgar, Edwards, Effingham, Fayette, Franklin, Gallatin, Hamilton, Hardin, Jackson, Jasper, Jefferson, Johnson, Lawrence, Macon, Madison, Marion, Massac, Monroe, Montgomery, Moultrie, Perry, Piatt, Pope, Pulaski, Randolph, Richland, St. Clair, Saline, Shelby, Union, Vermilion, Wabash, Washington, Wayne, White and Williamson Counties in the State of Illinois; and Barry, Bollinger, Butler, Cape Girardeau, Carter, Christian, Crawford, Dallas, Dent, Douglas, Dunklin, Franklin, Gasconade, Greene, Howell, Iron, Jefferson, Laclede, Lawrence, McDonald, Madison, Maries, Mississippi, New Madrid, Newton, Oregon, Osage, Ozark, Pemiscot, Perry, Phelps, Pulaski, Reynolds, Ripley, St. Charles, St. Francois, St. Louis, Ste. Genevieve, Scott, Shannon, Stoddard, Stone, Taney, Texas, Washington, Wayne, Webster and Wright Counties in the State of Missouri.

Zone 9 shall include all points in the State of Texas where the base rate is 35 cents or less.

Zone 10 shall include the lower peninsular of the State of Michigan.

Zone 11 shall include all counties in the State of Indiana except Lake County, and all points in the State of Ohio not included in Zone 3A.

Zone 12 shall include all of the continental United States not included in Zones 1 to 11 inclusive.

(b) "Base rate" as used herein, refers to the lowest published refiners' base rate in effect on the effective date of this Seventh Revised Zoning Order No. 1.

(c) Sugar may be delivered, shipped, or transferred as follows:

(1) From Zones 2, 3 or 4 to any point in Zone 3A.

(2) From Zone 8 to any point in Zones 9 or 11 and to any point in the City of Bristol located in the State of Virginia.

(3) From Zone 12 to any point in Zone 9.

(d) Confectioners' sugar in bulk may be delivered, shipped or transferred from Zone 4 to any point in the States of Virginia and West Virginia located in Zone 5, and to any point in the State of North Carolina where the base rate is based on shipments from Baltimore, Maryland; from Zone 6 to any point in the State of North Carolina where the base rate is based on shipments from Savannah, Georgia, and to any point in Zone 7.

(e) Any carrier who has, prior to the effective date of this Seventh Revised Zoning Order No. 1, accepted sugar for a delivery, shipment or transfer not at that time prohibited by §§ 1407.168 and 1407.281 may complete such delivery, shipment or transfer after the effective date of this Seventh Revised Zoning Order No. 1.

This revised zoning order shall become effective July 19, 1943.

(Pub. Law 421, 77th Cong., E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179;

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[1] 8 F.R. 5909, 5846, 6135, 6442, 6626, 6961, 7351, 7380, 8010, 8184, 8678, 8811.

W.P.B. Dir. 1 and Supp. Dir. 1E, 7 F.R. 562, 2965; Food Dir. 3, 8 F.R. 2005; § 1407.168 of Rationing Order 3)

Issued this 19th day of July 1943.

HAROLD B. ROWE,
Director Food Rationing Division.

[F. R. Doc. 43-11608; Filed, July 19, 1943; 2:48 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 13,[1] Amdt. 12 to Rev. Supp. 1]

PROCESSED FOODS

Section 1407.1102 (g) is added to read as follows:

(g) Fruit juice single strength (natural fruit juice) or diluted shall have the point value set forth in the Official Table of Point Values. Fruit juice concentrated to more than single strength shall have a proportionately higher point value. (For example, a double strength fruit juice shall have a point value of twice the point value set forth in the table.)

This amendment shall become effective July 24, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong., E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; Food Directive 3, 8 F.R. 2005, and Food Directive 5, 8 F.R. 2251)

Issued this 19th day of July 1943.

GEORGE J. BURKE,
Acting Administrator.

[F. R. Doc. 43-11610; Filed, July 19, 1943; 2:47 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16,[2] Amdt. 48]

MEATS, FATS, FISH AND CHEESES; CANNED MILK AND SOFT CHEESES

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

Ration Order 16 is amended in the following respect.

The second sentence of section 15.5 (a) is amended by deleting the words "July 5" and inserting the words "August 1" in their place.

This amendment shall become effective July 24, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong., E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; and Supp. Dir. 1-M, 7 F.R. 8234; Food Directive 1, 8 F.R. 827; Food Dir. 3, 8 F.R. 2005; Food Dir. 5, 8 F.R. 2251, Food Dir. 6, 8 F.R. 3471, Food Dir. 7, 8 F.R. 3471)

Issued this 19th day of July 1943.

PRENTISS M. BROWN,
Administrator

[F. R. Doc. 43-11609; Filed, July 19, 1943; 2:46 p. m.]

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

[RO 1A,[1] Amdt. 49]

TIRES, TUBES, RECAPPING AND CAMELBACK, CERTIFICATES

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

Ration Order No. 1A is amended in the following respects:

Section 1315.306 is added to read as follows:

§ 1315.306 *Issuance of certificates by the Office of Price Administration.* The Office of Price Administration, Washington, D. C., may receive and act upon applications for certificates for tires, tubes or recapping service for privately owned vehicles operated by officers, agents or employees of the Army, Navy, Marine Corps, Coast Guard and the law enforcement agencies of the United States, who use such vehicles in the performance of official duties which depend upon secrecy.

This amendment shall become effective July 24, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong., E.O. 9125, 7 F.R. 2719, issued April 7, 1942, WPB Dir. No. 1, 7 F.R. 562, Supp. Dir. No. 1Q, 7 F.R. 9121)

Issued this 19th day of July 1943.

GEORGE J. BURKE,
Acting Administrator.

[F. R. Doc. 43-11638; Filed, July 20, 1943; 9:17 a. m.]

PART 1300—PROCEDURE

[Procedural Reg. 4,[2] Amdt. 3]

ISSUANCE OF RATIONING SUSPENSION ORDERS

Procedural Regulation No. 4 is amended in the following respects:

1. The text of § 1300.170 (a) is amended to read as follows:

(a) The respondent or the Regional Attorney may appeal to the Office of the Hearing Administrator from any order of a hearing Commissioner issued under this regulation within ten (10) days (or in the case of orders issued in the Territories and Possessions within thirty (30) days) after service of such order.

2. The text of § 1300.172 is amended to read as follows:

§ 1300.172 *Stay pending appeal.* The Hearing Administrator, the Deputy Hearing Administrator, the Assistant Hearing Administrators, and the several Hearing Commissioners may, for good cause shown, upon application by the respondent, stay or suspend the operation of an order of a Hearing Commissioner pending the determination of the appeal.

3. The text of § 1300.173 is amended to read as follows:

§ 1300.173 *Records on appeal.* The Hearing Commissioner shall, within three (3) days after the receipt of the notice of appeal, send to the office of the Hearing Administrator the complete record in the case which shall include:

(a) The notice of hearing and proof of service thereof;

(b) The transcript of testimony and all exhibits;

(c) The order of the Hearing Commissioner; and

(d) In a case instituted before a Board, the order of the Board.

4. The text of paragraphs (a) and (b) of § 1300.174 is amended to read as follows:

(a) Any party may submit to the Office of Hearing Administrator a brief in support of or in opposition to the order of the Hearing Commissioner.

(b) All briefs shall be submitted within twenty (20) days (or in the case of orders issued in the Territories or Possessions within forty (40) days) after service of the order appealed from. Two (2) copies of the brief shall be filed with the Office of the Hearing Administrator and a copy thereof served upon the opposing party at or before the time of filing.

5. Section 1300.175 (d) is added to read as follows:

(d) The provisions of this § 1300.175 applicable to the Hearing Administrator shall apply with equal force to the Deputy Hearing Administrator or any Assistant Hearing Administrator, when either is acting in lieu of the Hearing Administrator pursuant to paragraph (b) of General Order No. 46, as amended.

This amendment shall become effective July 19, 1943.

(Pub. Law 421, 77th Cong., Sec. 2 (a) of Pub. Law 671, 76th Cong., as amended by Pub. Law 89, 77th Cong., and by Pub. Law 507, 77th Cong., E.O. 9125, 7 F.R. 2719)

Issued this 19th day of July 1943.

PRENTISS M. BROWN,
Administrator

[F. R. Doc. 43-11637; Filed, July 20, 1943; 9:17 a. m.]

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

[1] 8 F.R. 1840, 3949, 4892, 5318, 5341, 5757, 6138, 6964, 7589.

[2] 8 F.R. 3591, 3715, 3949, 4137, 4350, 4423, 4721, 4784, 4893, 4967, 5172, 5318, 5567, 5679, 5739, 5819, 5847, 6046, 6138, 6181, 6446, 6614, 6620, 6687, 6840, 6960, 6961, 7115, 7263, 7281, 7455, 7492, 8357, 8540, 8614, 8869, 8844, 9025, 9014, 9024.

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

[1] 7 F.R. 9160, 9392, 9724.

[2] 8 F.R. 1744, 2035, 6424.

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

[MPR 418,[1] Amdt. 1]

FRESH FISH AND SEAFOOD

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

Maximum Price Regulation 418 is amended in the following respects:

1. Section 1 is amended to read as follows:

SECTION 1. *What this regulation does.* This regulation fixes the maximum prices at which producers and wholesalers may sell fresh fish and seafood. On and after July 13, 1943, the date this regulation takes effect as to sales governed by prices listed in Tables A and B in section 20, and on and after July 19, 1943, the date this regulation takes effect as to sales governed by prices listed in Tables C, D and E in section 20, no producer or wholesaler may sell or deliver any fresh fish or seafood, and no person in the course of trade or business may buy or receive any fresh fish or seafood from a producer or wholesaler at prices higher than the prices fixed by this regulation. But prices lower than those fixed may be charged or paid.

2. The headnote of section 4 is amended to read as follows: *"Maximum prices for sales by wholesalers other than primary fish shipper wholesalers."*

3. Section 4 (b) (1) is amended by inserting after the words "provided in section 7," the sentence "These prices apply to sales to other wholesalers as well as to retailers and purveyors of meals."

4. Section 4 (c) (1) is amended by inserting after the words "provided in section 7," the sentence "These prices apply to sales to other wholesalers as well as to retailers and purveyors of meals."

5. Section 8 is amended to read as follows:

SEC. 8. *Imported fresh fish and seafood.* The maximum prices at which a wholesaler, including any agent of a foreign shipper, may sell any fresh fish and seafood listed in the regulation shall be the prices listed in Table B, C, D or E, depending on the type of sale involved, plus the container prices provided in section 19 when containers are used, plus transportation as provided in section 7.

6. Section 10 is amended to read as follows:

SEC. 10. *Where this regulation applies.* The provisions of this regulation shall apply to the forty-eight states of the United States and the District of Columbia and, notwithstanding the provisions of Maximum Price Regulation 194, to the Territory of Alaska.

7. Section 11 (a) is amended to read as follows:

(a) The provisions of this regulation shall not be applicable to sales or deliveries of fresh fish and seafood to a purchaser (1) with respect to prices listed in Tables A and B in section 20, if prior to July 13, 1943 such fresh fish and seafood have been received by a carrier, other than a carrier owned or controlled by the seller, for shipment to such purchaser, and (2) with respect to prices listed in Tables C, D and E in section 20, if prior to July 19, 1943 such fresh fish and seafood have been received by a carrier, other than a carrier owned or controlled by the seller for shipment to such purchaser.

8. In section 18 the definition of "Container" is amended to read as follows:

"Container" means a box, barrel, carton or crate, of wood, paper, metal or other substance used for packing fish.

9. In section 18 the definition of "Fillet" is amended to read as follows:

"Fillet" means the heavily meated section or strip of fish cut from along the backbone and outside the rib bones, extending from the nape and gills to the tail, or portions thereof.

10. Footnote 3 following Table A in section 20 is amended by inserting after the words "Port Williams 2½¢," the sentence "For fish landed ex-vessel in any other port of entry in Alaska deduct that amount specified for the nearest port of entry."

11. Footnote 4 following Table A in section 20 is amended by inserting after the words "Port Williams 2½¢," the sentence "For fish landed ex-vessel in any other port of entry in Alaska deduct that amount specified for the nearest port of entry."

12. The title of Table B in section 20 is amended to read as follows: "Table B—Maximum Prices for Primary Fish Shipper Sales Of Fresh Fish And Seafood.[14]"

13. Footnote 14 is added at the end of Table B in section 20 to read as follows:

[14] The additions and deductions made applicable to the prices of particular species of fish by footnotes following Table A in section 20 are also applicable to the prices for such species in Table B in section 20.

14. The title of Table C in section 20 is amended to read as follows: "Table C—Maximum Prices For Retailer-Owned Cooperative Sales Of Fresh Fish And Seafood.[15]"

15. Footnote 15 is added at the end of Table C in section 20 to read as follows:

[15] The additions and deductions made applicable to the prices of particular species of fish by footnotes following Table A in section 20 are also applicable to the prices for such species in Table C in section 20.

16. The title of Table D in Section 20 is amended to read as follows: "Table D—Maximum Prices For Cash And Carry Sales Of Fresh Fish And Seafood.[16]"

17. Footnote 16 is added at the end of Table D in section 20 to read as follows:

[16] The additions and deductions made applicable to the prices of particular species of fish by footnotes following Table A in section 20 are also applicable to the prices for such species in Table D in section 20.

18. The title of Table E in section 20 is amended to read as follows: "Table E—Maximum Prices For Service And Delivery Sales Of Fresh Fish And Seafood.[17]"

19. Footnote 17 is added at the end of Table E in section 20 to read as follows:

[17] The additions and deductions made applicable to the prices of particular species of fish by footnotes following Table A in section 20 are also applicable to the price for such species in Table E in section 20.

20. The effective date provision of Maximum Price Regulation 418 is amended to read as follows:

Effective date. This regulation shall become effective July 13, 1943 as to sales governed by prices listed in Tables A and B in section 20 and sections 1 to 19 inclusive, and July 19, 1943 as to sales governed by prices listed in Tables C, D and E in section 20.

This amendment shall become effective July 19, 1943.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 19th day of July 1943.

PRENTISS M. BROWN,
Administrator

[F. R. Doc. 43-11640; Filed, July 20, 1943; 9:17 a. m.]

PART 1377—WOODEN CONTAINERS

[MPR 434]

USED FRUIT AND VEGETABLE CONTAINERS

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders No. 9250 and No. 9328. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

§ 1377.302 *Maximum prices for used fruit and vegetable containers.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders No. 9250 and No. 9328, Maximum Price Regulation No. 434 (Used Fruit and Vegetable Containers), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1377.302, issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

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

[1] 8 F.R. 9366.

MAXIMUM PRICE REGULATION 434—USED FRUIT AND VEGETABLE CONTAINERS

ARTICLE I—PROHIBITIONS AND SCOPE OF REGULATION

Sec.
1. Prohibition against dealing in used fruit and vegetable containers and parts thereof at prices above the maximum.
2. Less than maximum prices.
3. To what products, transactions and persons this regulation applies.

ARTICLE II—MAXIMUM PRICES AND TERMS OF SALE

4. Maximum prices.
5. Containers and parts not specifically priced.
6. Additions for delivery.
7. What the invoice must contain.
8. Prohibited practices.

ARTICLE III—MISCELLANEOUS

9. Adjustable Pricing.
10. Applications for adjustment and petitions for amendment.
11. Records and reports.
12. Enforcement.
13. Licenses.
14. Definitions.
15. Relation to other regulations.
16. Appendix.

Article I—Prohibitions and Scope of Regulation

SECTION 1. *Prohibition against dealing in used fruit and vegetable containers and parts thereof at prices above the maximum.* On and after July 26, 1943, regardless of any contract or other obligation, no person, other than a "farmers' cooperative" may sell or deliver, and no person may buy or receive any used fruit and vegetable containers or their component parts at prices higher than those contained in this regulation. No person shall agree, offer or attempt to do these things.

The provisions of this regulation shall not be applicable to sales or deliveries which, prior to the effective date of this regulation, have been received by a carrier, other than a carrier owned or controlled by the seller, for shipment to the purchaser.

SEC. 2. *Less than maximum prices.* Prices less than the maximum prices established by this regulation may, of course, be charged and paid.

SEC. 3. *To what products, transactions and persons this regulation applies*—(a) *Products covered.* This regulation, under the term "used fruit and vegetable containers" covers all used containers and component parts made of wood, solid fiber, or corrugated board or a combination of any of these materials used for packaging, handling, storing or shipping fresh fruits and vegetables. This regulation does not cover cooperage products and veneer or plywood drums.

(b) *Transactions covered.* This regulation covers all sales and purchases of used fruit and vegetable containers; except that sales to members by "farmers' cooperatives," as herein defined, and sales made in the states of Arizona, Utah, Nevada, California, Oregon and Washington are specifically exempt from the coverage of the regulation.

(c) *Persons covered.* This regulation extends to any person except a "farmers' cooperative," who makes a sale and any person who makes a purchase which is covered by the regulation.

Article II—Maximum Prices and Terms of Sale

SEC. 4. *Maximum prices.* The maximum prices, f. o. b. the seller's loading point, for used fruit and vegetable containers and parts are listed in the price tables of the Appendix (section 16) of this regulation.

SEC. 5. *Containers and parts not specifically priced.* Used fruit and vegetable containers and parts not specifically priced in this regulation are nevertheless subject to its terms. Any person desiring to buy or sell used fruit and vegetable containers not specifically priced herein shall make application to the Office of Price Administration, Washington, D. C., for approval of a price. The application shall contain a complete description of the container to be priced; the type of purchase or sale, that is, whether by an emptier, accumulator, dealer or the Army or Navy, and the requested price. The applicant may use the requested price, subject to adjustment upon the action of the Office of Price Administration, pending approval of the price. Approval may be by letter or telegram, and any requested price not disapproved within 15 days from receipt of application for approval shall be automatically approved until revoked or amended by the Office of Price Administration.

SEC. 6. *Additions for delivery.* On shipments by common or contract carriers the actual cost of transportation paid or incurred by the seller may be added to the maximum price, f. o. b. seller's loading plant. If shipment is by private truck owned or controlled by the seller, actual transportation costs may be added; except that in no case shall the addition exceed 80 percent of the common carrier truck charges for the same hipment.

SEC. 7. *What the invoice must contain.* All invoices must contain a sufficiently complete description of the containers or parts to show whether the price is proper or not. They must also show the name and address of the seller, the name and address of the purchaser, the quantity of each particular container, the origin and destination of the shipment, and any addition to the maximum price for delivery. In sales by dealers the invoice must also show the license number of the dealer.

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

Article III—Miscellaneous

SEC. 9. *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration to whom the authority to grant such authorization has been delegated. The authorization will be given by order, except that it may be given by letter or telegram when the contemplated revision will be the granting of an individual application for adjustment.

SEC. 10. *Applications for adjustment and petitions for amendment*—(a) *Government contracts.* (1) The term "government contracts" is here used to include any contract with the United States or any of its agencies, or with the government or any governmental agency of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to promote the defense of the United States" It also includes any subcontract under this kind of contract.

(2) Any person who has made or intends to make a "government contract" and who thinks that a maximum price established in this regulation is impeding or threatens distribution of used fruit and vegetable containers which are essential to the war program and which are or will be the subject of the contract, may file an application for adjustment in accordance with Procedural Regulation No. 6,[1] issued by the Office of Price Administration.

(b) *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1,[2] issued by the Office of Price Administration.

SEC. 11. *Records and reports.* (a) All persons making sales covered by this regulation which amount to $50.00 or more in any one month must keep records which will show a complete description of the containers sold, the quantity, price, date of sale and the name and address of the buyer. Buyers must keep similar records including the name and address of the seller.

[1] 7 F.R. 5037, 5664; 8 F.R. 6175, 6174.
[2] 7 F.R. 6361; 8 F.R. 3313, 3533, 6173.

These records must be kept for two years for inspection by the Office of Price Administration.

(b) Any reports that the Office of Price Administration has required in the past, or requires from time to time must be submitted.

SEC. 12. *Enforcement.* (a) Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages, and proceedings for revocation of licenses provided for by the Emergency Price Control Act of 1942, as amended.

(b) War procurement agencies and their contracting or paying finance officers are not subject to any liability, civil or criminal, imposed by this regulation. "War procurement agencies" include the War Department, the Navy Department, the United States Maritime Commission and the Lend-Lease Section in the Procurement Division of the Treasury Department, or any of their agencies. Sales and purchases by such agencies are nevertheless subject to the terms of the regulation.

SEC. 13. *Licenses.* A license, as a condition of selling used fruit and vegetable containers or parts is required of every person covered by this regulation. Such license is hereby granted to all emptiers and accumlators. Dealers must make application to the Office of Price Administration for specific licenses within 30 days from the issuance of this regulation. The applicant must certify that he buys and sells used fruit and vegetable containers and parts; that he maintains from season to season enclosed warehouse space and facilities for selecting and for reconditioning such containers. The applicant must describe his warehousing and reconditioning facilities and the type of containers which he buys and sells. Licenses will be granted by letter within 30 days from receipt of the application to those who file such applications.

SEC. 14. *Definitions.* (a) *Emptier* An "emptier," as referred to in this regulation, is any person who acquires for use or sale fruit or vegetables in containers and after removing the contents, sells the containers. Included in the term are grocery stores, canneries, restaurants, hotels, markets, institutions, etc. Specifically excluded are army and navy posts.

(b) *Accumulator* An "accumulator," as referred to in this regulation, is any person who collects used fruit and vegetable containers or parts from emptiers for resale to dealers, growers, shippers, etc. Included in the term are salvage warehouses (chain) commission merchants, peddlers, junkies, or open lot dealers.

(c) *Dealer* A "dealer" as referred to in this regulation, is any person who buys and sells used fruit and vegetable containers and maintains from season to season enclosed storage space and facilities for selecting and/or reconditioning such containers.

(d) *Farmers' cooperative.* A "farmers' cooperative" as referred to in this regulation is any organization or association approved by the Farm Credit Administration and engaged in selling used fruit and vegetable containers or parts.

(e) *Reconditioned or selected containers.* A "reconditioned or selected container' as referred to in this regulation, is any used fruit or vegetable container which has no broken or missing parts and which has utility equal to that of a new container.

SEC. 15. *Relation to other regulations*—(a) *General Maximum Price Regulation.* Any sale or delivery covered by this regulation is not subject to the General Maximum Price Regulation.[3]

(b) *Second Revised Maximum Export Regulation.* The maximum price for export sales of used fruit and vegetable containers is governed by the Second Revised Maximum Export Regulation.[4]

SEC. 16. *Appendix; maximum prices for used fruit and vegetable containers.* The maximum prices, f.o.b. seller's loading point, for used fruit and vegetable containers and parts are shown in the following tables:

TABLE I—BASKETS; HAMPERS; COVERS

Container description	Units	Emptier	Accumulator	Dealer	
		Unselected and unreconditioned	Unselected and unreconditioned	Selected and/or reconditioned	Throw-outs
		Cents	*Cents*	*Cents*	*Cents*
1 bu. export tubs (solid bottom)—with crown or rimmed covers	Each	8	11	17	
1 bu.—3 hoop—bent bottom or improved baskets—with covers	Each	7	10	16	
1 bu.—2 hoop—round bottom baskets—with flat or rimless covers	Each	5	8	13	
1 bu.—baskets—all types—unassorted—with covers	Each	6	9½		
1 bu.—baskets—all types—unassorted—no covers	Each	4	6½		3½
½ bu. export tubs (solid bottom)—with crown or rimmed covers	Each	5	8	13	
½ bu. C. S. baskets—with covers	Each	4	7	12	
½ bu baskets—all types—unassorted—with covers	Each	4½	7½		
½ bu. baskets—all types—unassorted—no covers	Each	3	5		2½
1 bu. and ½ bu. covers—with rims	Each	2	3	4	
1 bu. and ½ bu. covers—flat or rimless	Each	1½	2½	3	
8-12-16 qt. solid fibre—tomato baskets—with handles and covers	Dozen	12	24	48	
1 qt. and 1 pt. berry cups	Hundred	20	35	55	
1 qt. till baskets	Dozen	4	6	9	
2 qt. till baskets	Dozen	6	8	11	
3 qt. till baskets	Dozen	7	9	12	
4 qt. till baskets	Dozen	8	10	13	
1½ bu. cabbage hampers—with covers	Each	6	9	15	
1¼ bu. hampers—with covers	Each	6	9	15	
1 bu. bean or potato hampers—with covers	Each	5	8	14	
⅝ bu. hampers—no covers	Each	4	6	10	
½ bu. hampers—no covers	Each	3	5	8	
All hampers—without covers	Each				3½
1½ bu. and 1 bu. hamper covers—flat or rimless	Each	1½	2½	3	
4 qt. Climax baskets—with handles and covers	Dozen	15	21	42	
4 qt. Climax covers—only	Dozen	3	4	6	
12 qt. Climax baskets—with handles and covers	Dozen	30	54	90	
12 qt. Climax covers—only	Dozen	9	12	16	
8 and 12 qt. splint or slab market baskets	Dozen	24	36	60	
16 and 24 qt. splint or slab market baskets	Dozen	36	48	72	
32 qt. splint or slab market baskets	Dozen	48	66	99	

NOTE: An emptier who sells and delivers used fruit and vegetable containers or parts to an accumulator or dealer may use an accumulator's price on such sales.

[3] 8 F.R. 3096, 3849, 4347, 4486, 4724, 4848, 4978, 6047, 6962, 8511, 9025.

[4] 8 F.R. 4132, 5987, 7662.

TABLE II—NAIL TYPE CRATES; COVERS; CORRUGATED OR SOLID FIBRE BOXES

Container description	Units	Emptier	Accumulator	Dealer
		Unselected and unreconditioned	Unselected and unreconditioned	Selected and/or reconditioned
		Cents	*Cents*	*Cents*
1⅜ bu. and 1⅜ bu. citrus crates—no covers	Each	5	9	17
Standard lemon crates—no covers	Each	5	9	17
1 bu. to 1½ bu. standard apple boxes-no covers	Each	7	11	17
Corrugated or solid fibre apple boxes	Each	3	7	12
Standard celery crates—16" to 22"—no covers	Each	5	9	16
Western (L. A.) lettuce crates—no covers	Each	5	9	16
Standard and jumbo cantaloupe crates—no covers	Each	5	9	16
Standard cauliflower crates—no covers	Each	5	9	16
1½ bu. standard pepper crates—no covers	Each	5	9	16
1 bu. New England market boxes—no covers	Each	-	10	16
½ bu. New England market boxes—no covers	Each	5	7	10
32 qt. hinged cover berry crates—no cups or dividers	Each	17	22	29
24 qt. hinged cover berry crates—no cups or dividers	Each	15	20	27
16 qt. hinged cover berry crates—no cups or dividers	Each	13	18	25
36 pt. hinged cover berry crates—no cups or dividers	Each	14	19	26
30 pt. hinged cover berry crates—no cups or dividers	Each	13	18	25
24 qt. folding type berry crates—no cups or dividers	Each	12	17	24
All other berry crates not specifically priced—no covers, cups or dividers	Each	4	8	14
Berry crate dividers	Each	1	1½	2
⅘ bu. tangerine crates—no covers	Each	4	8	14
½ size lemon crates—no covers	Each	4	8	14
Lettuce crates (2-dozen size)—no covers	Each	4	8	14
½ size (L. A.) lettuce crates—no covers	Each	4	8	14
Lug boxes—no covers	Each	4	8	14
Western standard pear boxes—no covers	Each	4	8	14
Asparagus crates—no covers	Each	4	8	14
1 bu. vegetable crates—no covers	Each	4	8	14
1 bu. potato crates—no covers	Each	4	8	14
Pony cantaloupe crates—no covers	Each	4	8	14
Pony cauliflower crates—no covers	Each	4	8	14
1 bu. peach crates—no covers	Each	4	8	14
New England type lettuce crates—no covers	Each	4	8	14
6 and 8 basket carrier crates—no covers or tills	Each	4	8	14
8 qt. corrugated or solid fibre tomato lugs	Each	2	3	5
All covers for above crates	Each	1	1½	2
All single slats for above crates	Each	½	½	½

NOTE: An emptier who sells and delivers used fruit and vegetable containers or parts to an accumulator or dealer may use an accumulator's price on such sales.

TABLE III—WIREBOUND BOXES

Container description	Units	Emptier	Accumulator	Dealer	
		Unselected and unreconditioned	Unselected and unreconditioned	Selected and/or reconditioned	Throw-outs
		Cents	*Cents*	*Cents*	*Cents*
1⅜ bu. Bruce citrus boxes—made up	Each	6	9	14	5
1⅜ bu. Bruce citrus boxes—K. D. (flat)	Each	8	11	17	--------
⅘ bu. Bruce citrus boxes—made up	Each	4	-	12	5
⅘ bu. Bruce citrus boxes—K. D. (flat)	Each	6	9	15	--------
Howard celery crates—made up	Each	5	8	13	5
Howard celery crates—K. D. (flat)	Each	7	10	16	--------
24 pt. berry crates—made up—no cups or dividers	Each	4	7	12	--------
24 pt. berry crates—K. D. (flat)—no cups or dividers	Each	6	9	15	--------
1 bu. James sweet potato crates—made up	Each	4	-	12	--------

NOTE: An emptier who sells and delivers used fruit and vegetable containers or parts to an accumulator or dealer may use an accumulator's price on such sales.

TABLE IV—ALL USED AGRICULTURAL CONTAINERS—ARMY INSTALLATIONS AND NAVAL ACTIVITIES

Container description	Units	Unselected and unreconditioned
		Cents
1 bu. baskets—unassorted—no covers	Each	6½
½ bu. baskets—unassorted—no covers	Each	5
½ bu. to 1½ bu. hampers—no covers	Each	6
All basket and hamper covers	Each	2½
4 qt. Climax baskets—with handles—no covers	Dozen	17
4 qt. Climax basket-covers only	Dozen	4
12 qt. Climax baskets—with handles—no covers	Dozen	42
12 qt. Climax baskets covers only	Dozen	12
1 qt. and 1 pt. berry cups	Hundred	35
All hinged cover berry crates—no cups or dividers	Each	10
Berry crate dividers	Each	1½
All nail type crates—no covers	Each	9
Covers for above crates	Each	1½
All wirebound crates—made up	Each	8

Effective date. The effective date of this regulation is July 26, 1943.

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

Issued this 20th day of July 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-11665; Filed, July 20, 1943; 11:17 a. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 11,[1] Corr. to Amdt. 71]

FUEL OIL RATIONING REGULATIONS

§ 1394.5707 (a) the reference to "March 1, 1943" is corrected to read "March 16, 1943."

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong., Pub. Law 421, 77th Cong., WPB Dir. 1, 7 F.R. 562; Supp. Directive 1-0, as amended, 7 F.R. 8416, E.O. 9125, 7 F.R. 2719)

Issued this 20th day of July 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-11668; Filed, July 20, 1943; 11:18 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 13,[2] Amdt. 13 to Rev. Supp. 1]

PROCESSED FOODS; R, S, AND T STAMPS

Section 1407.1102 (e) (4) is added to Revised Supplement 1 to Ration Order 13 to read as follows:

(4) Stamps lettered R, S, and T may be used from August 1 to September 7, 1943, inclusive.

This amendment shall become effective July 26, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong., E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; W.P.B. Directive 1, 7 F.R. 562; Food Directive 3, 8 F.R. 2005, and Food Directive 5, 8 F.R. 2251)

Issued this 20th day of July 1943.

GEORGE J. BURKE,
Acting Administrator.

[F. R. Doc. 43-11663; Filed, July 20, 1943; 11:17 a. m.]

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[1] 7 F.R. 8480, 8809, 8897, 9316, 9396, 9492, 9427, 9430, 9621, 9784, 10153, 10031, 10379, 10530, 10531, 10789, 10707, 11118, 11071; 8 F.R. 165, 237, 437, 369, 374, 535, 439, 444, 607, 603, 977, 1203, 1316, 1235, 1282, 1631, 1636, 1859, 2194, 2432, 2593, 2781, 2371, 2720, 2942, 2393, 2337, 3106, 3521, 3623, 3733, 3848, 3948, 4255, 4137, 4350, 4784, 4850, 5578, 6046, 6262, 6360, 7583, 6137, 8059.

[2] 8 F.R. 1840, 3349, 4392, 5318, 5341, 5757, 6138, 6364, 7539, 8069, 8705, 9012.

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16[1] Amdt. 11 to Supp. 1]

MEATS, FATS, FISH AND CHEESE

Section 1407.3027 (f) is amended by adding the following:

T..... July 25, 1943 to August 31, 1943
U..... August 1, 1943 to August 31, 1943
V..... August 8, 1943 to August 31, 1943
W..... August 15, 1943 to August 31, 1943

This amendment shall become effective July 24, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729; 77th Cong., E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; W.P.B. Directive 1, 7 F.R. 562; and Supp. Dir. 1-M, 7 F.R. 7234; Food Dir. 1, 8 F.R. 827; Food Dir. 3, 8 F.R. 2005, and Food Dir. 5, 8 F.R. 2251, Food Dir. 6, 8 F.R. 3471, Food Dir. 7, 8 F.R. 3471)

Issued this 20th day of July 1943.

GEORGE J. BURKE,
Acting Administrator

[F. R. Doc. 43-11667; Filed, July 20, 1943; 11:17 a. m.]

TITLE 36—PARKS AND FORESTS

Chapter I—National Park Service

PART 1—AREAS ADMINISTERED BY THE NATIONAL PARK SERVICE

ORDER DESIGNATING THE SAINT PAUL'S CHURCH, EASTCHESTER, MOUNT VERNON, N. Y. AS A NATIONAL HISTORIC SITE[2]

Whereas, the Congress of the United States has declared it to be a national policy to preserve for the public use historic sites, buildings, and objects of national significance for the inspiration and benefit of the people of the United States; and

Whereas, Saint Paul's Church, Eastchester, situated in the City of Mount Vernon, County of Westchester and State of New York, is recognized as possessing national significance because of its close and intimate connection with the events leading to the establishment of the Bill of Rights, and its place in American architectural history and the American Revolution; and

Whereas, a cooperative agreement has been made between the Corporation of Saint Paul's Church, Eastchester, and the United States of America, providing for the designation, preservation, and use of Saint Paul's Church, Eastchester, as a national historic site:

Now, therefore, I, Harold L. Ickes, Secretary of the Interior, by virtue of and pursuant to the authority contained in the Act of August 21, 1935 (49 Stat. 666) do hereby designate the following described lands, together with all historic structures thereon and all appurtenances connected therewith, to be a national historic site, having the name "Saint Paul's Church, Eastchester, National Historic Site".

All those lots, pieces, or parcels of land and historic structures which are now owned or controlled, or which may become owned or controlled, by the Corporation of Saint Paul's Church, Eastchester, located within the square bounded by South Columbus Avenue, South Third Avenue, Edison Avenue, and South Fulton Avenue, in the City of Mount Vernon, County of Westchester and State of New York.

The administration, protection, and development of this national historic site shall be exercised in accordance with the provisions of the above-mentioned cooperative agreement and the Act of August 21, 1935, supra.

Warning is expressly given to all unauthorized persons not to appropriate, injure, destroy, deface, or remove any feature of this historic site.

In witness whereof, I have hereunto set my hand and caused the official seal of the Department of the Interior to be affixed, at the City of Washington, this 5th day of July 1943.

[SEAL] HAROLD L. ICKES,
Secretary of the Interior

[F. R. Doc. 43-11648; Filed, July 20, 1943; 9:50 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Subtitle A—Office of the Secretary of the Interior

PETERSBURG NATIONAL MILITARY PARK, VA.

ORDER TRANSFERRING JURISDICTION OVER CERTAIN LANDS TO SECRETARY OF WAR

Pursuant to the provisions of the act of June 5, 1942 (Public Law 585, 77th Congress, 2d sess.) there is hereby transferred to the Secretary of War jurisdiction over the following described lands owned by the United States lying south and east of the Hickory Hill Road within the Petersburg National Military Park in the Commonwealth of Virginia:

Beginning at an Original War Department Camp Lee Monument #32 on the northwest side of the Hickory Hill Road and a corner of the Hickory Hill Farm. Thence N 42°28'45" E 130.65' to a point, thence N 36°47' E—2175.70' along a line offset 15' Northwest of the center line of the Hickory Hill Road to a point, thence N 41°10'45" E—630.78' to an iron pin located 15' from the center line of the Hickory Hill Road and on the property line between Camp Lee and the Petersburg National Military Park. Thence S 57°10' E—2466.97' along a line approximately 150' northeast of the Northeastern side of Virginia Route #37 (previously known as Route #10) to a Park Monument. Thence S 62°27' E—2416.96' to a Park Monument and thence N 84°21'30" E 777.50' along Virginia Route #37 to a Park Monument. Thence S 1°24'05" W 1917.91' to old Camp Lee Monument #20 and thence S 1°24'05" W—1890.85' to Camp Lee Monument #21 thence N 86°05'15" W 2510.59' to a Monument, thence N 86°43'20" W 1876.01' to Camp Lee Monument #22. Thence S 76°27'05" W—1504.50' to Camp Lee Monument #23, thence S 41°27'15" W—710.40' to Monument #23-B, thence N 18°16'25" W—229.05' to Monument #23-C, thence N 23°06'35" E—223.35' to Monument #23-D, thence N 8°00'25" W—110.15' to Monument #23-E, thence N 56°43'35" E—707.35' to Monument #FVIII, thence N 1°13'55" E—607.30' to Monument #FIX, thence N 9°38'45" E—211.20' to Monument #FX, thence N 9°55'05" E—633.14' to Camp Lee Monument #24, thence N 80°12'35" W—441.85' to Camp Lee Monument #25 thence N 8°53'15" E—291.90' to Camp Lee Monument #26, thence N 74°49'35" W—484.75' to Camp Lee Monument #27, thence S 11°00'15" W—275.35' to Camp Lee Monument #28, thence N 80°12'15" W—190.17' to Camp Lee Monument #FXI, thence N 83°09'05" W—154.32' to Camp Lee Monument #FXII, thence S 73°04'05" W—122.00' to Camp Lee Monument #FXIII, thence N 73°08'45" W—205.00' to a Monument, thence N 74°24'40" W—161.10' to Camp Lee Monument #Y, thence S 5°59'45" E—843.44' to Camp Lee Monument #Y-1, thence N 77°31'40" W—589.34' to Camp Lee Monument #Y-2, thence N 78°08'15" W—835.19' to Camp Lee Monument #Y-3, thence N 55°30'10" W—620.15' to Camp Lee Monument #Y-4, thence N 22°05'00" E—240.20' to Camp Lee Monument #Y-5, thence N 10°32'20" E—213.00' to Camp Lee Monument #Y-6, thence N 30°21'40" E—253.85' to Camp Lee Monument #Y-7, thence N 2°58'45" W—210.08' to Camp Lee Monument #Y-8, thence S 32°00'00" E—139.35' to Camp Lee Monument #Y-9, thence S 64°38'40" E—126.95' to Camp Lee Monument #Y-10, thence S 34°45'30" E—343.85' to Camp Lee Monument #Y-11, thence N 43°17'45" E—82.44' to Camp Lee Monument #Y-12, thence S 53°17'45" E—346.07' to Camp Lee Monument #Y-13, thence S 58°19'10" E—263.89' to Camp Lee Monument #Y-14, thence N 83°43'05" E—603.50' to Camp Lee Monument #29, thence N 9°28'05" E—757.86' to Camp Lee Monument #30, thence N 63°36'45" W—505.30' to Camp Lee Monument #31 which is a corner of the Hickory Hill Farm and lies on the northwest side of the Hickory Hill Road (Virginia Route #633).

Thence following the line of the Hickory Hill Farm and on the northwestern side of the Hickory Hill Road to the point of the beginning as follows: from Monument #31 N 65°58'15" E 136.27' to Camp Lee Monument #FXIV, thence N 43°56'35" E—264.60' to Camp Lee Monument #FXV, thence N 47°28'05" E—441.09' to Camp Lee Monument #FXVI, thence N 47°20'55" E—188.75' to Camp Lee Monument #FXVII, thence N 61°31'15" E—206.95' to Camp Lee Monument #32, which is the point of beginning, as shown on the attached map[1] entitled "National Park Service Property proposed for transfer to the U. S. War Department."

This transfer is made subject to any leases, licenses, or permits now in force, which may in any way affect the above described lands.

Issued this 21st day of June 1943.

[SEAL] ABE FORTAS,
Acting Secretary of the Interior

[F. R. Doc. 43-11650; Filed, July 20, 1943; 9:50 a. m.]

[Circular No. 1561]

PART 194—POTASH PERMITS AND LEASES

Section 194.6 of Title 43 is revoked.

FRED W JOHNSON,
Commissioner

Approved: July 10, 1943.

OSCAR L. CHAPMAN,
Assistant Secretary.

[F. R. Doc. 43-11649; Filed, July 20, 1943; 9:48 a. m.]

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[1] 8 F.R. 3591, 3714, 4892, 5408, 5758, 6840, 7264, 7456, 7492, 7825, 8869.

[2] Affects tabulation in § 1.13 f.

[1] Filed as part of the original document.

TITLE 50—WILDLIFE

Chapter I—Fish and Wildlife Service

Subchapter Q—Alaska Commercial Fisheries

PART 205—ALASKA PENINSULA AREA FISHERIES

PART 223—SOUTHEASTERN ALASKA AREA, WESTERN DISTRICT, SALMON FISHERIES

AREAS OPEN TO SALMON TRAPS

Effective only through December 31, 1943, § 205.17 is hereby amended as follows:

In § 205.17 *Areas open to salmon traps* paragraph (a) (3) is amended, and paragraph (c) is hereby reinserted as follows:

(a) Unimak Island: (3) from a point at 54 degrees 46 minutes 6 seconds north latitude, 163 degrees 11 minutes 42 seconds west longitude to a point at 54 degrees 46 minutes 42 seconds north latitude, 163 degrees 11 minutes 12 seconds west longitude.

* * * * *

(c) Along the coast on the west side of Morzhovoi Bay within 2,500 feet measured along the coast from a point at 55 degrees 0 minutes 52 seconds north latitude, 163 degrees 9 minutes 39 seconds west longitude.

Effective only through December 31, 1943, § 223.19 is hereby amended as follows:

In § 223.19 *Areas open to salmon traps* paragraph (b) is suspended, and paragraph (a) is inserted as follows:

(a) Baranof Island: Northwest coast beginning at a point 1,000 yards southward of Point Kakul and extending southward ½ statute mile.

OSCAR L. CHAPMAN,
Assistant Secretary.

JULY 12, 1943.

[F. R. Doc. 43-11646; Filed, July 20, 1943; 9:48 a. m.]

PART 208—KODIAK AREA FISHERIES

AREAS OPEN TO SALMON TRAPS

Effective only through December 31, 1943, § 208.22 is hereby amended as follows:

In § 208.22 *Areas open to salmon traps* paragraph (g) is amended to read as follows:

(g) Uganik Island: West coast from a point at 153 degrees 28 minutes west longitude to a point at 153 degrees 29 minutes west longitude.

OSCAR L. CHAPMAN,
Assistant Secretary.

JULY 10, 1943.

[F. R. Doc. 43-11647; Filed, July 20, 1943; 9:47 a. m.]

Notices

WAR DEPARTMENT.

[Royalty Adjustment Order W-2]

LES FILS DE J. KAHN, ET AL.

ORDER DISCONTINUING PAYMENT OF ROYALTIES

Correction

In F. R. Doc. 43-11554 appearing on page 10024 of the issue for Tuesday, July 20, 1943, the words "Colonel, Air Corps" and "Colonel, General Staff Corps" were omitted after the signatures of W. F. Volandt and Fred C. Foy, respectively.

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket Nos. A-227, A-573, A-1734]

TRUAX-TRAER COAL COMPANY, ET AL.

MEMORANDUM OPINION AND ORDER OF THE DIRECTOR

In the matter of the petition of Truax-Traer Coal Company and United Electric Coal Companies on behalf of themselves and certain retail dealers in the Chicago Area, requesting free alongside prices for the retail dealers, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937; Docket No. A-227.

In the matter of the petition of Consumers' Counsel for free alongside prices from Districts 8 and 10 for the Hoskins Coal and Dock Corporation, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937; Docket No. A-573.

In the matter of the petition of Central States Collieries, Inc., for the establishment of minimum prices for f. a. s. shipments to certain retail dealers in Chicago; Docket No. A-1734.

The above-entitled proceedings were instituted upon petitions filed pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, by Truax-Traer Coal Company and United Electric Coal Companies (Docket No. A-227) Consumers' Counsel (Docket No. A-573), and Central States Collieries, Inc. (Docket No. A-1734) respectively, requesting the establishment of minimum prices for free alongside deliveries to specified retail coal dealers in the City of Chicago.

These three related proceedings raise questions involving the relationship of river and rail coals under the schedules of effective minimum prices established by the Bituminous Coal Division pursuant to the Bituminous Coal Act of 1937. The questions raised are complex and difficult and would justify extended investigation and analysis. I do not believe that this would be profitable, however, in view of the fact that the Act will expire August 24, 1943. The proceedings will accordingly become moot at that time. The record does not indicate that affected parties are being prejudiced by sales of coal under existing established prices and further relief for the short period remaining before the Act expires would not appear to be necessary or appropriate.

Accordingly, *It is ordered*, That the petitions filed in each of the above-entitled dockets, are severally dismissed, effective midnight, August 23, 1943.

Dated: July 19, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-11653; Filed, July 20, 1943; 10:54 a. m.]

[Docket No. B-295]

C. J. FANNON

MEMORANDUM OPINION AND ORDER TO CEASE AND DESIST

On June 1, 1943, after notice and hearing, Edward J. Hayes, a duly designated examiner of the Division, submitted a report in which he found that C. J. Fannon, operating the Blue Gem Mine, Mine Index No. 1648, near Barbourville, Kentucky, in District No. 8, wilfully violated the Bituminous Coal Code, the regulations thereunder and the order of the Director in General Docket No. 19, dated October 9, 1940, by selling and delivering on or about April 19, 1941 to J. R. Ketchum, approximately 150 tons of slack coals at a price of $1.00 per ton f. o. b. cars at Barbourville siding, Barbourville, Kentucky, although no minimum prices had been established for the coals produced for rail shipment at Mine Index No. 1648 at the time of the sale.

The examiner recommended that an order be entered requiring code member, C. J. Fannon, to cease and desist from selling coal in violation of the order of the Director in General Docket No. 19, dated October 9, 1940 or from otherwise violating the Code and the regulations thereunder.

Opportunity was afforded all parties to file exceptions to the examiner's report. No exceptions have been filed.

I have considered the report of the examiner and find that it adequately and accurately reflects the evidence disclosed in the record. Upon the basis of the proposed findings of fact, proposed conclusions of law, and recommendations set forth in the report, and upon the entire record in this proceeding:

It is hereby ordered, That the proposed findings of fact and proposed conclusions of law of the Examiner are approved and adopted as the findings of fact and conclusions of law of the Director;

It is further ordered, That C. J. Fannon, his agents, employees, representatives, heirs and assigns and all persons acting or claiming to act in his behalf, cease and desist from violation of the order of the Director, dated October 9, 1940, in General Docket No. 19 or from otherwise violating the Act, the code or orders, rules and regulations issued thereunder.

Notice is hereby given that upon failure or refusal to comply with this order, the Division may apply to a United States Circuit Court of Appeals for the enforcement thereof, or may otherwise proceed as authorized by the Act.

Dated: July 19, 1943.

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

[F. R. Doc. 43-11654; Filed, July 20, 1943; 10:54 a. m.]

[Docket No. B-313]

W A. EDIE AND SON

MEMORANDUM OPINION AND ORDER TO CEASE AND DESIST

In the matter of W. A. Edie and Harold C. Edie, individually and as copartners, doing business as W. A. Edie & Son, code members, District No. 4.

On May 28, 1943, after notice and hearing, W A. Cuff, a duly designated Examiner of the Division, submitted a report in which he found W A. Edie and Harold C. Edie, individually and as copartners doing business as W A. Edie & Son, operating the Edie Mine, Mine Index No. 1729, in Tuscarawas County, Ohio, Subdistrict No. 4 of District 4, wilfully violated section 4 II (e) of the Act and corresponding section of the code by selling and delivering to various persons during the period from January 1, 1941, through March 31, 1942, 445 tons of ¾" slack coal and during the period February 1 through November 30, 1942, 60 tons of ¾" lump coal at prices below the effective minima therefor established in the schedule of effective minimum prices for District No. 4 for truck shipments which were $1.80 and $2.25 per net ton f. o. b. the mine, respectively.

The examiner recommended that an order be entered requiring code members W A. Edie and Harold C. Edie to cease and desist from selling coal at prices below the applicable minimum prices established by the Division or from otherwise violating the Act, the code, and orders, rules and regulations issued thereunder.

Opportunity was afforded all parties to file exceptions to the examiner's report. No exceptions have been filed.

I have considered the report of the examiner and find that it adequately and accurately reflects the evidence disclosed in the record. Upon the basis of the proposed findings of fact, proposed conclusions of law, and recommendations set forth in the Report, and upon the entire record in this proceeding;

It is hereby ordered, That the proposed findings of fact and proposed conclusions of law of the examiner are approved and adopted as the findings of fact and conclusions of law of the Director;

It is further ordered, That W. A. Edie and Harold C. Edie, individually and as copartners doing business as W. A. Edie & Son, a copartnership, their agents, employees, representatives, successors and assigns, and all persons acting or claiming to act in their behalf or interest cease and desist from violating section 4 II (e) of the Act, the corresponding section of the code, or from otherwise violating the Act, the code, or orders, rules and regulations issued thereunder.

Notice is hereby given that upon failure or refusal to comply with this order, the Division may apply to a United States Court of Appeals for the enforcement thereof, or may otherwise proceed as authorized by the Act.

Dated: July 19, 1943.

[SEAL] DAN H. WHEELER, *Director*

[F. R. Doc. 43-11655; Filed, July 20, 1943; 10:54 a. m.]

[Docket No. B-57]

CHARLY KOLARICH

MEMORANDUM OPINION AND ORDER TO CEASE AND DESIST

On June 2, 1943, after notice and hearing, D. C. McCurtain, a duly designated examiner of the Division submitted a report in which he found that Charly Kolarich, operating the Sunrise Mine, Mine Index No. 181, located in Carbon County, Montana in Subdistrict 2 of District 22, sold and delivered to various persons during the period October 6, 1940 to May 28, 1941, inclusive, 173.20 tons of various sizes of coal produced at such mine at prices below the effective minima therefor, as established by the schedule of effective minimum prices for District No. 22 for all shipments, thereby wilfully violating section 4 II (e) of the Act and the corresponding section of the code.

The examiner recommended that an order be entered requiring code member, Charly Kolarich to cease and desist from violating the schedule of effective minimum prices for District No. 22 for all shipments or from otherwise violating the Act, the code and rules and regulations thereunder.

Opportunity was afforded all parties to file exceptions to the examiner's report. No exceptions have been filed.

I have considered the report of the examiner and find that it adequately and accurately reflects the evidence disclosed in the record. Upon the basis of the proposed findings of fact, proposed conclusions of law and recommendation set forth in the report and upon the entire record in this proceeding:

It is hereby ordered, That the proposed findings of fact and proposed conclusions of law of the examiner are approved and adopted as the findings of fact and conclusions of law of the Director;

It is further ordered, That Charly Kolarich, his agents, employees, representatives, heirs and assigns and all persons acting or claiming to act in his behalf cease and desist from violation of section 4 II (e) of the Act, the corresponding section of the code, the schedule of effective minimum prices for District No. 22, for all shipments or from otherwise violating the Act, the Code and rules and regulations thereunder.

Notice is hereby given that upon failure or refusal to comply with this order, the Division may apply to the United States Circuit Court of Appeals for the enforcement thereof, or may otherwise proceed as authorized by the Act.

Dated: July 19, 1943.

[SEAL] DAN H. WHEELER, *Director*

[F. R. Doc. 43-11656; Filed, July 20, 1943; 10:54 a. m.]

[Docket Nos. 1591-FD, 1592-FD]

E. P WHITED AND J. B. WHITED

ORDER RESTORING CODE MEMBERSHIP

In the matter of E. P Whited, code member; Docket No. 1591-FD.

In the matter of J. B. Whited, code member; Docket No. 1592-FD.

Written complaints dated February 24, 1941, having been filed February 24, 1941, by the Bituminous Coal Producers Board for District No. 8, complainant, pursuant to sections 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937, alleging wilful violations by E. P Whited, Swords Creek, Virginia, and J. B. Whited, Dye, Virginia, of the Bituminous Coal Code and rules and regulations thereunder; and

An order having been issued in the above-entitled matters on January 26, 1942, revoking and cancelling the code membership of each of said code members in the code, effective fifteen days from the date of said order, and providing that prior to any reinstatement of said E. P Whited and J. B. Whited, or either of them, to membership in the code, they shall pay to the United States a tax in the amount of $431.43 as provided in section 5 (c) of the Bituminous Coal Act of 1937; and

Said code members having filed with the Bituminous Coal Division on May 17, 1943, an application for restoration of the code memberships of said E. P Whited and J. B. Whited effective as of the date of said revocations; and

It appears from said application and other information in possession of the Division, that said code members paid to the Collector of Internal Revenue at Richmond, Virginia, on May 10, 1943, the sum of $431.43, the amount specified in said order dated January 26, 1942, as a condition precedent to the restoration of said code memberships, and that such restorations should be made effective as of the date of revocations of said code memberships;

Now, therefore, *It is ordered,* That memberships in the Bituminous Coal Code of E. P Whited and J. B. Whited, be, and they hereby are, restored as of February 10, 1942.

Dated: July 19, 1943.

[SEAL] DAN H. WHEELER, *Director*

[F. R. Doc. 43-11658; Filed, July 20, 1943; 10:54 a. m.]

[Docket No. A-1037]

TAYLOR CABLE

MEMORANDUM OPINION AND ORDER OF THE DIRECTOR

In the matter of the petition of Taylor Cable, a code member in District No. 8,

for revision of effective minimum prices for forked coal produced from the Cable Coal Mine (Mine Index No. 3299) for truck shipment pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

On June 17, 1943, after notice and hearing, Charles S. Mitchell, a duly designated examiner of the Bituminous Coal Division, filed a report in which he found that the effective minimum price for truck shipment of the forked coal (Size Group 3) produced at the Cable Mine (Mine Index No. 3299) of Taylor Cable, located in Wolfe County, Kentucky, Subdistrict 3, should not be reduced 35 cents per ton f. o. b. the mine, as requested in the petition herein, and recommended that an order be entered denying the petition.

An opportunity to file exceptions to the Report of the Examiner was afforded all interested parties. As of the date hereof, no such exceptions have been filed.

I have considered the entire record in this proceeding, including the report of the examiner, and I find that the examiner's proposed findings and conclusions are adequate and accurate and that his recommendation should be allowed. Accordingly, I have concluded to approve and adopt the proposed findings of fact and conclusions of law of the examiner as the findings of fact and conclusions of law of the Director.

Upon the basis of the entire record in this proceeding, and pursuant to section 4 II (d) and other provisions of the Bituminous Coal Act of 1937,

It is hereby ordered, That the proposed findings of fact and the proposed conclusions of law of the Examiner are approved and adopted as the findings of fact and conclusions of law of the Director.

It is further ordered, That the petition of Taylor Cable requesting a reduction of 35 cents per ton in the effective minimum price for the forked coal (Size Group 3) produced at the Cable Mine (Mine Index No. 3299) located in Wolfe County, Kentucky, Subdistrict 3 of District 10 is hereby denied.

Dated: July 19, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-11657; Filed, July 20, 1943; 10:55 a. m.]

General Land Office.

[Public Land Order 148]

IDAHO

ORDER WITHDRAWING ADDITIONAL PUBLIC LAND FOR GRAZING USE BY THE DEPARTMENT OF AGRICULTURE

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. 9337 of April 24, 1943, *It is ordered,* As follows:

Subject to valid existing rights, the following-described public land in Idaho is hereby temporarily withdrawn from settlement, location, sale, or entry, and reserved for use by the United States Experiment Station and Western Sheep Breeding Laboratory, Department of Agriculture, as additional grazing land in connection with the lands reserved for that purpose by Executive Order No. 2268 of October 30, 1915, as modified by Executive Orders No. 2491 of November 21, 1916, and No. 3141 of August 6, 1919:

BOISE MERIDIAN

T. 13 N., R. 40 E., sec. 19, lot 1.
The area described contains 39.51 acres.

This order shall take precedence over, but shall not rescind or revoke, the order of the Acting Secretary of the Interior dated November 3, 1936, establishing Grazing District No. 3, Idaho, so far as such order affects the above-described land.

HAROLD L. ICKES,
Secretary of the Interior.

JULY 14, 1943.

[F. R. Doc. 43-11652; Filed, July 20, 1943; 9:49 a. m.]

[Air-Navigation Site Withdrawal 206]

UTAH

ORDER WITHDRAWING PUBLIC LANDS FOR USE AS AIR-NAVIGATION SITE

By virtue of the authority contained in section 4 of the act of May 24, 1928, 45 Stat. 729 (U.S.C., title 49, sec. 214) it is ordered as follows:

Subject to valid existing rights, the following-described public lands in Utah are hereby withdrawn from all forms of appropriation under the public-land laws and reserved for the use of the Civil Aeronautics Administration, Department of Commerce, for use in the maintenance of air-navigation facilities, the reservation to be known as Air-Navigation Site Withdrawal No. 206:

SALT LAKE MERIDIAN

Beginning at a point in what probably will be unsurveyed sec. 8, T. 6 N., R. 11 W., about one-third mile southeast of Hogup Station, from which mile post No. 721 in center line of main track of the Southern Pacific Railroad bears No. 10°28' E., 200 ft., and N. 79°32' W., 1000 ft.

From the initial point,
S. 10°28' W., 50 ft.;
S. 79°32' E., 50 ft.;
N. 10°28' E., 50 ft.;
N. 79°32' W., 50 ft., to the place of beginning.
The tract as described contains 0.057 acres.

T. 6 N., R. 9 W.,
Sec. 21, lot 7, exclusive of patented mining claim.
The tract as described contains 24.02 acres.

This order shall take precedence over, but shall not modify, the orders of the Secretary of the Interior of April 8, 1935, establishing Grazing District No. 1 in Utah, and of the Acting Secretary of the Interior of March 19, 1942, adding lands to Utah Grazing District No. 2, so far as they affect the above-described lands.

The jurisdiction granted by this order shall cease at the expiration of the six-months' period following the termination of the unlimited national emergency declared by Proclamation No. 2487 of May 27, 1941, 55 Stat. 1647. Thereupon, jurisdiction over the lands hereby reserved shall be vested in the Department of the Interior, and any other department or agency of the Federal Government, according to their respective interests then of record. The lands, however, shall remain withdrawn from appropriation as herein provided until otherwise ordered.

HAROLD L. ICKES,
Secretary of the Interior.

JULY 14, 1943.

[F. R. Doc. 43-11651; Filed, July 20, 1943; 9:49 a. m.]

INTERSTATE COMMERCE COMMISSION.

[Special Permit 55 Under Service Order 123]

ST. LOUIS-SAN FRANCISCO RAILWAY CO. AND MISSOURI PACIFIC RAILROAD CO.

REICING OF POTATOES IN TRANSIT

Pursuant to the authority vested in me by paragraph (c) of the first ordering paragraph (§ 95.307) of Service Order No. 123 of May 14, 1943, as amended, permission is granted for:

The St. Louis-San Francisco Railway Company (J. M. Kurn and John G. Lonsdale, Trustees) to reice once after the first or initial icing MDT 21832, MDT 17393, MDT 17977, MDT 17304, MDT 17026, MDT 16789, MDT 3053, MDT 17000, MDT 17217, MDT 20241, MDT 146705, MDT 19768, (or MDT 19708), MDT 4399, MDT 21834, ART 21177, (or ART 21179), ART 17191, WFE 22153, (or WFE 62159), MDT 16237, MDT 21156, MDT 21095, MDT 20719, MDT 21593, MDT 17567, MDT 8069, MDT 16361, MDT 20127, MDT 21523, MDT 4283, MDT 17595, PFE 61525, (or PFE 60525), MDT 17839, MDT 22375, PFE 25432, (or PFE 25532), and WFE 61655 containing potatoes originating in Arkansas and Oklahoma now on hand at St. Louis, consigned to the Food Distribution Administration; also for the Missouri Pacific Railroad Company (Guy A. Thompson, Trustee) to reice once, but not in excess of 6,000 pounds, after the first or initial icing NRC 8232, NRC 1514, (or NRC 5614), NRC 2110, NRC 10186, PFE 91033, PFE 93713, FGE 9115, ART 22570, NRC 10377, NRC 15542, NRC 5326, NRC 10151, NRC 6339, NRC 10037, NRC 15255, NRC 23771, MDT 7038, ART 21838, ART 19336, and ART 17661, (or ART 17561) containing potatoes originating in Arkansas and Oklahoma now on hand at St. Louis, consigned to the Food Distribution Administration; also for the Missouri Pacific Railroad Company (Guy A. Thompson, Trustee) to reice once, but not in excess of 1,000 pounds, after the first or initial icing NRC 16163, PFE 61936, SFRD 31191, and SFRD 20930 containing potatoes now on hand at St. Louis, consigned to the Food Distribution Administration.

The waybills shall show reference to this special permit.

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

Issued at Washington, D. C., this 5th day of July 1943.

HOMER C. KING,
Director Bureau of Service.

[F. R. Doc. 43-11582; Filed, July 19, 1943; 10:33 a. m.]

[Special Permit 56 Under Service Order 123]

MISSOURI-KANSAS-TEXAS RAILROAD CO.

REICING OF POTATOES IN TRANSIT

Pursuant to the authority vested in me by paragraph (c) of the first ordering paragraph (§ 95.307) of Service Order No. 123 of May 14, 1943, as amended, permission is granted for:

The Missouri-Kansas-Texas Railroad Company to reice once in transit, but not to exceed 8,000 pounds of ice per car, NRC 4015, NRC 10116, NRC 15275, NRC 16247, NRC 4403, NRC 10402, NRC 3152, NRC 5774, NRC 7022, NRC 10323, ART 22481, ART 22779, ART 19851, ART 23187, ART 24045, containing potatoes, originating in Arkansas and Oklahoma, now on hand at St. Louis, consigned to the Food Distribution Administration.

The waybills shall show reference to this special permit.

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

Issued at Washington, D. C., this 9th day of July 1943.

HOMER C. KING,
Director Bureau of Service.

[F. R. Doc. 43-11583; Filed, July 19, 1943; 10:33 a. m.]

[Special Permit 57 Under Service Order 123]

MISSOURI PACIFIC RAILROAD CO.

REICING IN TRANSIT

Pursuant to the authority vested in me by paragraph (c) of the first ordering paragraph (§ 95.307) of Service Order No. 123 of May 14, 1943, as amended, permission is granted for:

The Missouri Pacific Railroad Company (Guy A. Thompson, Trustee) to reice once in transit after the first or initial icing ART 18209, NRC 10309, NRC 8197, NRC 4582, ART 21055, ART 23789, ART 18584, ART 21874, NWX 1072, CX 50065, WFE 49197, URT 85182, ART 22472, and NRC 15408 now on hand at St. Louis, consigned Food Distribution Administration for reconsignment.

The waybills shall show reference to this special permit.

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

Issued at Washington, D. C., this 9th day of July, 1943.

HOMER C. KING,
Director Bureau of Service.

[F. R. Doc. 43-11584; Filed, July 19, 1943; 10:33 a. m.]

[Special Permit 59 Under Service Order 123]

COMMON CARRIERS BY RAILROAD

REICING POTATOES IN TRANSIT

Pursuant to the authority vested in me by paragraph (c) of the first ordering paragraph (§ 95.307) of Service Order No. 123 of May 14, 1943, as amended, permission is granted for:

Any common carrier by railroad to reice once after the first or initial icing ART 18584, ART 23789, NRC 4582, NRC 10309, and URT 85182 containing potatoes originating in Arkansas and Oklahoma now on hand at the Chicago Produce Terminal Company tracks, Chicago, Illinois, consigned to E. H. Anderson & Company.

The waybills shall show reference to this special permit.

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

Issued at Washington, D. C., this 10th day of July 1943.

HOMER C. KING,
Director Bureau of Service.

[F. R. Doc. 43-11585; Filed, July 19, 1943; 10:33 a. m.]

[Special Permit 19 Under Service Order 133]

SOUTHERN PACIFIC CO., ET AL.

REICING CARROTS AND CELERY IN TRANSIT

Pursuant to the authority vested in me by paragraph (b) of the first ordering paragraph (§ 95.313, 8 F.R. 8554) of Service Order No. 133 of June 19, 1943, permission is granted for:

The Southern Pacific Company, the Union Pacific Railroad Company, or The Chicago, Rock Island and Pacific Railway Company (Frank O. Lowden and Joseph B. Fleming, Trustees) to initially ice or reice, with both bunker and top or body ice, PFE 73401 containing carrots shipped by The William H. Gumpertz Co. to Applebaum-Ernst Company, Chicago, Illinois; also for the Southern Pacific Company, The Chicago, Rock Island and Pacific Railway Company (Frank O. Lowden and Joseph B. Fleming, Trustees), or The Alton Railroad Company (Henry A. Gardner, Trustee) to initially ice or reice, with both bunker and top or body ice, PFE 30258 containing carrots consigned to Mark Owen Company, Chicago, Illinois; also for the Southern Pacific Company, The Chicago, Rock Island and Pacific Railway Company (Frank O. Lowden and Joseph B. Fleming, Trustees), or the Missouri Pacific Railroad Company (Guy A. Thompson, Trustee) to initially ice or reice, with both bunker and top or body ice, ART 16675 containing carrots shipped by The William H. Gumpertz Co. consigned to the American Fruit Growers, Inc., St. Louis, Missouri; also for the Southern Pacific Company, the Union Pacific Railroad Company, the Chicago, Burlington & Quincy Railroad Company, or the Toledo, Peoria & Western Railroad (Holly Stover, Federal Manager) to initially ice or reice, with both bunker and top or body ice, PFE 92168 containing celery consigned to the Atlantic Commission Co., care of the Great Atlantic and Pacific Tea Company, Pittsburgh, Pennsylvania.

The waybills shall show reference to this special permit.

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

Issued at Washington, D. C., this 7th day of July 1943.

HOMER C. KING,
Director Bureau of Service.

[F. R. Doc. 43-11576; Filed, July 19, 1943; 10:34 a. m.]

[Special Permit 20 Under Service Order 133]

CHICAGO, BURLINGTON AND QUINCY RAILROAD CO.

REICING FRUITS AND VEGETABLES IN TRANSIT

Pursuant to the authority vested in me by paragraph (b) of the first ordering paragraph (§ 95.313, 8 F.R. 8554) of Service Order No. 133 of June 19, 1943, permission is granted for:

The Chicago, Burlington & Quincy Railroad Company to initially ice or reice, with both bunker and top or body ice (not to exceed 500 pounds snow ice in car) PFE 98185 containing fruits and vegetables in mixed shipments destined Sioux Falls, South Dakota; also for The Kansas City Southern Railway Company to initially ice or reice, with both bunker and top or body ice (but not in excess of 4,000 pounds snow ice in car) ART 73099 loaded with vegetables in mixed shipments destined Camp Crowder, Missouri; also for the Union Pacific Railroad Company to initially ice or reice, with both bunker and top or body ice (not to exceed 2,000 pounds snow ice in car) PFE 73948 containing fruits and vegetables in mixed shipments destined Fort Riley, Kansas; also for the Missouri Pacific Railroad Company (Guy A. Thompson, Trustee) to initially ice or reice, with both bunker and top or body ice, (not to exceed 4,000 pounds snow ice in car) PFE 90194 containing vegetables in mixed shipments destined Camp Phillips, Kansas, all originating beyond or at Kansas City, Missouri.

The waybills shall show reference to this special permit.

A copy of this permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general

public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register, The National Archives.

Issued at Washington, D. C., this 7th day of July 1943.

HOMER C. KING,
Director Bureau of Service.

[F. R. Doc. 43-11577; Filed, July 19, 1943; 10:33 a. m.]

[Special Permit 21 Under Service Order 133]

SOUTHERN PACIFIC COMPANY, ET AL.

REICING OF CARROTS IN TRANSIT

Pursuant to the authority vested in me by paragraph (b) of the first ordering paragraph (§ 95.313 8 F.R. 8554) of Service Order No. 133 of June 19, 1943, permission is granted for:

The Southern Pacific Company, the Union Pacific Railroad Company, or the Wabash Railroad Company to initially ice or reice, with both bunker and top or body ice, PFE 18068 containing carrots shipped by the Atlantic Commission Co., Oxnard, California, consigned to the Atlantic Commission Co., St. Louis, Missouri.

The waybills shall show reference to this special permit.

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

Issued at Washington, D. C., this 8th day of July, 1943.

HOMER C. KING,
Director Bureau of Service.

[F. R. Doc. 43-11578; Filed, July 19, 1943; 10:33 a. m.]

[Special Permit 22 Under Service Order 133]

CHICAGO, BURLINGTON AND QUINCY RAILROAD CO.

REICING OF FRUITS AND VEGETABLES IN TRANSIT

Pursuant to the authority vested in me by paragraph (b) of the first ordering paragraph (§ 95.313, 8 F.R. 8554) of Service Order No. 133 of June 19, 1943, permission is granted for:

The Chicago, Burlington & Quincy Railroad Company to initially ice or reice, with both bunker and top or body ice (not to exceed 3,000 pounds snow ice in car) PFE 93808 containing fruits and vegetables in mixed shipments destined Woodlawn, Nebraska; also for the Union Pacific Railroad Company to initially ice or reice, with both bunker and top or body ice (not to exceed 4,000 pounds snow ice in car) MDT 20598 containing vegetables in mixed shipments destined Fort Riley, Kansas, all originating beyond or at Kansas City, Missouri.

The waybills shall show reference to this special permit.

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

Issued at Washington, D. C., this 8th day of July 1943.

HOMER C. KING,
Director Bureau of Service.

[F. R. Doc. 43-11579; Filed, July 19, 1943; 10:33 a. m.]

[Special Permit 23 Under Service Order 133]

MISSOURI PACIFIC RAILROAD COMPANY

REICING OF FRUITS AND VEGETABLES IN TRANSIT

Pursuant to the authority vested in me by paragraph (b) of the first ordering paragraph (§ 95.313, 8 F.R. 8554) of Service Order No. 133 of June 19, 1943, permission is granted for:

The Missouri Pacific Railroad Company (Guy A. Thompson, Trustee) to initially ice or reice, with both bunker and top or body ice (not to exceed 1,000 pounds of snow ice) PFE 40286 containing fruits and vegetables in mixed shipments destined Great Bend, Kansas, originating beyond or at Kansas City.

The waybills shall show reference to this special permit.

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

Issued at Washington, D. C., this 9th day of July 1943.

HOMER C. KING,
Director Bureau of Service.

[F. R. Doc. 43-11580; Filed, July 19, 1943; 10:33 a. m.]

[Special Permit 24 Under Service Order 133]

SOUTHERN PACIFIC COMPANY, ET AL.

REICING VEGETABLES IN TRANSIT

Pursuant to the authority vested in me by paragraph (b) of the first ordering paragraph (§ 95.313, 8 F.R. 8554) of Service Order No. 133 of June 19, 1943, permission is granted for:

The Southern Pacific Company, the Union Pacific Railroad Company, or The Chicago, Rock Island and Pacific Railway Company (Frank O. Lowden and Joseph B. Fleming, Trustees) to initially ice or reice, with both bunker and top or body ice, PFE 74594 containing vegetables shipped by William H. Gumpertz Co., Oxnard, California, consigned to Applebaum-Ernst Co., Chicago, Illinois; also for the Southern Pacific Company, The Chicago, Rock Island and Pacific Railway Company (Frank O. Lowden and Joseph B. Fleming, Trustees) the Wabash Railroad Company, or the Pere Marquette Railway Company to initially ice or reice, with both bunker and top or body ice, MDT 8024 containing vegetables shipped by William H. Gumpertz Co., Oxnard, California, consigned to Andrews Brothers, Detroit, Michigan; also for the Southern Pacific Company, The Chicago, Rock Island and Pacific Railway Company (Frank O. Lowden and Joseph B. Fleming, Trustees), or The Alton Railroad Company (Henry A. Gardner, Trustee) to initially ice or reice, with both bunker and top or body ice, PFE 41837 containing vegetables shipped by William H. Gumpertz Co., Oxnard, California, consigned to Westco Foods Co., Chicago, Illinois; also for the Southern Pacific Company, The Chicago, Rock Island and Pacific Railway Company (Frank O. Lowden and Joseph B. Fleming, Trustees), or the Chicago, Burlington & Quincy Railroad Company to initially ice or reice, with both bunker and top or body ice, PFE 60999 containing vegetables shipped by William H. Gumpertz Co., Oxnard, California, consigned to American Fruit Growers, Inc., St. Louis, Missouri; also for the Southern Pacific Company, the Union Pacific Railroad Company, or the Wabash Railroad Company to initially ice or reice, with both bunker and top or body ice, BREX 74960 containing vegetables shipped by The Atlantic Commission Co., Inc., Oxnard, California, to The Atlantic Commission Co., Inc., St. Louis, Missouri; also for the Pacific Electric Railway Company or The Atchison, Topeka and Santa Fe Railway Company to initially ice or reice, with both bunker and top or body ice, PFE 35397 containing vegetables shipped by Keim Produce Co., Los Angeles, California, consigned to Babbitt Brothers Trading Co., Winslow, Arizona; also for the Southern Pacific Company, the Union Pacific Railroad Company, the Chicago, Burlington & Quincy Railroad Company, the Toledo, Peoria & Western Railroad (Holly Stover, Federal Manager), or The New York, Chicago and St. Louis Railroad Company to initially ice or reice, with both bunker and top or body ice, PFE 42037 containing vegetables from Atlantic Commission Co., Inc., Los Angeles, California, to Atlantic Commission Co., Cleveland, Ohio; also for the Southern Pacific Company, the Union Pacific Railroad Company, or the Wabash Railroad Company to initially ice or reice, with both bunker and top or body ice, PFE 18063 containing vegetables shipped by Atlantic Commission Co., Inc., Oxnard, California, consigned to Atlantic Commission Co., Inc., St. Louis, Missouri.

The waybills shall show reference to this special permit.

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

Issued at Washington, D. C., this 9th day of July 1943.

HOMER C. KING,
Director, Bureau of Service.

[F. R. Doc. 43-11581; Filed, July 19, 1943; 10:34 a. m.]

OFFICE OF PRICE ADMINISTRATION.

LIST OF INDIVIDUAL ORDERS GRANTING EXCEPTIONS, ETC., UNDER PRICE REGULATIONS

The following order was filed with the Division of the Federal Register on July 16, 1943.

Order number, MPR 120, Order 222; name, Big Vein Coal Co.

Copies of this order may be obtained from the Office of Price Administration.

ERVIN H. POLLACK,
Head, Editorial and Reference Section.

[F. R. Doc. 43-11621; Filed, July 19, 1943; 2:46 p. m.]

[Gen. Order 46,[1] Amdt. 2]

HEARING ADMINISTRATOR AND HEARING COMMISSIONERS

DELEGATION OF AUTHORITY

General Order 46 is amended in the following respects:

1. The text of paragraph (a) is amended to read as follows:

(a) The Hearing Administrator, the Deputy Hearing Administrator, the Assistant Hearing Administrators and the several Hearing Commissioners are authorized:

2. Subparagraph (4) of paragraph (a) is amended to read as follows:

(4) To exercise any power, authority or discretion conferred by paragraph (a) (2) of this General Order No. 46 through such officer or employee of the Office of Price Administration as the Hearing Administrator, the Deputy or any Assistant Hearing Administrator, or any Hearing Commissioner may designate for such purpose.

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

(b) The Hearing Administrator is authorized to consider and determine all petitions for reconsiderations of or appeals from suspension orders heretofore or hereafter issued, to issue such orders and take such action thereon as may be appropriate in the premises. Whenever the Hearing Administrator shall declare himself personally disqualified or shall for any other reason be unable or consider it impracticable personally to exercise the authority delegated in this subsection, then the Deputy or Assistant Hearing Administrators are authorized to perform the functions set forth in this subsection.

4. Paragraph (c) is amended to read as follows:

(c) Any decision made, order issued or action taken by the Hearing Administrator, the Deputy Hearing Administrator, the Assistant Hearing Administrators or by any Hearing Commissioner pursuant to this General Order No. 46, shall have the same force and effect as if made, issued or taken by the Administrator.

(Pub. Law 421, 77th Cong., sec. 2 (a) of Pub. Law 671, 76th Cong., as amended by Pub. Law 89, 77th Cong., and by Pub. Law 507, 77th Cong., E.O. 9125, 7 F.R. 2719)

Issued and effective July 19, 1943.

PRENTISS M. BROWN,
Administrator

[F. R. Doc. 43-11644; Filed, July 20, 1943; 9:16 a. m.]

[1] 8 F.R. 2072.

LIST OF INDIVIDUAL ORDERS GRANTING ADJUSTMENT, ETC. UNDER PRICE REGULATIONS

The following orders were filed with the Division of the Federal Register on July 19, 1943.

Order number	*Name*
MPR 39, Order 8	Louisville Textiles, Inc.
MPR 246, Order 7	Dayton Pump & Mfg. Co.
MPR 244, Order 28	Chicago Hardware Foundry Co.
MPR 327, Order 11	Industrial Chemical & Processing Co.

Copies of these orders may be obtained from the Office of Price Administration.

ERVIN H. POLLACK,
Head, Editorial & Reference Section.

[F. R. Doc. 43-11659; Filed, July 20, 1943; 11:04 a. m.]

Regional, State, and District Office Orders.

[Region I Order G-7 Under Rev. MPR 122, Amdt. 2]

BITUMINOUS COAL IN METROPOLITAN BOSTON AREA

Amendment No. 2 to Order No. G-7 under Revised Maximum Price Regulation 122—Solid Fuels Sold and Delivered by Dealers; Bituminous Coal; Metropolitan Boston Area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.-260 of Revised Maximum Price Regulation 122, Region I Order No. G-7 under Revised Maximum Price Regulation 122 is hereby amended in the following respects:

1. Subparagraphs (1) and (2) of paragraph (b) are amended to read as follows:

(b) *Maximum prices for sales f. o. b. transportation facilities at seller's yard, dock or other terminal facilities*—(1) *Table of prices, per net ton:*

Kind of coal	Classes of purchasers		
	Classes AA & A	Class B	Class C
Domestic run of mine	7.65	7.87	8.09
Straight run of mine	7.40	7.62	7.84
Mixed run of mine	7.55	7.77	7.99
Nut & slack	7.15	7.37	7.59
Slack	7.10	7.32	7.54
1½" nut and slack	7.40	7.62	7.84
Mixed nut and slack	7.25	7.47	7.69
Low volatile pea	7.55	7.77	7.99
High volatile modified stoker	7.20	7.42	7.64
High volatile nut or pea	7.65	7.87	8.09
Cavalier nut and slack	7.30	7.52	7.74
Cavalier double screened stoker	8.00	8.22	8.44
Cavalier modified stoker	7.77	7.99	8.21
High volatile egg or lump	7.30	7.52	7.74
High volatile nut and slack	7.00	7.22	7.44

(2) *Classes of purchasers:*

(i) Class AA shall consist of all persons who purchase f. o. b. railroad cars at seller's yard, dock or other terminal facilities.

(ii) Class A shall consist of the following persons who purchase f. o. b. truck or wagon:

(a) All wharf dealers.

(b) Dealers (other than wharf dealers) who have yards or other terminal facilities located outside of the Metropolitan Boston Area, whether or not such facilities are designed or are customarily used for the handling of bituminous coal.

(c) Those consumers who have customarily been supplied by one or more wharf dealers at the same, or substantially the same, price applicable to sales to wharf dealers, whether said price was quoted as f. o. b. point of shipment, or, when delivery was arranged for, as a delivered price which was in fact arrived at by the addition to said f. o. b. price of the actual cost of transportation.

(iii) Class B shall consist of the following persons who purchase f. o. b. truck or wagon:

(a) Dealers (other than wharf dealers) who have yards or other terminal facilities located in the Metropolitan Boston Area, whether or not such facilities are designed or are customarily used for the handling of bituminous coal.

(b) Operators of greenhouses which are used for the growth of vegetables and/or flowers.

(iv) Class C shall consist of the following persons who purchase f. o. b. truck or wagon:

(a) All dealers who are not included in Class A or Class B, except brokers.

(b) All consumers who purchase on an f. o. b. truck, or wagon basis and who are not included in Class A or Class B.

Provided, however That nothing contained herein shall be so construed as to require a dealer to sell coal on an f. o. b. shipping point basis to any consumer to whom said dealer has not customarily so sold, or who has customarily purchased on a delivered basis.

2. Subparagraph (1) of paragraph (c) is amended to read as follows:

(1) *Table of prices, per net ton:*

Kind of coal	Classes of purchasers				
	Class I	Class II	Class III	Class IV	Class V
Domestic mine run	$10.05	$9.80	$9.55	$9.05	$8.80
Straight mine run	9.80	9.55	9.30	8.80	8.55
Mixed mine run	9.95	9.70	9.45	8.95	8.70
Nut and slack	9.55	9.30	9.05	8.55	8.30
Slack	9.50	9.25	9.00	8.50	8.25
1½" nut and slack	9.80	9.55	9.30	8.80	8.55
Mixed nut and slack	9.65	9.40	9.15	8.65	8.40
Low volatile pea	9.95	9.70	9.45	8.95	8.70
High volatile modified stoker	9.60	9.35	9.10	8.60	8.35
High volatile nut or pea	10.05	9.80	9.55	9.05	8.80
Cavalier nut and slack	9.70	9.45	9.20	8.70	8.45
Cavalier double screened stoker	10.40	10.15	9.90	9.40	9.15
Cavalier modified stoker	10.17	9.92	9.67	9.17	8.92
High volatile egg or lump	9.70	9.45	9.20	8.70	8.45
High volatile nut and slack	9.40	9.15	8.90	8.40	8.15

The foregoing prices apply to deliveries made directly from truck or wagon into the consumer's storage facilities, and are inclusive of any trimming that may be necessary. If the coal cannot be so discharged and is carried or wheeled from the truck or wagon to consumer's storage facilities, an additional 50¢ per ton may be charged if such charge is separately stated on the invoice or similar document rendered to the purchaser.

3. Subparagraph (4) of paragraph (f) is amended to read as follows:

(4) "Nut and slack" is bituminous coal screenings which, at the mine, have passed through a screen with openings larger than three-quarters (¾) of an inch but smaller than one and one-half (1½) inches, other than "High volatile nut and slack" as defined herein.

4. Subparagraphs (12) (13) (14) (15) and (16) are added to paragraph (f) to read as follows:

(12) "1½" nut and slack" is bituminous coal screenings which, at the mine, have passed through a screen with openings one and one-half (1½) inches or larger, other than "High volatile nut and slack" as defined herein.

(13) "Mixed nut and slack" is a mixture of "1½" nut and slack" with "Nut and slack" and/or "Slack," containing not less than fifty per cent (50%) of "1½" nut and slack."

(14) "Cavalier double screened stoker" is the bituminous coal which is known by that trade name, produced by Consolidation Coal Company at its mine having Index No. 5445, and which has passed through a one and one-quarter (1¼) inch screen and over a three-eighths (⅜) inch screen at the mine.

(15) "Cavalier modified stoker" is the bituminous coal which is known by that trade name, produced by Consolidation Coal Company at its mine having Index No. 5445, and with the following composition as screened at the mine:

72% of coal which has passed through a one and one-quarter (1¼) inch screen and over a three-eights (⅜) inch screen. 22% of coal which has passed through a one-eighth (⅛) inch screen and over a 50 mesh screen. 6% of coal which has passed through a 50 mesh screen.

(16) "High volatile nut and slack" is bituminous coal screenings which, at the mine, have passed through a screen with openings one and one-quarter (1¼) inches or larger but not larger than two (2) inches, and produced in the high volatile section of Producing District 8.

5. Paragraph (g) is inserted, to read as follows:

(g) *Records and reports.* (1) Any dealer who mixes "1½" Nut and Slack" with "nut and slack" and/or "Slack" for sale as "Mixed nut and slack" shall:

(i) Keep a record of all of the coal which goes into such mixture, which record shall show the date when the coal goes into the mixture, the kind and tonnage of each kind; and a record of all sales of such mixture.

(ii) Submit to the Regional Office for Region I of the Office of Price Administration, on or before the 10th day of each calendar month beginning with August 10, 1943, a report for the preceding calendar month showing, as to all coal which went into such mixture during such month, the date, kind and amount of coal, and the total sales of such mixture during such month.

This Amendment No. 2 to Order No. G-7 shall become effective July 23, 1943.

Issued this 16th day of July 1943.

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

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

K. B. BACKMAN,
Regional Administrator

[F. R. Doc. 43-11616; Filed, July 19, 1943; 3:00 p. m.]

[Region I Order G-14, Under 18 (c), Amdt. 2]

HARDWOOD-CORDWOOD AND FIREWOOD IN MASSACHUSETTS

Amendment 2 to Order No. G-14 under section 18 (c) of the General Maximum Price Regulation—Hardwood Cordwood and Firewood in Massachusetts.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by section 18 (c) of the General Maximum Price Regulation, *It is hereby ordered,* That paragraph (a) (1) be amended, that paragraph (a) (2) (iv) be amended, that paragraph (a) (4) be amended, and that subparagraph (2) of paragraph (g) be added, to read as set forth below:

(a) * * *

(1) For purposes of this order, the localities in the Commonwealth of Massachusetts have been allocated among seven zones, as defined below, and the maximum prices for hardwood-cordwood and hardwood-firewood sold and delivered in the localities in each zone shall be as follows:

(i) Hardwood-cordwood, in 4 foot lengths:

Zone	At roadside (per cord)	Delivered at retailer's yard (per cord)	Delivered at buyer's premises		
			Per cord	½ cord	¼ cord
1	$11.00	$13.00	$15.00	$7.75	$4.25
2	11.00	13.00	15.00	7.75	4.25
3	13.00	15.00	17.00	8.75	4.75
4	14.00	17.00	19.00	9.75	5.25
5	15.00	18.00	20.00	10.25	5.50
6	----------	20.00	23.00	11.75	6.25
7	----------	----------	25.00	13.25	7.00

(ii) Hardwood-firewood in 12 inch, 16 inch and 24 inch lengths:

Zone	Delivered at retailer's yard (per "cut-up cord")	Delivered at buyer's premises			
		Per "cut-up cord"	½ "cut-up cord"	¼ "cut-up cord"	1 to 5 cu. ft. (per cu. ft.)
1	$15.00	$17.00	$8.75	$4.75	$0.40
2	15.00	17.00	8.75	4.75	.40
3	17.00	19.00	9.75	5.25	.40
4	19.00	21.00	10.75	5.75	.40
5	20.00	23.00	11.75	6.25	.40
6	23.00	25.00	13.25	7.00	.40
7	----------	28.00	15.00	8.00	.40

(2) * * *

(iv) "Delivered" means deposited on or at the premises designated by the buyer; *Provided, however,* That the delivered prices set forth in paragraph (a) (1) shall not include the service charges set forth in paragraph (a) (4)

* * * * *

(4) *Service charges.* (i) A service charge may be added by the seller if, at the buyer's request, the seller shall carry the wood into the buyer's house or any of his covered outbuildings and neatly stack or pile the wood therein, as follows:

(*a*) A charge at the rate of $2.50 per full cord or "cut-up cord" and proportionately for additional fractions thereof may be added.

(*b*) A charge of $1.50 per half cord or "cut-up cord," $1.00 per quarter cord or "cut-up cord," and $.75 per eighth cord or "cut-up cord" may be added.

(*c*) For other fractions of the above units of measure between one cord or "cut-up cord" and one-eighth cord or "cut-up cord," a charge at a directly proportionate reduction in price from the service charge fixed for the next larger unit of measure may be added.

(*d*) No service charge may be added to the maximum price for sales and deliveries of quantities of less than one eighth cord or "cut-up cord."

(ii) A service charge may be added by the seller if, at the buyer's request, the seller shall neatly stack or pile the wood at a spot on the buyer's premises designated by him other than in his house or covered outbuildings, as follows:

(*a*) A charge at the rate of $1.50 per full cord or "cut-up cord" and proportionately for additional fractions thereof may be added.

(*b*) A charge of $1.00 per half cord or "cut-up cord" and $.50 per quarter cord or "cut-up cord" may be added.

(*c*) For other fractions of the above units of measure between one cord or "cut-up cord" and one-quarter cord or "cut-up cord," a charge at a directly proportionate reduction in price from the service charge fixed for the next larger unit of measure may be added.

(*d*) No service charge may be added to the maximum price for sales and deliveries of quantities of less than one-quarter cord or "cut-up cord."

(g) * * *

(2) Amendment No. 2 shall become effective July 3, 1943, at 12:01 a. m.

Issued this 2d day of July 1943.

K. B. BACKMAN,
Regional Administrator

[F. R. Doc. 43-11622; Filed, July 19, 1943; 3:10 p. m.]

[Region I Order G-16 Under 18 (c), Amdt. 1]

FLUID MILK IN MASSACHUSETTS

Amendment 1 to Order G-16 under § 1499.18 (c) as amended, of the General Maximum Price Regulation—Fluid Milk in the Commonwealth of Massachusetts (formerly General Order 16)

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1499.18 (c) of the General Maximum Price Regulation, as amended by Amendment No. 33, by § 1351.807 of Maximum Price Regulation No. 280, and by § 1351.408 of Maximum Price Regulation No. 329, *It is hereby ordered,* That paragraph (a) be amended, that subparagraphs (7) (8) and (9) of paragraph (b) be added, and paragraph (i) be added, to read as set forth below:

(a) The maximum prices established by § 1499.2 of the General Maximum Price Regulation and by § 1351.803 of Maximum Price Regulation 280 for fluid milk sold or delivered in the Massachusetts Milk Marketing Areas, as defined below, and by § 1351.402 of Maximum Price Regulation 329 for fluid milk bought or received from producers in Region I for ultimate resale as fluid milk in such Areas, are modified so that the maximum prices for such fluid milk shall be the prices specified in the applicable schedule below:

* * * * *

(b) * * *

(7) The above "Price to producers" fixed for each milk marketing area shall be applicable to fluid milk bought or received from producers in Region I for ultimate resale for human consumption as fluid milk in such milk marketing area.

(8) Any person making "Retail delivered" "Retail over counter" or "Wholesale delivered" sales of fluid milk, or other sales of fluid milk subject to the General Maximum Price Regulation or to Maximum Price Regulation 280, in Milk Marketing Areas 10D, 15C, 17 or 11AB may reduce the butterfat content of fluid milk sold by him so that it shall have a butterfat content of not more than 3/10 of 1% by weight less than the butterfat content of fluid milk sold by him during the base periods of the General Maximum Price Regulation or Maximum Price Regulation 280, respectively, without reducing the maximum prices established for sales by him of fluid milk of a butterfat content the same as that sold by him during the respective base periods of the General Maximum Price Regulation and Maximum Price Regulation 280: *Provided, however* That such reduction in butterfat content shall not result in fluid milk having a butterfat content less than that permitted by the laws of the Commonwealth of Massachusetts or the regulations or orders of the Massachusetts Milk Control Board.

(9) Where the total bill at the time of sale, if sold for cash, or at the end of any billing period, if sold on credit, comes out at a fraction of a cent, the seller may charge the next higher cent.

* * * * *

(i) Amendments to Region I Order No. G-16 shall become effective as follows:

(1) Amendment 1 shall become effective May 1, 1943, at 12:01 a. m.

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

Issued this 30th day of April 1943.

K. B. BACKMAN,
Regional Administrator

[F. R. Doc. 43-11625; Filed, July 19, 1943; 3:11 p. m.]

[Region I Order G-16 Under 18 (c), Amdt. 2]

FLUID MILK IN MASSACHUSETTS

Amendment 2 to Order G-16 (formerly General Order 16) under § 1499.18 (c) of the General Maximum Price Regulation—Fluid Milk in the Commonwealth of Massachusetts.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1499.18 (c) of the General Maximum Price Regulation, as amended by Amendment No. 33, by § 1351.807 of Maximum Price Regulation No. 280, and by § 1351.408 of Maximum Price Regulation No. 329: *It is hereby ordered,* That subparagraphs (35) and (37) of paragraph (a) be amended, that a new subparagraph (6) of paragraph (b) be added, that subparagraph (6) of paragraph (b) be renumbered (7) that a new subparagraph (8) of paragraph (b) be added, that subparagraphs (7) (8) and (9) of paragraph (b) be renumbered (9) (10) and (11) respectively, that paragraph (c) be amended, and that subparagraph (2) of paragraph (i) be added, to read as set forth below:

(a) * * *

(35) Massachusetts Milk Marketing Area 16C (the town of Nantucket).

Milk	Retail delivered	Retail over counter	Wholesale delivered
Quart bottles	$0.18	$0.17	$0.15
10-ounce bottles			.0525
Half-pint bottles			.0425
8-quart cans			1.04
10-quart cans			1.30
20-quart cans			2.40
40-quart cans			4.80

Price to producers: $4.10 per hundredweight.

* * * * *

(37) Massachusetts Milk Marketing Area 19 (the city of Fall River and the towns of Swansea, Somerset, and so much of the town of Westport as lies west of the line running midway between Drift and Pine Hill Roads)

Milk	Retail delivered	Retail over counter	Wholesale delivered
Quart bottles	$0.16	$0.15	$0.135
Pint bottles			.075
10-ounce bottles			.0575
Half-pint bottles			.04
8-quart cans	1.28		1.04

Price to producers: $4.34 per hundredweight.

* * *

(6) The maximum prices for buttermilk sold and delivered in each Massachusetts milk marketing area shall be 1¢ per quart less than the maximum prices fixed in this order for standard milk sold and delivered in such Area.

(7) * * *

(8) Where fluid milk is delivered between June 1 and September 30, both dates inclusive, by a dealer to a summer establishment in a milk marketing area other than the one in which the dealer's place of business is located, his maximum price for such milk shall be the maximum price for such milk in the marketing area in which his place of business is located if such price is higher than that in the marketing area in which he delivered the milk. Any summer establishment which resells such milk may increase its maximum price

therefor by the exact amount of the increase in the cost of such milk to it effected by this subparagraph (8) "Summer establishment" shall include any retail store, hotel, boarding house, restaurant, camp, dwelling or other living or retail selling establishment which is not regularly occupied or operated, as the case may be, at any time during the year except for one or more periods between June 1 and September 30, both dates inclusive.

(9) * * *

(10) * * *

(11) * * *

(c) The maximum price for any sale of fluid milk subject to the General Maximum Price Regulation or to Maximum Price Regulation 280, for which no price is fixed in paragraphs (a) and (b) of this order in the localities specified therein, shall be computed by increasing the seller's maximum price as determined under these regulations (without considering the increases permitted by Region I General Order 15 in Areas IB, 3A, 3B, 5B, 6B, 6C, 7A, 9A and 9B on February 21, 1943, or by Region I Price Order 2 in Area 9A on November 19, 1942) by the following amounts per quart:

1½ cents--- Areas 1B, 3A, 3B, and 9A.
1 cent------ Areas 4, 5B, 6B, 7A, 9B, 16B, 16C, and 19.
½ cent----- Areas 2B, 5A, 6A, 6C, 7B, 7C, 7E, 7F, 9C, 9E, 10C, 10D, 11 AB, 12, 15C, 16A (No.), 16A (So.), 17, and 18.
No increase- Areas 1C, 2A, 8, 10B, 11C, 13A, 13B, 14A, 14B, 15A, and 15B.

*

(i) * * *

(2) Amendment 2 shall become effective May 22, 1943, at 12:01 a. m.

Issued this 22d day of May 1943.

K. B. BACKMAN,
Regional Administrator.

[F. R. Doc. 43-11626; Filed, July 19, 1943; 3:12 p. m.]

[Region I, Order G-16 under 18 (c), Amdt. 3]

FLUID MILK IN THE COMMONWEALTH OF MASSACHUSETTS

Amendment 3 to Order G-16 under Section 18 (c) of the General Maximum Price Regulation.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by section 18 (c) of the General Maximum Price Regulation, as amended by Amendment No. 33, by § 1351.807 of Maximum Price Regulation No. 280, and by § 1351.408 of Maximum Price Regulation No. 329, *It is hereby ordered,* That subparagraph (33) of paragraph (a) be amended, and that subparagraph (3) of paragraph (i) be added, to read as set forth below:

(a) * * *

(33) Massachusetts Milk Marketing Area 16A So.

(i) The towns of Barnstable, Bourne, Brewster, Chatham, Dennis, Eastham, Falmouth, Harwich, Mashpee, Orleans, Provincetown, Sandwich, Truro, Wellfleet, and Yarmouth.

Milk	Retail delivered	Retail over counter	Wholesale delivered
Quart bottles	$0.17	$0.16	$0.14
Pint bottles			.08
10-ounce bottles			.0775
Half-pint bottles			.045
8-quart cans			1.00
10-quart cans			1.33
20-quart cans			2.65
40-quart cans			5.00

Price to Producers: $4.10 per hundredweight.

(ii) The town of Gosnold.

Milk	Retail: delivered	Retail: Over counter	Wholesale delivered
Quart bottles	$0.20	$0.20	$0.19

Price to Producers: $4.10 per hundredweight.

* * * * *

(i) * * *

(3) Amendment 3 shall become effective June 21, 1943, at 12:01 a. m.

Issued this 19th day of June 1943.

RICHARD H. FIELD,
Acting Regional Administrator.

[F. R. Doc. 43-11627; Filed, July 19, 1943; 3:12 p. m.]

[Region I Order G-16 Under 18 (c), Amdt. 4]

FLUID MILK IN THE COMMONWEALTH OF MASSACHUSETTS

Amendment 4 to Region I Order G-16 under section 18 (c) of the General Maximum Price Regulation—§ 1351.807 of Maximum Price Regulation 280, and § 1351.408 of Maximum Price Regulation 329.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by section 18 (c) of the General Maximum Price Regulation, as amended by Amendment No. 33, by § 1351.807 of Maxium Price Regulation No. 280, and by § 1351.408 of Maximum Price Regulation No. 329, *It is hereby ordered,* That subparagraph (25) of paragraph (a) be amended, and that subparagraph (4) of paragraph (i) be added, to read as set forth below:

(a) * * *

(25) Massachusetts Milk Marketing Area 11AB (the cities of Lawrence and Lowell and the towns of Andover, Billerica, Boxford, Chelmsford, Dracut, Dunstable, Methuen, North Andover, Tewskbury, Tyngsborough and Westford)

Milk	Retail delivered	Retail over counter	Wholesale delivered
Quart bottles	$0.165	$0.145	$0.13
Pint bottles			.0775
10-ounce bottles			.075
Half-pint bottles			.04
8-quart cans			1.00
10-quart cans			1.25
20-quart cans			2.50
40-quart cans			4.80

Price to producers: $4.14 per hundredweight (for producers located in Massachusetts); $4.10 per hundredweight (for producers located elsewhere in Region I).

(i) * * *

(4) Amendment No. 4 shall become effective July 1, 1943, at 12:01 a. m.

Issued this 30th day of June 1943.

K. B. BACKMAN,
Regional Administrator.

[F. R. Doc. 43-11623; Filed, July 19, 1943; 3:12 p. m.]

[Region I Order G-16 Under 18 (c), etc., Amdt. 5]

FLUID MILK IN THE COMMONWEALTH OF MASSACHUSETTS

Amendment 5 to Region I Order G-16 under section 18 (c) of the General Maximum Price Regulation, § 1351.807 of Maximum Price Regulation 280, and § 1351.408 of Maximum Price Regulation 329.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by section 18 (c) of the General Maximum Price Regulation, as amended by Amendment No. 33, by § 1351.807 of Maximum Price Regulation No. 280, and by § 1351.408 of Maximum Price Regulation No. 329, *It is hereby ordered,* That subparagraphs (24) and (25) of paragraph (a) be amended, that subparagraph (10) of paragraph (b) be revoked, that subparagraph (11) of paragraph (b) be renumbered (10) and that subparagraph (5) of paragraph (i) be added, to read as set forth below:

(a) * * *

(24) Massachusetts Milk Marketing Area 10D (the towns of Bedford, Burlington, Lincoln, North Reading, Weston and Wilmington) Area 15C (the town of Hull) and Area 17 (the cities of Beverly, Boston, Cambridge, Chelsea, Everett, Lynn, Malden, Medford, Melrose, Newton, Peabody, Quincy, Revere, Salem, Somerville, Waltham, and Woburn and the towns of Arlington, Belmont, Braintree, Brookline, Dedham, Lexington, Marblehead, Milton, Nahant, Needham, Reading, Saugus, Stoneham, Swampscott, Wakefield, Watertown, Wellesley, Weymouth, Winchester, and Winthrop)

Milk	Retail delivered	Retail over counter	Wholesale delivered
Quart bottles	$0.16	$0.145	$0.13
Pint bottles			.0775
10-ounce bottles			.075
Half-pint bottles			.0425
8-quart cans			1.00
10-quart cans			1.25
20-quart cans			2.45
40-quart cans			4.80

Price to producers: $4.10 per hundredweight.

(25) Massachusetts Milk Marketing Area 11AB (the cities of Lawrence and Lowell and the towns of Andover, Billerica, Boxford, Chelmsford, Dracut, Dunstable, Methuen, North Andover, Tewksbury, Tyngsborough and Westford)

Milk	Retail delivered	Retail over counter	Wholesale delivered
Quart bottles	$0.16	$0.145	$0.13
Pint bottles			.0675
10-ounce bottles			.055
Half-pint bottles			.04
8-quart cans			1.00
10-quart cans			1.25
20-quart cans			2.50
40-quart cans			4.80

Price to producers: $4.14 per hundredweight (for producers located in Massachusetts); $4.10 per hundredweight (for producers located elsewhere in Region I).

* * * *

(b) * * *

(10) * * *

(i) * * *

(5) Amendment No. 5 shall become effective July 3, 1943, at 12:01 a. m.

Issued this 2d day of July 1943.

K. B. BACKMAN,
Regional Administrator

[F. R. Doc. 43-11629; Filed, July 19, 1943; 3:13 p. m.]

[Region I Order G-20 Under 18 (c), Amdt. 2]

FLUID MILK IN THE STATE OF RHODE ISLAND

Amendment 2 to Order Number G-20 under section 18 (c) as amended, of the General Maximum Price Regulation.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by section 18 (c) of the General Maximum Price Regulation, as amended by Amendment No. 33, and by § 1351.807 of Maximum Price Regulation No. 280, as amended, *It is hereby ordered,* That subsection (13) be added to section (b) and that subsection (2) be added to section (h) to read as set forth below:

(b) * * *

(13) The maximum prices for buttermilk sold and delivered in each Rhode Island Milk Marketing Area shall be 1¢ per quart less than the maximum prices fixed in this Order for standard milk sold or delivered in such Area.

* * * * *

(h) * * *

(2) Amendment No. 2 shall become effective July 1, 1943, at 12:01 a. m.

Issued this 29th day of June 1943.

K. B. BACKMAN,
Regional Administrator

[F. R. Doc. 43-11623; Filed, July 19, 1943; 3:11 p. m.]

[Region I Order G-27 Under 18 (c)]

SOFTWOOD-SLABWOOD SOLD AND DELIVERED IN PARIS, LEWISTON, AUBURN AND SANFORD, MAINE

Order No. G-27 under Section 18 (c) of the General Maximum Price Regulation.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by section 18 (c) of the General Maximum Price Regulation, as amended by Amendment 33, *It is hereby ordered.*

(a) *Maximum prices for softwood-slabwood.* For softwood-slabwood sold and delivered in Paris, Lewiston, Auburn, and Sanford, Maine, the maximum prices established by the General Maximum Price Regulation are modified, so that the maximum prices for softwood-slabwood sold and delivered therein shall be as follows:

Delivered at buyers' premises	*Maximum price per cord*
Paris	$8.00
Lewiston	9.00
Auburn	9.00
Sanford	7.00

(b) *Evasion.* (1) The maximum prices set forth in this Order No. G-27 shall not be evaded, whether by direct or indirect methods in connection with, or relating to, an offer, solicitation, agreement, sale, delivery, purchase, or receipt of softwood-slabwood in Paris, Lewiston, Auburn, and Sanford, Maine, alone or in conjunction with any other commodity or by way of commission, service, transportation, or any other charge or discount, premium or other privilege, or by tying-agreement or other trade understanding or otherwise.

(2) The maximum prices established in this Order No. G-27 shall not be increased by any charges for the extension of credit or by any decrease in the time customarily allowed for payment and shall be decreased for prompt payment to the same extent that the price would have been decreased for prompt payment during March, 1942.

(c) *Definitions.* The definitions set forth in Section 302 of the Emergency Price Control Act, as amended, and in Section 20 of the General Maximum Price Regulation shall apply to the terms used in this order, except when the context otherwise requires and except that the terms listed below shall be construed as follows:

(1) "Softwood-slabwood" means the refuse, except sawdust and bark not adhering to the wood, from sawing any coniferous logs.

(2) "A cord." A cord shall contain 128 cubic feet of wood. A cord of 16-inch wood shall contain the equivalent of three piles of wood four feet high, eight feet long, and 16 inches wide. A cord of 12-inch wood shall contain the equivalent in four piles of wood four feet high, eight feet long, and 12 inches wide. No cord of wood of any length shall contain less than 128 cubic feet of wood. This order does not recognize the terms, "a run" or "Stove cord" except as they apply to that proportion of a cord of wood containing 128 cubic feet.

(d) This order shall apply only to those sales on which the buyer receives physical delivery of the softwood-slabwood in Paris, Lewiston, Auburn, or Sanford, Maine, as the case may be.

(e) This order may be revoked, amended, or corrected at any time.

(f) This order shall terminate on September 30, 1943. This order shall become effective June 28, 1943.

(Pub. Laws 421 and 729, 77th Congress; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 21st day of June 1943.

RICHARD H. FIELD,
Acting Regional Administrator

[F. R. Doc. 43-11630; Filed, July 19, 1943; 3:13 p. m.]

[Region I Order G-27 Under 18 (c), Amdt. 1]

SOFTWOOD-SLABWOOD SOLD AND DELIVERED IN PARIS, LEWISTON, AUBURN AND SANFORD, MAINE

Amendment No. 1 to Order No. G-27 under section 18 (c) of the General Maximum Price Regulation.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by section 18 (c) of the General Maximum Price Regulation, as amended by Amendment 33, *It is hereby ordered,* That paragraph (c) (1) be amended and that paragraph (g) be added, to read as set forth below:

(c) * * *

(1) "Softwood-slabwood" means the refuse, cut into 18-inch or 12-inch lengths, resulting from the sawing of coniferous logs, excluding, however, bark not adhering to the wood.

* * * * *

(g) *Effective date of amendments.* (1) Amendment No. 1 shall become effective July 7, 1943, at 12:01 a. m.

Issued this 6th day of July 1943.

K. B. BACKMAN,
Regional Administrator

[F. R. Doc. 43-11631; Filed, July 19, 1943; 3:14 p. m.]

[Region II Order G-1 Under Rev. MPR 122]

SOLID FUEL IN MIDDLESEX COUNTY, N. J.

Order No. G-1 Under § 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122 (formerly Order No. 1)

It is the judgment of the Regional Administrator that there exists or threatens to exist in Middlesex County in the State of New Jersey, a shortage in the supply of a solid fuel which is essential to a standard of living consistent with the prosecution of the war that such local shortage will be substantially reduced or eliminated by adjusting the maximum prices of dealers in Middlesex County for such solid fuel; and that such adjustment will not create or tend to create a shortage, or a need for increase in prices, in another locality, and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended.

Accordingly, pursuant to the Emergency Price Control Act of 1942, as amended and § 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, and Revised Procedural Regulation No. 1, and for the reasons set forth in

an opinion to be issued forthwith, *It is ordered,* That:

(a) On and after January 16, 1943, the maximum prices of dealers in Middlesex County, New Jersey, for the sale and delivery in Middlesex County of the sizes of anthracite coal set forth in the following schedules shall be the applicable adjusted maximum prices specified therein:

(1) *Maximum delivered prices.*

Size	Price per net ton delivered	Price per ½ net ton delivered
Egg, stove and nut	$12.60	$6.55
Pea	10.80	6.65
Buckwheat	9.00	4.75
Rice	8.00	4.25

(2) *Maximum prices at the dealer's yard.*

Size	Price per net ton	Price per net ½ ton	Price per cwt. for sales of 100 lbs. and over, but less than ½ ton	Price on cwt. basis for sales of less than 100 lbs.
Egg, stove, and nut.	$10.60	$5.30	$.65	$.75
Pea	9.35	4.70	.60	.65
Buckwheat	7.70	3.85	.45	----------
Rice	6.70	3.35	.45	----------

(b) The foregoing adjusted maximum prices include the amount of the railroad freight rate increase incurred by dealers in Middlesex County as a result of the Interstate Commerce Commission's order in its Docket Ex Parte 148, effective March 18, 1942, and such railroad freight rate increase may not be added to the adjusted maximum prices, notwithstanding the provisions of § 1340.257 of Revised Maximum Price Regulation No. 122.

(c) Each dealer in Middlesex County may add to the adjusted maximum price for each size of fuel set forth in the above schedules any increase in his supplier's maximum price to him for the same fuel over such supplier's present maximum price to him for the same fuel; and may also add to such adjusted maximum price the amount authorized by Section 1340.265 of Revised Maximum Price Regulation No. 122 for taxes actually paid or payable by such dealer.

(d) The adjusted maximum prices prescribed herein shall not apply to sales and deliveries by dealers in Middlesex County to persons outside of such county.

(e) This order is subject to revocation or amendment by the Regional Administrator or by the Price Administrator at any time hereafter, either by special order or by price regulation issued hereafter, or in supplement or amendment hereafter issued as to any price regulation, the provisions of which may be contrary hereto.

(f) *Definition.* When used in this order:

(1) The size of anthracite coal described as egg, stove, nut, pea, buckwheat and rice shall refer to the same sizes of anthracite coal as were sold by the dealers in Middlesex County with such designation during December, 1941.

(2) The term "maximum delivered prices" used in paragraph (a) (1) hereof shall refer to the maximum prices for delivery to the purchaser's premises or to such other place in Middlesex County as the purchaser may designate.

(3) Unless the context otherwise requires, the definitions set forth in Revised Maximum Price Regulation No. 122 shall apply to terms used herein.

Issued January 16, 1943.

SYLVAN L. JOSEPH,
Regional Administrator

[F. R. Doc. 43-11619; Filed, July 19, 1943; 3:06 p. m.]

[Region II Order G-1 Under MPR 122]

SOLID FUELS SOLD AND DELIVERED BY DEALERS

Amendment No. 1 to Order No. G-1—(formerly designated Order No. 1) under § 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122.

Pursuant to the Emergency Price Control Act of 1942, as amended, and the authority vested in the Regional Administrator of the Office of Price Administration by § 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, and paragraph (a) of Order No. G-1 (formerly designated Order No. 1 under § 1340.259 (a) (1) of Maximum Price Regulation No. 122) and for the reasons set forth in an opinion issued simultaneously herewith, Order No. G-1 is amended in the following respects:

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

(a) On and after June 1, 1943, the maximum prices of dealers in Middlesex County, New Jersey, for the sale and delivery in Middlesex County of the sizes of anthracite coal set forth in the following schedules shall be the applicable adjusted maximum prices specified therein:

(1) *Maximum delivered prices.*

Size	Price per net ton delivered	Price per ½ net ton delivered
Egg, stove, and nut	$12.55	$6.55
Pea	10.75	6.65
Buckwheat	8.95	4.75
Rice	7.95	4.25

(2) *Maximum prices at the dealer's yard:*

Size	Price per net ton	Price per net ton	Price per cwt. for sales of 100 lbs. and over, but less than ½ ton	Price on cwt. basis for sales of less than 100 lbs.
Egg, stove, and nut	$10.55	$5.30	$.65	$.75
Pea	9.30	4.65	.60	.65
Buckwheat	7.65	3.85	.45	----------
Rice	6.65	3.35	.45	----------

2. Paragraph (b) is eliminated.

This amendment to Order No. G-1 shall become effective June 1, 1943.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 25th day of May 1943.

SYLVAN L. JOSEPH,
Regional Administrator

[F. R. Doc. 43-11618; Filed, July 19, 1943; 3:04 p. m.]

[Region II Order G-4, Under 18 (c), Amdt. 1]

FLUID MILK FOR DUTCHESS AND PUTNAM COUNTIES

Amendment No. I to Order No. G-4 Under § 1499.18 (c) of the General Maximum Price Regulation and § 1351.807 to Maximum Price Regulation No. 280—Adjustment of the Wholesale and Retail Prices of Fluid Milk for the Counties of Dutchess and Putnam.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1351.807 of the General Maximum Price Regulation No. 280, as amended, *It is herewith ordered,* That paragraph (a) (2) of said order No. G-4 be amended to read as follows:

(a) * * *

(1) * * *

(2) For sales in containers other than glass or paper containers at wholesale to stores, hotels, restaurants and institutions, the seller's maximum price shall be the higher of either of the following:

(i) Ten (10) cents per quart, except that during the period July 1, 1943 to and including September 15, 1943 only, such maximum price shall be eleven (11) cents per quart; or

(ii) The maximum price established under § 1351.803 (a) of Maximum Price Regulation No. 280, as amended.

This amendment to Order No. G-4 shall become effective July 1, 1943 and expire September 16, 1943 unless earlier revoked.

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

Issued this 30th day of June 1943.

SYLVAN L. JOSEPH,
Regional Administrator.

[F. R. Doc. 43-11620; Filed, July 19, 1943; 3:07 p. m.]

[Region IV Order G-1 Under MPR 165]

CITRUS FRUIT IN FLORIDA

General Order No. G-1 under Maximum Price Regulation 165—Adjustment of Maximum Price for Citrus Fruit Packing Services Sold by Sellers Located in the State of Florida.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.114 (d) of Maximum Price Regulation No. 165, *It is hereby ordered.*

(a) On and after the effective date of this order, each seller of citrus fruit packing services located in the State of

Florida may sell and offer to sell any of the services set out below at a price no higher than such seller's present maximum price for such service under Maximum Price Regulation No. 165, plus the appropriate increase listed below:

	Increase permitted	
(1) Oranges.	*(Basis std. 1⅗ bu. box)*	
Container type:		
Standard box (1⅗ bu.)	09¢	
Bruce box (1⅗ bu.)	07¢	
Bags:		*Per bag*
½ Box bag	03¢	01.5¢
20# Bag	03¢	00.75¢
8# Bag	03½¢	00.35¢
5# Bag	04¢	00.25¢
(2) Grapefruit.		
Container type:		
Standard box (1⅗ bu.)	08¢	
Bruce box (1⅗ bu.)	06¼¢	
Bags:		
½ Box bag	03¢	01.5¢
(3) Tangerines.		
Container type:		
Std. ½ strap box (⅘ bu.)	13¢	

(b) Lower prices than those provided herein may be charged.

(c) No seller may use any increase permitted by this order as a basis for a request for increase in maximum prices permitted under Maximum Price Regulation No. 292.

(d) *Definitions.* (1) Citrus fruit packing services shall include (but not limited to) the receiving of citrus fruit at the platform of the packer, the processing of this fruit for packing, washing, grading and packing in the specified containers, and the placing of the fruit on the shipping platform of the packing establishment. It shall include, in addition to these services, any other service customarily performed by the particular seller during March 1942 as part of, or in connection with, the services above set forth.

(2) Except as provided herein, and unless the context otherwise requires, the definitions set forth in Section 1499.116 of Maximum Price Regulation No. 165 shall apply to the terms used herein.

(d) Each seller must continue all discounts, allowances and other price differentials which were in effect to each class of purchaser in March 1942.

(f) The seller herein named shall keep posted at a conspicuous place in his place of business a copy of this order.

(g) Except as otherwise provided herein, all transactions subject to this order shall remain subject to all of the provisions of Maximum Price Regulation No. 165, together with all amendments, supplementary regulations and orders that heretofore have been, or hereafter may be, issued.

(h) This order may be revoked, amended or corrected at any time.

(i) This order shall become effective retroactive to September 1, 1942.

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

Issued June 28, 1943.

JAMES C. DERIEUX,
Regional Administrator

[F. R. Doc. 43-11613; Filed, July 19, 1943; 2:57 p. m.]

[Region IV Order G-2 Under 3 (c)]

RECONDITIONED USED SYRUP BARRELS FOR ALABAMA-GEORGIA SYRUP CO.

Order No. G-2 under § 1499.3 (c) of the General Maximum Price Regulation—Adjustment of Reconditioned Used Syrup Barrels for the Alabama-Georgia Syrup Company, Montgomery, Alabama and Retail Outlets Purchasing From Such Company; (formerly Order 3 (c)-2)

The Alabama-Georgia Syrup Company, Montgomery, Alabama, has made application under § 1499.3 (c) of General Maximum Price Regulation for determination of a maximum price for reconditioned used standard half barrels of approximately 35 gallons capacity, mainly of cypress construction used in the packaging of raw sugar cane syrup, and known to the trade as "syrup barrels." Due consideration has been given to the application, and an opinion in support of the Order has been issued simultaneously herewith. For the reasons set forth in the opinion under the authority vested in the Regional Administrator of the Office of Price Administration for Region IV by Administrative Order 25, (redesignated as General Order No. 32) issued and effective September 1, 1942, and in accordance with § 1499.3 (c) of General Maximum Price Regulation, *It is hereby ordered,* That:

I. *Authorization of a maximum price for reconditioned used syrup barrels for the Alabama-Georgia Syrup Company and other persons.* (1) On and after November 7, 1942, regardless of any contract or other obligation, the Alabama-Georgia Syrup Company may sell or deliver to any retail dealer for resale, and any retail dealer may, from the Alabama-Georgia Syrup Company, buy or receive for resale a reconditioned used syrup barrel at a price no higher than $2.60 per barrel.

(2) On and after November 7, 1942, regardless of any contract or other obligation, the Alabama-Georgia Syrup Company, any retail dealer or other person, may sell or deliver to an ultimate consumer a reconditioned used syrup barrel at a price no higher than $2.85 per barrel.

(3) The stated maximum prices shall include the furnishing of all services customarily performed by the seller during the 1941 selling season incidental to the sale of reconditioned used syrup barrels, including, but not limited to, terms of delivery and replacement and adjustment of defective units.

(4) All credit terms, discounts, allowances and price differentials offered by the seller during the 1941 selling season shall be maintained.

II. *Requirements of marking.* All reconditioned used syrup barrels sold pursuant to this order shall be marked by the Alabama-Georgia Syrup Company prior to sale and delivery by branding, stencil, or other customary permanent means in such a manner that such unit shall be capable of immediate identification as an Alaga barrel.

III. *Requirements of notification and posting.* (1) The Alabama-Georgia Syrup Company shall on or before the effective date of this order, deliver a copy of such order to each retail dealer to whom deliveries of any reconditioned used syrup barrels have been made during the 1941 selling season, or during that portion of the 1942 selling season prior to the effective date hereof; and shall deliver a copy of such order to any other retail dealer on or before the first delivery of any such barrel to such other retail dealer after the effective date hereof.

(2) Every person making sales subject to this order shall post a copy of this order in a conspicuous place in his place of business, and shall make such order available during business hours for examination by any person requesting to see same.

IV. *Definitions.* For purposes of this order:

(1) "Retail dealer" shall mean any person who buys and receives reconditioned used syrup barrels for resale to the ultimate consumer.

(2) "Ultimate consumer" shall include any person who buys or receives reconditioned used syrup barrels for purposes of packaging raw sugar cane syrup at the place of production thereof, and such person for purposes of this regulation shall not be considered to be an industrial or commercial user.

(3) "Selling season" shall mean the months of October, November, and December.

(4) "Reconditioned used syrup barrel" shall mean a standard half barrel of approximately 35 gallons capacity, mainly of cypress construction, to which all operations of cleaning by steam, recooperage and of other reconditioning customary to the trade have been fully performed prior to the time of sale and delivery and which bears the marking required by paragraph II of this order.

(5) All other terms used, unless the context otherwise requires, shall be construed in accordance with § 1499.20 of General Maximum Price Regulation.

V. *Applicability of the General Maximum Price Regulation.* Except as otherwise provided herein, all transactions subject to this order remain subject to all the provisions of the General Maximum Price Regulation, together with all amendments that have been heretofore or which may be hereafter issued.

VI. *Effective date.* This order shall become effective November 7, 1942.

This order may be revoked or amended by the Regional Administrator at any time.

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

Issued this 31st day of October, 1942.

OSCAR R. STRAUSS, Jr.
Regional Administrator

[F. R. Doc. 43-11614; Filed, July 19, 1943; 2:57 p. m.]

[Region V Order G-2 Under MPR 333]

EGGS AND EGG PRODUCTS IN LOUISIANA

Order No. G-2 under § 1429.63 of Maximum Price Regulation No. 333—Modifi-

cation of Prices in Certain Named Parishes in the State of Louisiana.

For the reasons set forth in the opinion issued simultaneously herewith, and under the authority of § 1429.63 of Maximum Price Regulation No. 333, as amended: *It is hereby ordered,*

(a) That the maximum price for any person selling and delivering Grades A and B of consumer grade shell eggs to any retailer, or to any commercial, industrial, institutional, or non-Federal Governmental user located in any of the parishes of East Baton Rouge, Jefferson, Orleans or Plaquemines in the State of Louisiana, shall be as hereinafter set out in Table A.

TABLE A—WEEKLY PRICES, MONDAY THROUGH SUNDAY

1943—Week beginning	June	July				August					September				October				November					December			
	28	5	12	19	26	2	9	16	23	30	6	13	20	27	4	11	18	25	1	8	15	22	29	6	13	20	27
Grade A	45	46	47	48	49	50	51	52	52	53	54	55	56	57	58	58	59	59	59	58	57	56	55	53	53	52	51
Grade B	42	42	43	44	44	45	46	46	46	47	47	47	47	48	49	49	49	49	50	50	49	50	49	48	48	48	48

(b) Maximum prices for other egg sizes and grades. The premiums specified in § 1429.67 (g) of Maximum Price Regulation No. 333 for other egg sizes and grades shall be applicable to the prices set out in Table A.

(c) Unless the context otherwise requires, the definitions as set forth in Maximum Price Regulation No. 333, as amended, shall apply to all of the terms used herein.

(d) This General Order No. II under § 1429.63 of Maximum Price Regulation No. 333, as amended, shall become effective at 12:01 a. m., Wednesday, June 30, 1943, and shall expire, unless sooner terminated, midnight, December 31, 1943.

(e) This adjustment order may be revoked or amended at any time by the Regional Administrator, Region V.

(f) General Order No. I under Maximum Price Regulation No. 333, issued by the Administrator on June 15, 1943, is revoked.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 29th day of June 1943, at Dallas, Texas.

C. B. BRAUN,
Acting Regional Administrator

[F. R. Doc. 43-11615; Filed, July 19, 1943; 2:59 p. m.]

[Raleigh Order G-2 Under MPR 154, as Amended]

ICE PRICES IN SAMPSON COUNTY, NORTH CAROLINA

Order Number G-2 Under Maximum Price Regulation No. 154 as Amended.

For the reasons set forth in an opinion issued simultaneously herewith and under authority vested in the District Director of the Office of Price Administration, Raleigh, North Carolina, by order issued by the Atlanta Regional Office pursuant to § 1393.8 (e) of Maximum Price Regulation No. 154 as amended: *It is hereby ordered:*

(a) On and after the effective date of this order the maximum prices for ice sold in Sampson County, North Carolina, shall be as follows:

Platform prices

1 block (300 lbs.)	$1.20
½ block (150 lbs.)	70
100 lbs	.50
75 lbs	.40
50 lbs	.35
25 lbs	.20

Delivered prices

1 block (300 lbs.)	$1.50
½ block (150 lbs.)	75
100 lbs	.55
75 lbs	.45
50 lbs	.35

(b) *Definitions.* Unless the context otherwise requires, the definitions set forth in § 1393.10 of Maximum Price Regulation No. 154 as amended shall apply to the terms used herein.

(c) Every seller whose maximum prices for ice are established by this order shall keep posted at a conspicuous place in his place of business a copy of this order.

(d) Except as otherwise provided herein all transactions subject to this order shall remain subject to all of the provisions of Maximum Price Regulation No. 154 as amended together with all amendments and orders that have been heretofore issued or may be hereafter issued.

(e) This order may be revoked, amended or corrected at any time.

This order shall become effective June 15, 1943.

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

Issued this 14th day of June 1943.

THEODORE S. JOHNSON,
District Director.

[F. R. Doc. 43-11617; Filed, July 19, 1943; 3:03 p. m.]

[Region III, Order G-17 Under Section 18 (c)]

CERTAIN MILK TRADE PRACTICES

Order No. G-17 under § 1499.18 (c) as amended, of the General Maximum Price Regulation (formerly General Order No. 1) pertaining to certain trade practices in Region III.

For the reasons set forth in the opinion attached hereto, and pursuant to the authority vested in the Regional Administrator of Region III under the provisions of § 1499.18 (c) of the General Maximum Price Regulation and § 1351.807 of Maximum Price Regulation No. 280, and notwithstanding the provisions of § 1499.2 of the General Maximum Price Regulation, § 1351.803 of Maximum Price Regulation No. 280, and any order heretofore issued by the Regional Administrator of Region III, *It is hereby ordered,* That:

I. *Discounts.* Any person selling fluid whole milk at retail or wholesale in the States of Indiana, Kentucky, Michigan, Ohio, or West Virginia may discontinue the granting of discounts.

For the purpose of this section, fluid whole milk is defined to mean all grades of cow's milk which has been produced, processed, distributed and sold for human consumption in fluid form, except condensed and evaporated milk.

II. *Special milk.* A. Special milk is defined to mean plain Homogenized Milk, Vitamin D Homogenized milk, Softcurd milk, Buttermilk, Regular or Standard milk flavored with chocolate, Chocolate drink, Skim milk, and in addition, any milk conforming to both of the following requirements: (1) It must contain a greater butterfat content than regular or standard milk, and (2) it must have sold during the month of March 1942 at prices higher than regular or standard milk.

B. If, pursuant to the provisions of any order issued by the Regional Administrator of Region III, any person in the States of Indiana, Kentucky, Ohio, Michigan, or West Virginia has been permitted to increase the price of raw or pasteurized regular, standard milk sold by him, such person may now (except as provided in paragraph C of this section) add an amount equal to such increase to the retail and wholesale price of special milk established for him under the provisions of § 1499.2 of the General Maximum Price Regulation.

C. The adjusted maximum price of plain Homogenized milk, Chocolate drink, Buttermilk, and Skim milk as established under the preceding Paragraph B shall in no event exceed the adjusted maximum price established under any previous order of the Regional Administrator of Region III for raw or pasteurized regular, standard milk.

D. If any person selling special milk as herein defined, in an area in which an adjustment has heretofore been granted by the Regional Administrator of Region III, cannot determine his maximum prices for such special milk under the provisions under paragraph B or C of this section II, he may apply by letter to the Regional Office, Office of Price Administration, Union Commerce Building, Cleveland, Ohio, for determination of his maximum price. He shall submit full information as to his present maximum price, the prices of his most closely competitive sellers, the type and approximate butterfat content of the special milk sold by him and his most closely competitive sellers, and a full statement of the reasons why he is unable to determine an adjusted price under paragraphs B or C hereof.

III. *Reports.* Each person, other than a retail store, adjusting his maximum prices on special milk pursuant to the provisions of this order shall, within five days after such action, notify the Regional Office of the Office of Price Administration, Union Commerce Building, Cleveland, Ohio, by letter, of the following facts:

A. The increase, if any, permitted by previous order in the price of raw or pasteurized regular, standard milk.

B. The previous maximum price for each type of special milk.

C. His adjusted maximum price for each type of special milk.

Effective January 16, 1943.

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

Issued January 14, 1943.

BIRKETT L. WILLIAMS,
Regional Administrator

[F. R. Doc. 43-11660; Filed, July 20, 1943; 11:09 a. m.]

[Region III Order G-5 Under Section 18 (c)]

FLUID MILK SOLD TO CLEVELAND BOARD OF EDUCATION

Order No. G-5 under § 1499.18 (c) as amended of the General Maximum Price Regulation (formerly Order No. III—1499.18 (c)-3)—Order adjusting the maximum prices for sales of fluid milk at wholesale to the Cleveland Board of Education.

For the reasons set forth in the opinion attached hereto, and pursuant to the authority vested in the Regional Administrator of Region III under the Provisions of § 1499.18 (c) of the General Maximum Price Regulation, and notwithstanding the provisions of § 1499.2 of the General Maximum Price Regulation, and until further order of the Regional Administrator of said Region, *It is hereby ordered,* That any person, corporation, partnership, association, or any other organized group of persons, may sell and deliver to the Cleveland Board of Education at wholesale, and the Cleveland Board of Education may buy and receive fluid whole milk at prices not exceeding .0324¢ per one-half pint bottle.

Effective December 5, 1942.

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

Issued December 4, 1942.

BIRKETT L. WILLIAMS,
Regional Administrator

[F. R. Doc. 43-11675; Filed, July 20, 1943; 11:12 a. m.]

WAR SHIPPING ADMINISTRATION.

REQUISITIONED LITHUANIAN VESSEL "DENNY"

NOTICE OF DEPOSIT ON ACCOUNT OF JUST COMPENSATION

Notice is hereby given that, pursuant to the provisions of section 1 of the Act of June 6, 1941 (Public Law 101, 77th Congress) as amended, and Executive Order 9054 of February 7, 1942, as amended, the War Shipping Administrator, on October 8, 1942, deposited with the Treasurer of the United States, the amount of $22,500.00 on account of just compensation for the former Lithuanian Vessel "Denny" title to which was requisitioned by the War Shipping Administrator on June 1, 1942.

The attention of interested parties is invited to the provisions of section 1 of the above-mentioned Act concerning claims against the vessel which existed at the time of requisition.

By order of the War Shipping Administrator.

[SEAL] A. J. WILLIAMS,
Acting Secretary.

JULY 19, 1943.

[F. R. Doc. 43-11664; Filed, July 20, 1943; 11:25 a. m.]